

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 11th May, 2005

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

## PRAYERS

## COMMUNICATIONS FROM THE CHAIR

DOCUMENTS FOR TABLING MUST FIRST  
BE AUTHENTICATED AND APPROVED

**Mr. Speaker:** Mr. Gor Sungu, I think you were here this morning. I am informed by the Deputy Speaker that you purported to lay some document on the Table of this House, which the Deputy Speaker, ultimately, found out not to be correct. To the depth of my understanding, you have not availed any documents to the Clerk of the Kenya National Assembly or the Speaker, as must be the case, for perusal and approval before they are laid on the Table of this House. Have you done that?

**Mr. Sungu:** Mr. Speaker, Sir, first of all, the Report was brought to me late, and for that reason, I could not submit it to the Clerk's office in good time.

However, I beg to ask you, Sir, that since these documents have been perused by officers of the National Assembly, I be allowed to lay on the Table of this House the Report, which is now ready and with me here in a complete form.

**Mr. Speaker:** Order, Mr. Sungu! If you look at the rules of the House, the Clerk of the National Assembly, and not any officers, has custody of all documents. The Clerk shall then refer those documents to Mr. Speaker. Have you given your documents to the Clerk of the National Assembly?

**Mr. Sungu:** Mr. Speaker, Sir, I believe that they are now with the Speaker. I wanted to seek your guidance as to whether we should proceed or hold on until tomorrow.

**Mr. Speaker:** Order, Mr. Sungu! I want to direct you to do the following: That you must follow all the rules of this House. You must take the documents that you wish to lay on the Table of the House to the Clerk of the National Assembly, who will then verify their authenticity and correctness. He shall, thereafter, forward the documents to the Speaker, and authority will be given subsequently. This House shall not be ambushed and there shall be no use of short-cuts. The law must be followed.

## MR. ORIRI-ONYANGO HAD NO AUTHORISATION TO ACT FOR PARLIAMENT

Hon. Members, I wish to state the following in respect of an issue that, I am sure, has come to your attention as a House. The issue is a suit purported to have been filed either against the

Parliamentary Select Committee Investigating the Death of Dr. Robert Ouko or the Speaker of the National Assembly. I understand that certain orders and undertakings were made to the court. I also understand that the Select Committee and I have been sued in that case although I have not seen any pleadings. I further [**Mr. Speaker**]

understand that one Mr. Oriri-Onyango has been acting for Parliament. To the best of my knowledge, he has not sought or received any instructions from the Speaker of the National Assembly. Further, I understand that the said Mr. Oriri-Onyango has made certain undertakings on behalf of this House and on my behalf.

I wish to inform this House that I have not authorised or instructed the said Mr. Oriri-Onyango to make any undertaking on behalf of this House. I do not know who instructed Mr. Oriri-Onyango, where he got his authority to act for this Parliament, and who gave him the authority to make any undertaking on behalf of the National Assembly.

Hon. Members, I have also talked to the Attorney-General of the Republic of Kenya and he has confirmed to me that he is a total stranger to the suit that has been filed, and that he has not given any direction, whatsoever, to Mr. Oriri-Onyango to either act for Parliament or make any undertakings which are alleged to have been made on his behalf.

So, there is a very strange saga going on here, and I must say the following: For avoidance of doubt, the spokesperson for this National Assembly is the Speaker. That is why he is called the Speaker; he speaks for the House.

*(Applause)*

No other person, under any other name or guise, has authority or power to speak or act for this House. We must desist from any action that is going to further damage the reputation and respect of this House. So, as far as I know, there is no suit. I have not instructed Mr. Oriri-Onyango, neither have I given him authority to engage in any undertaking on behalf of Parliament.

I think Mr. Oriri-Onyango was on his own and he will not seek any protection from the Chair or from this House.

## QUESTIONS BY PRIVATE NOTICE

### REPAIR OF SANGALO-KAIBOI- KIPKAREN ROAD

**Mr. Sambu:** Mr. Speaker, Sir, I beg to ask the Minister for Roads and Public Works the following Question by Private Notice.

(a) Is the Minister aware that Road C37 between Sangalo, Kaiboi and Kipkaren-Salient centres is impassable during the ongoing rainy season as it has not been gravelled for many years?

(b) What immediate steps is the Minister taking to repair the road and make it passable?

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

(a) I am aware that Road C37, particularly the Birei River-Kaiboi-Kipkaren-Salient section is impassable during the ongoing rainy season.

(b) The Birei River-Kaiboi section has been contracted for grading this financial year as a short-term measure. However, major grading and spot-gravelling has been prioritised for execution in the financial year 2005/2006.

**Mr. Sambu:** Mr. Speaker, Sir, as you can see, this is a major road; this is a Class C road.

Unfortunately, a few years ago, this road was contracted for gravelling at Kshs56 million. Force labour, which is the Ministry of Roads and Public Works, was also given Kshs8 million to do this particular section. If you go there now, there is not a single place where you can see murrum. Could the Assistant Minister make sure that if he allocates any money, work is actually done since the engineers on the ground just misappropriate this money?

**Eng. Toro:** Mr. Speaker, Sir, the records I have indicate that the Chepterit-Kaiboi section of this road was gravelled and the works completed in the year 2000. The amount used was Kshs56 million for the 32 kilometre section, and the contractor who did the work was Daikon Contractors. The other section between Kaiboi-Kipkaren-Salient-Cheplagei was done by the Ministry in the year 2001. If something has gone wrong and the road is impassable, we are in a position, as I said in reply to part (b), to prioritise this road for the next financial year.

**Mr. Ojaamong:** Mr. Speaker, Sir, sometime towards the end of last year and the beginning of this year, the Ministry of Roads and Public Works had planned to buy graders for each district. When will these graders be availed to the districts?

**Eng. Toro:** Mr. Speaker, Sir, the Government has already signed an agreement with the Government of South Korea for a grant of US\$25 million to buy equipment for making roads. This is the money we intend to use to buy graders for districts and other civil works machinery. There is also the programme through the Constituency Development Fund (CDF), where every constituency is warming up to buy graders. When we are buying equipment for the districts, the graders are also being purchased for constituencies. So, we would like to know the names of those constituencies which want to buy the graders so that when we are buying graders for the districts, we do not have to buy more machinery than what is required.

**Mr. Manoti:** Mr. Speaker, Sir, from what we have been told by the Member for the area, this is a very important road. Three years ago, the Ministry spent Kshs56 million to murrum it. Now, they want to go back and do the same. Since it is very uneconomical to keep on murrumming such a road, and this is a very important road, could the Ministry consider tarmacking it?

**Eng. Toro:** Mr. Speaker, Sir, I said that for the next financial year, we are going to further improve the road by spot-patching, using gravel. The issue of upgrading to bitumen standards is yet to be decided. I would also like to point out to the Member that we intend to do immediately the section between Birei River and Kaiboi, where we have already given a contract to Rudi Automat for Kshs88,000 to do some grading on that section which is still very bad.

**Mr. Sambu:** Mr. Speaker, Sir, it is a pity the Assistant Minister is talking about Kshs88,000, and yet three years ago, they spent Kshs56 million. Nonetheless, the section between Kaiboi and Kipkaren-Salient links Nandi with Western Province at Turbo. The Ministry also spent Kshs8 million less than three years ago. Could the Assistant Minister now take urgent measures to gravel, at least, the river sections near the bridges, because between Kaiboi and Kipkaren, it is totally impassable and people sleep on the road when it rains?

**Eng. Toro:** Mr. Speaker, Sir, we have identified this section; that is, between Birei River, Kaiboi-Kipkaren-Salient as one of the sections that become very bad during wet seasons. We are going to take steps to ensure that after the rains are over; since there is very little we can do when it is raining, we will make the section passable before the next rains.

#### MEASURES TO SAVE REGIONAL AIR COMPANY FROM COLLAPSE

**(Mr. J. M. Mutiso)** to ask the Minister for Transport:-

- (a) What measures is the Government taking to ensure that Regional Air Company Ltd does not collapse?
- (b) Could he consider giving concessions to both Regional and Precision Airlines which operate within the East African region?

**Mr. Speaker:** Is Mr. J. M. Mutiso not here? Question is dropped.

*(Question dropped)*

EVICITION OF MR. JOHNSTONE MUYE  
FROM KIKAMBALA BEACH PLOT

**Mr. Khamisi:** Mr. Speaker, Sir, I beg to ask the Minister for Lands and Housing the following Question by Private Notice:-

(a) Is the Minister aware that the District Commissioner, Kilifi, has issued an eviction notice to Mr. Johnstone P. Muye to vacate his beach plot No.3238 III MN, at Kikambala?

(b) If the answer to "a" above is in the affirmative, what immediate steps is he taking to protect Mr. Muye from harassment?

**The Assistant Minister for Lands and Housing** (Mrs. Tett): Mr. Speaker, Sir, I beg to reply.

(a) The DC has not issued any eviction notice to Mr. Johnstone P. Muye to vacate the said plot at Kikambala.

(b) In view of my answer to "a", the question does not arise.

**Mr. Khamisi:** Mr. Speaker, Sir, I have it on authority from Mr. Muye himself that the DC, the local chief and the police department have been threatening this individual for some time now. In fact, last year, this old man was arrested and detained for 24 hours at Kijipwa Police Station because he refused to vacate that plot. Now that the Assistant Minister has said that the DC has not ordered for the eviction of this individual, could she order the police and the chief to stop harassing this old man?

**Mrs. Tett:** Mr. Speaker, Sir, Mr. Muye is a squatter on the said land. The current owner is an investor who bought the land in question. The District Commissioner (DC) facilitated a meeting between the original owner, the investor and Mr. Muye, together with the chief, councillors and the *wazee* in Kikambala. They agreed that they were going to give Mr. Muye an alternative land somewhere else. That is the situation on the ground.

**Mr. Serut:** Mr. Speaker, Sir, initially, the Assistant Minister denied that an order had been issued to evict Mr. Muye. She has now turned round and said that the DC facilitated the removal of Mr. Muye. Now, who is the present owner of that land, and originally, who was the owner? She is now talking of an investor.

**Mrs. Tett:** Mr. Speaker, Sir, I did not deny that an order had been issued to evict Mr. Muye. I said that the DC did not issue an eviction notice. The owner of the land is now the investor who bought the land from the original owner. Mr. Muye was a squatter.

**An hon. Member:** Who is the original owner?

**Mr. Serut:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to avoid telling us who the original owner was, before the investor came in?

**Mr. Speaker:** Would it make any difference?

**Hon. Members:** Yes!

**Mrs. Tett:** Mr. Speaker, Sir, this morning, as I frantically looked for the answer to this Question, I did not get the name of original owner of the land. However, I undertake to bring the name to this House tomorrow or Tuesday next week.

**Mr. Wanjala:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead the House? When you buy land, it is indicated in the transfer document that remains in the Ministry of Lands and Housing office, that so-and-so has transferred the ownership of this land to so-and-so. So, if you go and check that document, you will know who transferred the land to who. Is she in order to mislead the House, instead of telling us the name of the original owner? What is she hiding?

**Mrs. Tett:** Mr. Deputy Speaker, Sir, there is nothing I am hiding. The Plot No.3238IIMN is

the wrong plot number. There is no such a plot number in Mombasa. I just got the information from the DC, and they were going to give me the proper number. So, this number does not exist in our records.

**Mr. Speaker:** Order! Mrs. Tett, why did you not ask for more time? I would have given you.

**Mrs. Tett:** Mr. Speaker, Sir, I now ask for more time.

**Mr. Speaker:** I will give you up to next Wednesday!

**Mr. Khamisi:** On a point of order, Mr. Speaker, Sir. This is a very important issue because the situation on the ground is very volatile. The truth of the matter is that this plot originally belonged to a former hon. Member of Parliament, the hon. Stanley Metto. He sold it to somebody called David Langat, who sold it to another company of Asians, who are trying to build something there. The truth of the matter is that, this old man has lived there for 25 years.

**Mr. Speaker:** Order! Order, Mr. Khamisi! Have you ever heard of something called a suit? To claim an adjudication of a dispute between individuals, this Parliament, certainly, is not going to adjudicate private disputes. That is a civil matter. Ask your constituent to file a suit.

**Mr. Khamisi:** On a point of order, Mr. Speaker, Sir. My Question was based on the fact that this old man is being harassed and victimised every day. He was even detained for 24 hours at Kijipwa Police Station for refusing to leave that plot. This is a very serious matter, Mr. Speaker.

**Mr. Speaker:** Order! Order! It may very well be so, but this Parliament is not going to be the arbiter of property rights between citizens. That is why we have the courts, so that people can go there and have them adjudicated. So, that should end the story there.

Hon. Members, let us understand that ruling properly. Questions are put to Ministers on matters they have charge of. When it is a dispute between citizens as to property rights, or even a quarrel between citizens, this House is not equipped to sort out that dispute. That must go to court. So, I ask hon. Members, not to bring Questions of that nature here.

Next Question, Mr. C. Kilonzo!

## ORAL ANSWERS TO QUESTIONS

### *Question No.212*

#### GOVERNMENT EXPENDITURE ON RELIEF FOOD IN MACHAKOS

**Mr. C. Kilonzo** asked the Minister of State, Office of the President:-

(a) how much money has been spent in buying and distributing relief food in Machakos District;

(b) how much money has been spent on irrigation schemes and other water projects in the same district; and,

(c) what special programmes he has to ensure that famine is reduced in Machakos District and other parts of the country.

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

(a) A total of Kshs97,830,289 has been spent in buying and distributing food in Machakos District in the last two financial years.

(b) The Government has spent Kshs13,400,000 on irrigation schemes and other water projects in Machakos District in the last two financial years.

(c) My Ministry has so far continued providing relief food and seeds worth Kshs97,830,299, as stated, to the people affected by drought in Machakos District. The district has benefited from emergency operation programmes jointly funded by the Government and the World Food Programme (WFP). The Government will continue providing relief food and seeds to the district and other parts of

the country as and when required. If drought in Machakos District persists, consideration to have the district covered under the Arid Lands Resource Management Project will be made, just like is the case in other drought-stricken districts.

**Mr. C. Kilonzo:** Mr. Speaker, Sir, the amounts spent by the Government year in, year out, on purchase and distribution of relief food as compared to the amount spent every financial year for provision of water for irrigation is a very big contradiction. It shows that the Government is not yet committed to reducing the famine level in Machakos District and other parts of the country. When will the Government consider allocating more funds for irrigation?

**Dr. Machage:** Mr. Speaker, Sir, my Ministry is charged with the responsibility of handling emergencies, but not persistent famine that may arise due to poverty or other factors. The Ministry of Planning and National Development has the role of ensuring that economic development in all areas is undertaken, with a view to reducing the scourge.

My Ministry is also not really charged with the responsibility of providing irrigation water to the district. I dug dip in, to get this information from the district. The Question should have been directed to the Ministry of Water and Irrigation. If the hon. Member wants to get more details, we will give him. We also intend to provide more supplies as long as resources are available.

**Capt. Nakitare:** Mr. Speaker, Sir, you have heard the Assistant Minister say that they have allocation for relief food. When is he going to stop the reliance on handouts by Kenyans? Supplying people with relief food is really giving them handouts. For how long are we going to accept handouts?

**Dr. Machage:** Mr. Speaker, Sir, I am equally concerned, like other hon. Members. The Government does not promote dependency on hand-outs. We promote a situation where the country can be self-reliant and produce enough food. My Ministry has taken the responsibility of supplying quality seeds to most of the affected areas to increase food production.

**Mrs. Mwendwa:** Mr. Speaker, Sir, the Assistant Minister has told us that Kshs97 million was used to buy and transport food. I would like to know how much was spent on buying the food and transporting it. The Assistant Minister has also said that they distribute seeds. Could he agree with me that they usually distribute these seeds after the rains? Since these are ASAL areas, and unless the seeds are planted before the rains, it is a futile exercise to distribute the seeds after the rains.

**Dr. Machage:** Mr. Speaker, Sir, in the year 2003/2004, a total of Kshs38,029,639 was spent, out of which only Kshs1,789,600 was spent on transport. In the financial year 2004/2005, a total of Kshs59,800,450 was spent, out of which only Kshs2,536,855 was spent on transport.

The latter question is really interesting. My Ministry also depends on the weather forecast from another Ministry. You will accept that more often than not, we are told that there will be rain and it does not rain. We supply seeds to our people. It is their responsibility to keep them and plant them when the rains have fallen.

**Mr. C. Kilonzo:** Mr. Speaker, Sir, it is interesting that the Assistant Minister has confirmed that the Ministry which is in charge of weather forecast does not do its job. Nevertheless, in his answer to "c", he said that "if drought in Machakos persists---" Drought has persisted in Machakos District for a long time. For how long will the drought persist so that the district can be covered by the Special Programmes?

**Dr. Machage:** Mr. Speaker, Sir, I would like to inform the hon. Member that I am currently considering to include the district under the Special Programmes.

**Mr. Nderitu:** On a point of order, Mr. Speaker, Sir. I am glad that you have given this Question adequate time. That is prudent! Would I be out of order if I asked the Assistant Minister to show us the plans they have put in place to fight famine in this country? Unless we do that, more than four million people will perish because of hunger.

**Mr. Speaker:** Do we not have a Motion on that?

**Hon. Members:** No!

**Mr. Speaker:** I think we do!

**Hon. Members:** Where?

**Mr. Speaker:** Order! I approve all Motions before you even ever read them! Therefore, if I tell you that there is a Motion, then there is one.

**Mr. Mwandawiro:** On a point of order, Mr. Speaker, Sir. Is it in order to bring Motions here while we pass so many which are not implemented, like that one of building several dams every year?

**Mr. Speaker:** So why do you keep on bringing them?

*(Laughter)*

Order! Mr. Assistant Minister, hon. Members are genuinely concerned about perpetual hunger which is sometimes perpetuated by wrong actions. As pointed out by Mrs. Mwendwa, you give seeds long after the rains. What are you going to do about that? Do you have a plan or not?

**An hon. Member:** He does not know!

**Dr. Machage:** Mr. Speaker, Sir, my Ministry is charged with the responsibility of handling emergencies. Indeed, we work hand in hand with concerned Ministries, like the Ministry of Agriculture, and the Ministry of Water and Irrigation, to address the same. I believe that this point of order would have been more significant to the Ministry of Agriculture. However, I take the hon. Member's sentiments seriously.

**Mr. Speaker:** What would happen to your Ministry if there are no emergencies?

**Dr. Machage:** Mr. Speaker, Sir, that is the prerogative of His Excellency the President to decide.

**Mr. Speaker:** Next Question, Mr. Choge!

*Question No.319*

PAYMENT OF INSURANCE DUES  
TO MR. JOHN CHEBUN

**Mr. Choge** asked the Minister for Finance:-

- (a) whether he was aware that Mr. John Chebun K. Bor, holder of life policy No.3010006, has not been paid his dues by the Kenya National Assurance (KNA) (2001) Limited despite the policy having matured on 1st February, 2001; and,
- (b) when the claimant will be paid his dues, including unauthorised deductions levied on him.

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

(a) Mr. John Chebun K. Bor, holder of an Elimu Assurance Policy No.3010006 with the KNA (2001) Limited, has been paid his dues amounting to Kshs56,724.60 broken down as follows:-

	<u>KSHS</u>
Sum Assured	50,000.00
Accrued Bonus	2,125.00
Excess Premiums (Paid between January 2001 and April 2001)	4,599.60
Total	56,724.60

The amount was paid through Electronic Funds Transfer (EFT)

**[The Assistant Minister for Finance]**

through Mr. Bor's account No.01501531660 at the Standard Bank (Kenya) Limited (Kisumu Branch) on 24th June, 2004.

**Mr. Choge:** Mr. Speaker, Sir, is the Assistant Minister aware that he is in charge of investments in Kenya? He is very knowledgeable in that field. Is he satisfied that premiums totalling to

Kshs74,000 is good investment for a sum of Kshs50,000 after ten years or so?

**Mr. Obwocha:** Mr. Speaker, Sir, this money was obtained from the sale of properties of the KNA. There is a list of about ten properties, and if the House wants me to read the names, I will do. However, this money was obtained from the sale of those properties to pay many of the people who insured with the KNA.

**Mr. Muriithi:** Mr. Speaker, Sir, I am a victim of delayed pension dues. I lost a number of people during the bomb blast and to date, we have not received their dues. The former Kenya National Assurance (KNA) has not paid these dues. Could the Assistant Minister inform this House whether the Kenya National Assurance was wound up? If so, what happened to its proceeds and how many claims are still outstanding?

**Mr. Obwocha:** Mr. Speaker, Sir, we have done a valuation of the properties of the company and the values are as follows. Protection House - Kshs220 million; Salama House - Kshs115 million; Town House - Kshs210 million; Bima Towers, Mombasa, - Kshs256 million; Bamburi Plot - Kshs26 million; Tiu Beach Plot - Kshs8.75 million; Githurai Plot - Kshs38.81 million; Bima House, Nairobi, - Kshs560 million; manager's house in Nyeri - Kshs3.10 million; manager's house in Nakuru - Kshs3.50 million; Eldoret Plot - Kshs6 million; manager's house, Kisumu, - Kshs4 million; Ex-Ohawa, Kisumu, - Kshs1.35 million; manager's house, Mombasa, - Kshs7.5, and finally, the Kenya National Assurance Building in Kisumu is valued at Kshs215 million. That brings a total of Kshs1,675,000,218. After the sale of all these properties as valued, we will clear the claims that we can. At the moment, we have tried to clear some of them.

**Mr. Wanjala:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to leave out Corner House? He has not mentioned it in his list.

**Mr. Obwocha:** Mr. Speaker, Sir, I have mentioned Town House and I believe that is the House he is talking about. It is valued at Kshs210 million.

**Mr. C. Kilonzo:** On a point of order, Mr. Speaker, Sir. Corner House is different from Town House.

**Mr. Speaker:** Will you sit down, Mr. C. Kilonzo?

**Mr. Choge:** Mr. Speaker, Sir, could the Assistant Minister tell this House who purchased the Closed Life Fund of the Kenya National Assurance? He should also tell us who purchased Corner House which is opposite the International Life House.

**Mr. Obwocha:** Mr. Speaker, Sir, I have listed the properties which were in the name of the company. If the hon. Member has any further information, the Ministry will be glad to receive it. If the hon. Member is interested in knowing how much money has been collected through the sale of these properties, he should file a fresh Question on how much money has been collected by the company to date, and what claims have been paid, and we will answer that.

**Mr. Choge:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order! Hon. Members, this Question is specific. The Question relates to when Mr. John Chebun K. Bor will be paid his policy upon maturity. Mr. Choge, your Question has been answered and now you are diverting from it to irrelevancies which relate to the properties that are owned by the former company.

**Mr. Choge:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order, Mr. Choge! Your Question was in relation to the payment of Mr. John Chebun and not what properties the Kenya National Assurance had.

**Mr. Choge:** On a point of order, Mr. Speaker, Sir. Would I be in order to point out to the House that the Assistant Minister brought the injury to himself by introducing extraneous matters, which he needs to be questioned about on the Floor of the House?

**Mr. Speaker:** Then both of you are out of order!



SHORTAGE OF TEACHERS IN  
UGENYA PRIMARY SCHOOLS

**Archbishop Ondiek** asked the Minister for Education, Science and Technology:-

(a) whether he is aware that primary schools in Ugenya Constituency have a shortage of teachers, especially Siginga and Lunga schools, which have four teachers each teaching eight classes; and,

(b) when he will post extra staff to the two schools and the others not mentioned in the area.

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

(a) I am aware that Siginga Primary School has six teachers and not four. They handle classes one to eight, which have a total of 95 pupils. The school is grossly under-enrolled. I am also aware that Lunga Primary School has six teachers, who handle classes one to eight. The school has 232 pupils. The Government posted two teachers to Siginga Primary School, which previously had four teachers, to bring a total number of six teachers.

(b) The Ministry will post additional teachers to these schools after the teachers' recruitment exercise scheduled for August this year.

**Archbishop Ondiek:** Mr. Speaker, Sir, the Assistant Minister is quite aware that even if a school has 95 pupils, it requires to have a teacher per class. Even if there are five pupils in each class, they require a teacher. So, could the Assistant Minister tell us when the Ministry will post enough teachers to manage eight classes?

**Mrs. Mugo:** Mr. Speaker, Sir, I have admitted that there is a shortage of teachers in primary schools. However, we will recruit more teachers in August this year and by 1st September, they will report to the schools.

**Mr. Gachagua:** Mr. Speaker, Sir, the Assistant Minister's answer is totally unsatisfactory. The situation in Ugenya Constituency is the same in most constituencies. Could the Assistant Minister tell this House what plans her Ministry has to address this issue?

Mr. Speaker, Sir, the Ministry should combine schools where teachers are not enough. If two teachers were posted to Ugenya Constituency just because a Question was asked in this House, will it take every hon. Member to ask a Question in this House so that the Ministry can post teachers in primary schools in the country?

**Mrs. Mugo:** Mr. Speaker, Sir, I think the hon. Member misunderstood me. The teachers were posted not after the Question was asked. They were posted when we had a recruitment recently. As I said, we have been trying to establish which schools are under-enrolled with an aim of combining them, so that we can utilise the teachers properly.

We are going to recruit more teachers in August this year, and we will post teachers to schools which are faced with a serious shortage of teachers.

**Archbishop Ondiek:** Mr. Speaker, Sir, According to the Teachers Service Commission (TSC) ceiling, there are 234,000 teachers in the country. What happens to the teachers who retire and those who die in service? Where does the Ministry take their money?

**Mrs. Mugo:** Mr. Speaker, Sir, like in any other service, pension dues are paid to the people who retire or to the families of those who die in service. There has been a backlog of pension dues and we are working on it. We are working very hard to bring in reforms. However, after everything has been computerised, information will be processed very quickly and this problem will be a thing of the past.

In the meantime, the Teachers Service Commission is working hard to update its records.

**Mr. Sambu:** On a point of my view, Mr. Speaker, Sir. The Assistant Minister is misleading the House. The question is---

**Mr. Speaker:** Order! Mr. Sambu, I have not yet got in my Standing Orders book a phrase

that says: "On a point of view". If you want to give your view, wait for Debate Time! It is either you are on a point of order, or you want to ask a supplementary question. But you cannot just stand on your point of view because it is not a point of order!

**Archbishop Ondiek:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** What is it?

**Archbishop Ondiek:** Mr. Speaker, Sir, is it in order for the Assistant Minister to say that they are looking for funds to pay the retired teachers? If a teacher dies or retires, there should be a replacement immediately. Where does the Ministry take money for those teachers who have retired or died?

**Mr. Speaker:** Archbishop Ondiek, that is a supplementary question, but I think it is important to the House. Do not get used to it!

**Mrs. Mugo:** Mr. Speaker, Sir, if I got the question correctly, the hon. Member is asking where we take money for those teachers who have retired or died. I believe there is an employment policy that explains this. Teacher recruitment is done almost at the same time.

Mr. Speaker, Sir, I agree with the hon. Member that when this happens, those teachers should be replaced immediately. It is our policy to do so.

**Mr. Speaker:** Next Question by the hon. Member for Bomet!

*Question No. 342*

COMPLETION OF TEGAT  
HEALTH CENTRE

**Mr. Salat** asked the Minister for Health:-

- (a) which construction company was awarded the tender to construct Tegat Health Centre, and what the cost of the project was;
- (b) if she is aware that the contractor abandoned the project before completion; and,
- (c) what she is doing to have the project completed.

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

(a) Miira Building Contractors Company was awarded the tender to construct Tegat Health Centre under the EEC Micro Project in February, 1997 at a cost of Kshs1.1 million.

(b) I am aware that Tegat Health Centre project stalled due to lack of funds.

(c) Tegat Health Centre is earmarked for funding during the next Financial Year, 2005/2006 under the on going completion of stalled projects programme. The estimated cost of these works is Kshs6,224,000.

**Mr. Salat:** Mr. Speaker, Sir, the Assistant Minister says in part "b" of his response that he is aware that the project stalled due to lack of funds. Again, in part "a" of his response, he says that Tegat Health Centre was allocated Kshs1.1 million. Since the Kshs1.1 million was never spent, where was it channelled to?

**Dr. Kuti:** Mr. Speaker, Sir, I agree with the hon. Member that the funds allocated were not spent. Actually, a total payment of certificate No.1 and No.2, of two cheques worth Kshs565,000 were issued both of which bounced. The District Works Officer (DWO) advised the client to terminate the project in 2003. However, there was no action taken.

**Mr. Speaker:** Dr. Kuti, could we get this issue right. Whose cheques bounced?

**Dr. Kuti:** Mr. Speaker, Sir, the payments were made by the DWO, through certificate No.1 and 2. Two cheques worth Kshs565,000 bounced.

**Mr. Speaker:** Who issued those cheques?

**Dr. Kuti:** Mr. Speaker, Sir, they were issued by the DWO.

**Mr. Speaker:** Are you telling the truth?

**Dr. Kuti:** Mr. Speaker, Sir, I am telling the truth.

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

**Mr. Speaker:** Order, hon. Members! Order! Let us get this right. Dr. Kuti, you say those two cheques which were issued by the District Treasury bounced?

**Dr. Kuti:** Yes, Mr. Speaker, Sir.

**Mr. Speaker:** Government cheques?

**Dr. Kuti:** Yes, Mr. Speaker, Sir.

**Hon. Members:** When was that?

**Dr. Kuti:** Mr. Speaker, Sir, this is a project of 1997. I am sure hon. Members can understand this!

*(Laughter)*

**Dr. Shaban:** Bw. Spika, Waziri Msaidizi anatuambia kuwa Serikali ya NARC ni Serikali ya vitimbi. Kwa nini haelezi Bunge hili cheki hizo zilitolewa lini?

**Dr. Kuti:** Mr. Speaker, Sir, I responded to that question.

**Mr. M. Maitha:** Mr. Speaker, Sir, when cheques bounce, it means there is no money in an account. But this was a Government account. What happened to those people who were managing that account?

**Dr. Kuti:** Mr. Speaker, Sir, maybe the hon. Members on that side of the House, are able to answer that question. However, as a remedy action, we will allocate Kshs6,224,000 to correct the current situation.

*(Applause)*

**Mr. Speaker:** Last question, Mr. Salat!

**Mr. Salat:** Mr. Speaker, Sir, I wonder whether the Assistant Minister knows who he is. He is one of us! I truly hope that the Kshs6,224,000---

**The Minister for Roads and Public Works** (Mr. Raila): On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Mr. Raila, what is it?

**The Minister for Roads and Public Works** (Mr. Raila): Mr. Speaker, Sir, is Mr. Salat in order to refer to a Government Assistant Minister as one of them when he is on this side?

**Mr. Salat:** Mr. Speaker, Sir, I am in order. Even Mr. Raila might join us very soon!

*(Laughter)*

I really hope a cheque of Kshs6,224,000 that the Government has pledged to fund Togat Health Centre will not bounce. So, I am really thankful that Kshs6,224,000 will be spent on the project.

**Dr. Kuti:** Mr. Speaker, Sir, for the last two and a half years, we have not heard of any bouncing cheques!

*(Applause)*

**Mr. Speaker:** Very well. Next Question by the hon. Member for Laisamis!

*Question No. 313*

RELEASE OF EXTRA-ORDINARY AUDIT  
REPORT ON MARSABIT COUNTY COUNCIL

**Mr. Ngoyoni** asked the Minister for Local Government:-

(a) if he is aware that his Ministry ordered and carried out an extra-ordinary audit in Marsabit County Council from 1st November, 2003;

(b) if he is further aware that the report from the extra-ordinary audit has not yet been made public; and,

(c) if he could table the report mentioned in "b" above.

**The Assistant Minister for Local Government** (Mr. Tarus): Mr. Speaker, Sir, I beg to reply.

(a) I am aware.

(b) I am aware.

(c) I cannot table the report now because we are just about to start the process of implementation and there are some recommendations that may require verification.

**Mr. Ngoyoni:** Mr. Speaker, Sir, the purpose of the Question was definitely to find out whether there were some anomalies detected, or otherwise. Now the Assistant Minister tells us that they will implement some recommendations.

Could he tell us what anomalies were detected in that report? I know there are many things that happened.

*[Mr. Speaker left the Chair]*

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

**Mr. Tarus:** Mr. Temporary Deputy Speaker, Sir, some of the anomalies detected were cases of misuse of council resources, including LATF and mis-allocation of funds.

**Mr. Serut:** Mr. Temporary Deputy Speaker, Sir, the issue of misappropriation of funds by the local authority officers is real. Audit reports have been carried out and nothing has so far come out. I want to cite a case that took place in the year 2000, where audit reports were carried out and no action was taken against officers who were concerned. Mr. Assistant Minister, what will you do, immediately you establish that the officers in Marsabit misappropriated council funds?

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

*[Mr. Speaker resumed the Chair]*

**Mr. Tarus:** Mr. Speaker, Sir, indeed, the issue of misuse of council resources, attracts

different actions in terms of resolution. One of them is, where it is clear that officers are responsible for mis-allocation and misappropriation of funds, they are surcharged. In other cases, serious disciplinary action is taken against particular officers who are involved. If there are any civic leaders who were involved in the same problem of misuse of resources, they will be made to pay.

**Mr. Speaker:** Hon. Members, today, I intend to exceed Question Time to complete the three Questions left. As you know, we are likely to go on a short recess and I do not want to carry over these Questions to the next Session. Let us try to keep time.

Proceed, hon. Member!

**Mr. Ngoyoni:** Mr. Speaker, Sir, we have not seen the report. Therefore, we do not know what to recommend. Nevertheless, the Assistant Minister has been on record saying that heads will roll. In this particular case, since he has admitted that there are serious financial problems, how many heads have rolled in Marsabit County Council?

**Mr. Tarus:** Mr. Speaker Sir, I have said that the Ministry is in the process of sending inspectors to the council so as to implement the report, in accordance with Section 236 of the Local Government Act.

Surely, heads will roll.

**Mr. Speaker:** Next Question is by the hon. Member for Kanduyi!

**Mr. Bifwoli:** On a point of order, Mr. Speaker, Sir. The hon. Member for Kanduyi told me that he has a problem. He said that thugs attacked and killed four people in his constituency. He is at his constituency now trying to attend to the matter. He had requested that you defer this Question.

**Mr. Speaker:** I will defer the Question.

*Question No.263*

REVENUE REALIZED FROM  
DUBLIN'S INTERNATIONAL TELECOMMUNICATIONS UNION

**The Assistant Minister for Information and Communications** (Mr. Gumo): Mr. Speaker, Sir, Mr. Wamunyinyi has just been around here. I think this Question should be dropped.

**Mr. Speaker:** You are saying that this Question should be dropped? Is the hon. Member here?

**Mr. Bifwoli:** No, he is not around!

**Mr. Speaker:** Order, hon. Assistant Minister. Have you seen the hon. Member for Kanduyi?

**The Minister for Roads and Public Works** (Mr. Raila): Mr. Speaker, Sir, I can confirm that I saw the hon. Member outside as I walked into the Chamber.

**Mr. Speaker:** As you came in?

**The Minister for Roads and Public Works** (Mr. Raila): Mr. Speaker, Sir, yes, as I came in.

**Mr. Speaker:** I trust the Minister for Roads and Public Works. So, the Question is dropped.

*(Question dropped)*

**Mr. Ngoyoni:** Mr. Speaker, Sir, one hon. Member has just informed the Chair that hon. Wamunyinyi was at his constituency attending to a serious security problem. The Minister for Roads and Public Works is saying that he has seen the hon. Member in the precincts of Parliament. Who among the two is misleading this House?

**Mr. Speaker:** Order, hon. Members! I trust both of them because they are hon. Members.

But, the hon. Member for Bumula came here much earlier than the Minister for Roads and Public Works. It is possible that when he was sitting here, the hon. Member for Kanduyi was outside.

*(Laughter)*

**The Minister for Roads and Public Works** (Mr. Raila): Mr. Speaker Sir, even hon. Nyachae can confirm that Mr. Wamunyinyi is outside. I want to raise a point that there are some Questions which are being raised by hon. Members who have ulterior motives. In this case, hon. Members absent themselves when they are required to ask such Questions. Action should be taken against such hon. Members who do this. Remember the "Question for money" scandal in the House of Commons? Sometimes, action should be taken against hon. Members who have Questions to ask and fail to come here to ask them.

**Mr. Speaker:** Order, hon. Members! As I have said in the past, this House is being, almost continuously, brought to disrepute by actions and omissions of certain hon. Members. This is wrong. Hon. Members are temporary occupants of this House. They have no right whatsoever, to erode the dignity of this House, which is for the people of Kenya. It is your duty, hon. Members, to raise issues of impropriety concerning your own, to the Chair, and much more importantly, to the Committee of Powers and Privileges, which was set up for that purpose. Unfortunately, hon. Members may have agreed among themselves not to raise any Question of impropriety if it concerns them. If that is the position, it is a serious indictment for this House and its membership.

The Committee on Powers and Privileges is alive and well. It is long since it had business. Could any hon. Member refer this issue to it? In fact, in the last one week, we have had very serious matters, which will call for the probe of the Powers and Privileges Committee. So, any matter which is supposed to be discussed by the Committee must be referred by the House to the Committee. You must live to that fact. I will repeat that you should propose that we deal with this issue. Anyone who wants to make a proposal on any particular issue that has brought shame to this House---

In fact, let me say the following: In fact, even Members bring disrespect to their own colleagues by going to public rallies to insult one another! The business of the Powers and Privileges Committee is to deal with situations like those. Let us return honour to hon. Members! Let us return honour to this House!

The hon. Minister for Roads and Public Works, please, proceed!

**The Minister for Roads and Public Works** (Mr. Raila): Mr. Speaker, Sir, I raised this issue because of the concern that we have as Ministers here. A lot of civil servants' valuable time is wasted in doing research, so that Questions can be answered here. Therefore, it is not right for an hon. Member to ask a Question, and then deliberately fail to come and ask it here on the Floor of the House. I would, therefore, like to propose that, that issue be referred to the Powers and Privileges Committee for disciplinary action.

Further, I would like the Question by the hon. Member for Kanduyi Constituency, Mr. Wamunyinyi, be referred to the Powers and Privileges Committee.

**Mr. Speaker:** Very well! It is so ordered and we will very kindly receive some evidence from amongst others, the Minister!

**Hon. Members:** Very well! Very well!

**Mr. Speaker:** Order! We will receive evidence from, amongst others, the Minister!

The hon. Member for Kabete, please, proceed!

**Mr. Muite:** Mr. Speaker, Sir, I stand on a point of order to make a proposal that the conduct of the hon. Member for Langata Constituency, Mr. Raila, in threatening to bring members of the public to storm this August House, be referred to the Powers and Privileges Committee for

investigations and action.

*(Applause)*

**Mr. Speaker:** Order, hon. Members! There are no shortcuts, please! If you want to discuss the personal conduct of any hon. Member, then you have to bring a substantive Motion. Now, if it is an allegation of impropriety, as opposed to personal conduct, then the Powers and Privileges Committee will deal with that issue. So, the two are different issues.

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

**Mr. Sambu:** On a point of privilege, Mr. Speaker, Sir.

**Mr. Speaker:** A point of privilege takes priority!

Proceed, Mr. Sambu!

**Mr. Sambu:** Mr. Speaker Sir, I want to thank you for the guidance that you have given us today. I am asking about a situation where an hon. Member goes to another Member's constituency without invitation, and then carries some people who insult the sitting Member in his or her absence. What do we do under such circumstances? Do we refer that to the Powers and Privileges Committee? I seek your guidance.

**Mr. Speaker:** Absolutely! Hon. Members, I think I am taking a little more time on this, and rightly so. Let me say the following as I finish Question Time. Whose Question was it? I have just dropped the Question. So, we are left with just two more Questions, which I now defer.

*Question No.176*

COMPLETION OF LAND ADJUDICATION  
IN GANZE CONSTITUENCY

*(Question deferred)*

*Question No.024*

MEASURES TO SAVE NYAKONGO  
VILLAGE POLYTECHNIC FROM COLLAPSE

*(Question deferred)*

**COMMUNICATION FROM THE CHAIR**

SEMINAR FOR HON. MEMBERS  
ON PARLIAMETARY PROCEDURES  
AND PRACTICES

**Mr. Speaker:** Let me say the following: Because of what I have seen, observed and heard in the last two and a half years, I have decided that hon. Members require a seminar to learn about their roles, the procedures and practices of this House, the role of the Chair and other related matters.

I have, therefore, decided that there will be a seminar for all hon. Members of Parliament on procedure, practice and your roles as hon. Members from 25th to 27th this month.

I have invited resource persons from other Parliaments around the world to come and let you know what you ought to do and what you ought not to do. Among them, will be the whole issue of

respect to one another, the whole issue of privilege and abuse of the same, the whole issue of being respectful to yourself, the whole House and Kenyans. So, we will have that seminar for three days. In the meantime, between now and 25th May, try and practise a little good decorum as a prelude to the seminar.

So, I hope we finish it there now. In fact, I hope that we will not have an opportunity to call our colleagues to answer for abuse of privilege. But if we must, we will. I hope we will not.

Next Order!

*(Hon. Members consulted loudly)*

Order, hon. Members! You know that, after the seminar on 27th, my lungs will have a little rest! I will not have to shout "order" all the time, because you will all be very honourable Members!

So, can we now proceed!

## **BILL**

### *First Reading*

#### THE SUPPLEMENTARY APPROPRIATION BILL

*(Order for First Reading read -  
Read the First Time - Ordered to  
be read the Second Time today  
by leave of the House)*

### *Second Reading*

#### THE SUPPLEMENTARY APPROPRIATION BILL

**The Minister for Finance** (Mr. Mwiraria): Mr. Speaker, Sir, I beg to move that the Supplementary Appropriation Bill be now read a Second Time.

Mr. Speaker, Sir, while moving the Motion for the Supplementary Estimates for the year, 2004/2005, I, very briefly, informed this honourable House of the expected positive economic growth rate due to improved governance and financial reforms being undertaken.

I wish to inform the House that I will continue to institutionalise best practices in financial management with emphasis on prudent management of our resources. That is efficient allocation and utilisation of resources.

Mr. Speaker, Sir, already, we can see the results of those measures as can be attested by the increased revenue collection, low interest rates that have led to the revival of the Government's three-year Treasury Bond after a long time and the maintenance of a stable micro-economic situation currently prevailing in the economy. Those are good indicators of growing confidence in our economy.

They contain the interest and inflation rates at low levels in spite of factors and events beyond our control such as the high oil prices and the effect of the long drought that have kept food prices at a high level. To mitigate against these factors, we need to utilise available resources efficiently targeting high priority areas.

Mr. Speaker, Sir, as mentioned above, efficient allocation and utilisation of resources will continue to be the guiding principle of our Budget formulation and execution. These factors have been considered in preparation of the revised budgets for the fiscal year 2004/2005. Based on these considerations, the overall supply sought in the Supplementary Appropriation Bill, 2005, is a reduction



of Kshs2.53 billion.

For this reason, the Supplementary Appropriation Bill, 2005, seeks additional supply for the following Votes: R01, Office of the President; R02, State House; R04, Ministry of Foreign Affairs; R05, Office of the Vice-President and Ministry of Home Affairs; R06, Ministry of Planning and National Development; R08, Department of Defence; R09, Ministry of Regional Development Authorities; R10, Ministry of Agriculture; R11, Ministry of Health; R13, Ministry of Roads and Public Works; R14, Ministry of Transport; R15, Ministry of Labour and Human Resource Development; R16, Ministry of Trade and Industry; R17, Ministry of Justice and Constitutional Affairs; R18, Ministry of Gender, Sports, Culture and Social Services; R19, Ministry of Livestock and Fisheries Development; R20, Ministry of Water and Irrigation, R21, Ministry of Environment and Natural Resources; R22, Ministry of Co-operative Development and Marketing; R24, Ministry of East African and Regional Co-operation; R25, State Law Office; R26, Judicial Department; R27, Public Service Commission; R29, The National Assembly; R30, Ministry of Energy; R31, Ministry of Education, Science and Technology; R36, Ministry of Lands and Housing; R42, Ministry of Information and Communication; R45, National Security Intelligence Service; and R46, Ministry of Tourism and Wildlife.

Mr. Speaker, Sir, for the Development Vote, additional resources are required for D02, State House; D03, Directorate of Personnel Management; D07, Ministry of Finance; D16, Ministry of Trade and Industry; D18, Ministry of Gender, Sports, Culture and Social Services; D20, Ministry of Water and Irrigation; D22, Ministry of Co-operative Development and Marketing; D25, State Law Office; D26, Judicial Department; D31, Ministry of Education, Science and Technology; and D36, Ministry of Lands and Housing.

The Bill also seeks a reduction in supply for the few Votes which were not mentioned, including R3, Directorate of Personnel Management for Recurrent Vote; R07, Ministry of Finance for Recurrent Vote; R12, Ministry of Local Government for Recurrent Vote; R28, Kenya National Audit Office and R33, the Electoral Commission of Kenya.

Mr. Speaker, Sir, for the Development Vote, reductions have been effected on the following Votes: D01, Office of the President; D05, Office of the Vice-President and Ministry of Home Affairs; D06, Ministry of Planning and National Development; D09, Ministry of Regional Development Authorities; D10, Ministry of Agriculture; D11, Ministry of Health; D12, Ministry of Local Government; D13, Ministry of Roads and Public Works; D14, Ministry of Transport; D15, Ministry of Labour and Human Resource Development; D17, Ministry of Justice and Constitutional Affairs; D19, Ministry of Livestock and Fisheries Development; D21, Ministry of Environment and Natural Resources; D30, Ministry of Energy; and D46, Ministry of Tourism and Wildlife.

I would like to comment very briefly on those Votes for which I have sought additional resources but before I begin the comments, let me say that most of the Ministries which have got additional resources are really getting them to cater for salaries, wages and allowances for personnel. I want at the outset, to say that at the moment, Kenya as a country has got what you may call core expenditure which cannot be reduced. This includes items like pensions, wages, salaries and death repayments. On an average, these items average 65 per cent of our total Budget and, really, if we want to achieve rapid development we need to reduce this level of expenditure and we can only do it by targeting the personnel emoluments.

Mr. Speaker, Sir, coming back to the Votes for which I am seeking additional resources, I want to state that our country has continued experiencing drought which has necessitated purchase of food for our people living in affected areas. We have been catering for just over 3 million Kenyans. Indications are that the drought might persist for some time to come and in this connection, the Government will continue to monitor the food situation and extend support and relief where necessary until the situation fully improves. The additional funds sought for these Votes therefore are to cater for expenditure for purchase of food and for maintenance of strategic grain reserve. Additional funds are also required to settle utility pending bills mainly for the Security Service Department.

For Vote R02, State House, the additional funds requested for this Vote are mainly for operations and maintenance and to cater for expenses of the Department of Policy Research which has been transferred from the Office of the President to State House.

The additional funds sought by the Ministry of Foreign Affairs will cater for shortfalls occasioned mainly by fluctuating exchange rates for various currencies in our missions abroad. The increases under the operation and maintenance items are partly defrayed by increased collection of Appropriations-in-Aid (A-i-A).

The additional funds requested under Vote R05 - Office of the Vice-President and Ministry of Home Affairs, are mainly for running penal institutions. This is in keeping with His Excellency the Vice-President's desire to cater for our prisoners and give them training so that they can come out of prisons better citizens. We are also catering for a fairly large loss in A-i-A due to the moving of the Immigration Department from the Office of the Vice-President and Ministry of Home Affairs to a separate Ministry under the Office of the President.

The additional funds sought under Vote R06 - Ministry of Planning and National Development - are to cater for expenses of a planned conference on economic recovery. The additional funds are also required for the public expenditure, tracking service, activities related to monitoring, evaluation and other development planning programmes.

Mr. Speaker, Sir, additional funds are requested under Vote R08 - Department of Defence (DoD) - for peacekeeping operations. However, most of these funds are normally returned as A-i-A by the United Nations (UN). So, this is money we put in and recover in future.

Mr. Speaker, Sir, under Vote R09 - Ministry of Regional Development Authorities - the additional funds requested will cater for adjustment of salaries and expenses of a task force on sugar production by the Tana and Athi Rivers Development Authority (TARDA). We hope that the project proposed by the TARDA will become a reality and help the country to become self-sufficient in sugar production when taken into account with the project which is going on in the Yala Swamp. I have said that the Ministry of Agriculture was one of the Ministries which had an increase of funds basically to cater for salary increases and various programme, including initiatives aimed at reducing hunger. This programme is entitled "*Njaa Marufuku*", and hon. Members are aware of it. This programme is intended to wipe out hunger from this nation.

Mr. Speaker, Sir, under the Ministry of Transport, additional funds are requested for the Kenya Railways Corporation (KR) which is in dire financial need in order to maintain its operations because we require its services in the country.

Under Vote R15 - Ministry of Labour and Human Resource Development, additional funds are required under this Vote to cater for personnel emoluments of the staff who work in the youth development centres.

On Vote R16 - Ministry of Trade and Industry, the additional funds are sought to enable the issuance of grants to the Export Promotion Council and for the personnel emoluments for trade *attaches* who work in our missions abroad. It makes good sense to cater for trade *attaches* abroad as we intensify our efforts to export more goods from Kenya and earn more money.

Mr. Speaker, Sir, on Vote R17 - Ministry of Justice and Constitutional Affairs, additional funds are requested for to cater for the expenses of the Kenya Anti-Corruption Commission (KACC) and the National Anti-Corruption Campaign Steering Committee. This is in keeping with the Government's fight against corruption, which still remains a top agenda. It is for this reason that we want to make the institutions which fight the vice fully operational and wholly sufficient in financial needs.

Additional funds are being sought under the Ministry of Water and Irrigation for adjustment of salaries and to facilitate continued implementation of water supplies and maintenance programmes. Part of the increase has been occasioned by a reduction in A-i-A. The additional funds sought under Vote R24 - Ministry of East African and Regional Co-operation are contributions to the EAC and the Inter-Governmental Authority on Development (IGAD). On Vote R26 - Judicial

Department, additional funds are required to meet a shortfall occasioned by a deficiency in A-i-A. On Vote R27 - Public Service Commission (PSC), the additional funds sought under this Vote are for the management for wealth declaration information and maintenance of the PSC Building.

Mr. Speaker, Sir, Vote R29 - National Assembly should be of interest to hon. Members. The funds requested under this Vote are to cater for payment of mileage claims and acquisition of constituency offices for hon. Members. The additional expenditures are, however, fully covered by re-allocation from within the Vote.

On Vote R30, Ministry of Energy, additional funds are required to cater for adjustment of salaries and to meet shortfalls occasioned by deficiency in Appropriations-in-Aid (A-in-A).

For Vote R31, Ministry of Education, Science and Technology, additional funds are sought to cater for adjustment of personnel emoluments. It is also sought to grant funds to the Scouts Movement and Public Universities Inspection Board. Once again, the additional expenditure catered for here is to be met fully from re-allocation from within the Vote.

On Vote R36, Ministry of Lands and Housing, the administration of land matters and management of related disputes are crucial for peaceful co-existence and prosperity of a nation. Additional funds that are requested for this Vote are to cater for the adjustment of salaries and for the expenses of a task force on Land Policy and Human Settlement Improvement Programme.

For Vote R45, additional funds are required for various programmes being undertaken by the Department which has, during the last year, established a new centre to cater for anti-terrorism.

Under the Ministry of Tourism and Wildlife, basically, we are providing a little additional cash to meet expenses for promotion of tourism and general marketing of the country, which have yielded dividends during the last financial year.

Mr. Speaker, Sir, turning to the Development Vote, I wish to start with Vote D02, State House. I want to say that the additional funds we are giving to State House are also, in fact, coming from within the Vote. It is just a re-allocation. But the funds are really being used for the re-construction of the Mombasa State House which needs a few improvements.

Under Vote D03, Directorate of Personnel Management, again, although it seems to reflect additional funding, this is, in fact, the effect of change of mode of financing from external Appropriations-in-Aid, to revenue. A reduction of Appropriations-in-Aid raises the net amount of a Vote.

Vote D07 is the Ministry of Finance. The initiative to provide funds for constituency development has proved an effective tool for rural development. Indeed, it is a very effective way of reaching the poor. We will, therefore, continue to review allocation to the Fund in accordance with the law. It was in keeping with this requirement that we adjusted the allocation to the Constituency Development Fund (CDF) to reflect 2.5 per cent of the increased revenue that we expect to collect this financial year.

For Vote D16, Ministry of Trade and Industry, I think it is important to note that small-scale traders play a very important role in the development of our country. The Government is, therefore, committed to assisting this category of entrepreneurs to enable them grow, create jobs and generate income.

Additional funds requested for this Vote are to enable the Ministry to issue funds to the Export Processing Zones (EPZs) for small-scale traders' export programme and the Department of Trade Development for micro, small and medium enterprises competitiveness project.

*[Mr. Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, regarding Vote D18, Ministry of Gender, Sports,

Culture and Social Services, additional funds are required for grants to community development activities and minor maintenance works.

For Vote D20, Ministry of Water and Irrigation, additional funds are sought to complete on-going water supply projects and programmes related to water, sanitation and sewerage.

Under Vote D22, Ministry of Co-operative Development and Marketing, dairy farmers have been experiencing marketing difficulties for their produce. The acquisition of the Kenya Co-operative Creameries (KCC) 2000 is intended to ease their marketing problems and also enable farmers to get fair prices for their milk. The additional funds requested for this Vote are to enable the Ministry complete the purchase of KCC 2000. As I stated earlier in this House, the payments being made by the Government will be recovered from the KCC 2000 as it stabilizes and begins working well, as it is already doing, by paying the farmers well and having a profit margin.

For Vote D31, additional funds are requested for settlement of outstanding payments. Funds are also required for strengthening primary education through support of the Free Primary Education Programme.

Under Vote D36, Ministry of Lands and Housing, as mentioned above, land issues tend to be sensitive. Therefore, a comprehensive policy is required for their resolution and settlement. The additional funds requested for this Vote are for utilization and formulation of a National Land Policy.

Mr. Temporary Deputy Speaker, Sir, I have given a detailed account of how we intend to use the funds. But let me say that the Bill before this august House is an important one because it seeks the appropriation of funds to enable the Government carry on with its programmes as detailed above. It will also enable the Government to meet its obligations and commitments to our people. Once it is approved and assented to, it will grant me the statutory authority to release the funds from the Consolidated Fund to cater for the additional expenditure contained in the Supplementary Estimates of both Recurrent and Development Expenditure for the year ending 30th June, 2005. I, therefore, request hon. Members to pass the Bill; with comments as usual, so that we can meet the objectives which we have already given.

Let me finally thank hon. Members for the constructive contribution they made in support of the Motion that I moved on this subject. I would like to add that the Bill has got the assent of His Excellency the President.

With those few remarks, I beg to move.

**The Vice-President and Minister for Home Affairs** (Mr. Awori): Mr. Temporary Deputy Speaker, Sir, I beg to second this Motion. We need the additional funding in order to allow the Government to render services to our people. What is required now is for all the Ministries to adopt serious financial discipline, so that we can scrutinise every item. It is quite clear that when we look at the various items in all our Ministries, there are areas where we can make savings and save some little money to render other services that are required. It is important to have quick disbursements of funding, so that we can avoid the question of money being returned to the Treasury without completing the various projects. It is necessary for us to progressively look at how we allocate funding. We allocate more money to Recurrent Expenditure instead of Development Expenditure. We want to put a lot of emphasis on development, so that we can start moving ahead. I am happy to see that the question of stalled projects has been taken into consideration. There are very many stalled projects that need to be completed. When you leave an uncompleted building for a long time, it eventually deteriorates and you will be forced to spend much more to rehabilitate it.

Only this afternoon, we were told of a health centre which, had it been constructed five years ago, would have cost only Kshs1 million. But it is now going to cost nearly Kshs6 million. We need to look very carefully at the size of the Government that we have now. There is need to reduce expenditure. We should look at certain services that are not core to the administration of the Government and leave them to the private sector.

The question of famine relief has come to the Floor of this House many times. We need to put more money in the Ministry of Agriculture and Ministry of Water and Irrigation to construct many

dams. Recently, I visited Ol Kalou and found some dams that were constructed by the colonialists several years back. They have been abandoned because they are full of silt. We would like to rehabilitate those dams. We do not need to contract that work outside the country. We want to use what is available within our Government.

In my Ministry, we have the National Youth Service (NYS) which has a cadre of qualified people who can undertake the construction of dams and drilling of boreholes. We want to go to North Eastern and Eastern provinces where there is always lack of rain and, therefore, famine. Let us try to divert the money that is always used on famine relief to construct those dams, so that we can start irrigation farming. Many countries suffer from droughts that are worse than those in Kenya. But they do not suffer from food insecurity because they have adopted the system of irrigation.

Mr. Temporary Deputy Speaker, Sir, I am happy to note that my Ministry has been allocated some money to rehabilitate the prisons. It is not only the training that we would like to give the prisoners so that they can become useful citizens when they leave the prison, but we would like to ensure that when they are there, they have good clothing, bedding and everything that makes them feel that their human rights are not being denied.

The Judiciary requires more money because we need to train more magistrates. The congestion in our prisons is brought about by judges and magistrates who are not utilising the community service order fully. If they utilised the community service order, there will be very few people who will be kept in our prisons.

Mr. Temporary Deputy Speaker, Sir, the police also require training, so that they can realise that they have the authority, for instance, to give police bonds to petty offenders so that, when someone is arrested because he is anxious of killing himself by drinking *chang'aa*, all he needs is to be given a police bond and returned home. Usually, the fine is not more than Kshs500. But when he is thrown into prison and stays there for months, the Government spends nearly Kshs500 per day to feed him. It would be better to keep such people outside prisons.

Mr. Temporary Deputy Speaker, Sir, the Constituency Development Fund (CDF) has been badly vilified. I am happy to see that the money is there. Out of the 210 constituencies in this country, perhaps, only five or six may have mismanaged their funds. But I think the rest are using their funds extremely well. Today, when you go to the rural areas, you will find that there is some money in the pockets of people. I would like to see roads in rural areas made passable. Let the Minister increase the amount of money that is given to District Roads Committees.

Mr. Temporary Deputy Speaker, Sir, recently, I talked about education. When we talk about the free primary education, let us start all the way from nursery level. I would have been happier if the Minister adjusted the Supplementary Estimates upwards to cater for allowances for teachers in nursery schools. They should be paid from the Consolidated Fund through the Teachers Service Commission (TSC), instead of leaving them to the local authorities. We know that local authorities have always mismanaged their funds. You will find that most of those teachers are not paid at all.

Mr. Temporary Deputy Speaker, Sir, we have said that, in order to jump-start the economy of this country, small scale traders must have access to affordable credit. Again, I was happy to see that there is consideration for micro-credit. It is important that we extend those services not only to small traders - *Jua Kali* - but also small-scale farmers.

Finally, this is a plea to all of us in this country; that we have got to start learning the equation of saving. If we inculcate the habit of saving, this will permeate even within the ranks of Government so that the money that we are saving is then sent out to the trader, farmer and anyone who is in a small business, trying to give service to our people.

With those few remarks, I beg to second.

*(Question proposed)*

**Mr. Billow:** Thank you, Mr. Temporary Deputy Speaker, Sir. The Minister is seeking a

reduction of Kshs14 billion and a provision of an additional Kshs12 billion to enable the Government to continue providing services. In other words, the Minister is saying that he wants re-allocation of about Kshs12 billion. This re-allocation is being done only nine months after the Budget.

I had said earlier that this whole concept of Supplementary Appropriation Bill will have to be reviewed, because we do not get the same time that is normally allocated for the Budget. We do not get that serious scrutiny that we see in the Budget when it comes to the Supplementary Appropriation Bill. Consequently, large amounts of money which ideally would have been difficult to sail through the Budget, easily get approved in a two-hour session of the Supplementary Appropriation Bill.

Mr. Temporary Deputy Speaker, Sir, clearly the reason why it is so is because of the weaknesses in our budgetary planning process. When budgets are being prepared, we have a lot of funds put in the Budget which nine months down the road, for one reason or the other, have to be removed. Part of the reasons why those funds are zeroed in, in the first place, is to give a favourable image of the Budget and, nine months down the road, you can always remove that. You do not have to actually incur that expenditure. The other reason is because there has to be funding of some projects that are deemed to be urgent, important or of priority. Funds have to be removed from a particular project that was approved in June and transferred to another one. We said this should be a thing of the past. This is what we were promised by this Government when they came to power; that they would change the way the budgets are being done and the way we manage our public resources.

Mr. Temporary Deputy Speaker, Sir, the Minister has not told us, but we are aware, that part of the reason why the Kshs14 billion reduction occurred in some of the Votes, is because of the liquidity problems that the Government is facing. We have raised this issue a number of times in this House. We are being told that there is a serious cash crunch in the Government. Funds are not going down to the districts and projects are not being implemented in many places, because of liquidity problems. It is time to have procedures relating to the Exchequer reviewed, so that once the Budget is approved in June, money should be out there to the user departments immediately; in a month or two months' time.

Currently, what happens is that funds are approved in June, but money gets to the districts and the projects around December. This especially applies to the development projects. Most of the time the money is received in January. By March we are told that the time for spending the money is gone and they have to start closing the books. As a result, the project will run into the following year. This has to be changed.

We have to enhance transparency in our budgetary process and the whole of the Exchequer Department, so that we avoid these delays which render the whole process of budgeting meaningless, if we have to have a Budget in June and then start changing it again a few months down the road. We are now in May and these Votes are being approved in May. We have only two months before the end of June. So, one would wonder when this Kshs14 billion, that is being sought, will be spent. Perhaps it is important for the House to know that much of the money has already been spent, and this is a process of simply regularising the expenditure which has already been made. It boils down to the issue of transparency.

Mr. Temporary Deputy Speaker, Sir, this is why this House has requested for a Budget Committee. This committee would understand what the Budget is all about and have reference to serious scrutiny and analysis of the Budget. This is why you do not find many hon. Members in the House when we are discussing money matters; because the Budget is too complex and so cumbersome for many people to understand what is really going on. If the Government is, indeed, committed to transparency, it must do its best to ensure that it puts in place the Budget Committee that this Parliament has sought for a long time. One way or another, I think the delay is on the part of the Government, and specifically the Attorney-General. I think it is important that we have a Budget Committee that will help us understand what is going on.

On the issue of priorities in disbursement of funds, this is a matter that has been discussed at

length. I think the Economic Recovery Strategy that was set out by the Government in 2003, sets out many areas of priority. One of those areas is that there will be public/private partnership. The Government will enhance public/private partnership so that most of the activities which are carried out by the Government today, will be carried out by the private sector.

I agree with the Vice-President when he says that the role of the Government should be reviewed. This is contained in the Economic Recovery Strategy. The role of the Government should be reviewed, so that the Government gets out of most of the things that it is doing. In reality, we find the opposite.

Mr. Temporary Deputy Speaker, Sir, only yesterday, this House was asked to approve a guarantee of Kshs2 billion to the Kenya Farmers Association. This is an insolvent institution that collapsed many years ago. Why would the Government want to get into the business of buying fertilizers, seeds and things that can be done by the private sector?

The Minister said that there is a provision in the Supplementary Estimates for buying back or paying for the balance of payments relating to the purchase of the KCC. Again, the KCC was privatised and there are people who have bought shares in it. Why would the Government want to go back to buy shares in the KCC? I am talking of priorities.

Mr. Temporary Deputy Speaker, Sir, I am talking about the Government getting its priorities right. If the Government is to go back to state corporations such as the Kenya Meat Commission (KMC)--- More than 50 per cent of livestock in this country comes from people in the pastoralist areas who do not have access to livestock markets. They have been asking for KMC to be revived. Yet, when the Minister for Finance moved the Motion on the Supplementary Estimates, the reduction that he made was the removal of Kshs2.7 billion relating to the revival of KMC. The Kshs2.7 billion meant for write-off of the National Bank of Kenya debt was removed. Yet, three days later, the Minister for Livestock and Fisheries Development was in this House, saying that they were going to write off the Kshs2.7 billion and that KMC would be opened the following month. He did not have the faintest idea that the Ministry of Finance had already removed that Kshs2.7 billion, when I asked him: "Did you know that these things have been removed", he said that they could not have been removed. So, some of the things which happen in the Government Ministries clearly show that there is no co-ordination among the Ministries.

Mr. Temporary Deputy Speaker, Sir, I would agree with the Minister that the issue of famine relief is an important one, and therefore, the additional provision they have made for the Strategic Grain Reserve and purchase of maize is the right one. But in the Economic Recovery Strategy, again, the emphasis is on priority. The priority was that you spend money where you can save on the expenditure later. We had a Question in this House earlier today, for example, in Machakos District, where in the last two years, Kshs97 million was spent on famine relief. Yet, only Kshs13 million was spent for the two years on irrigation. The hon. Member was asking about this issue. The same thing is true of many other districts. A good example is Mandera District where we spent over Kshs300 million on famine relief last year. Yet, we asked for Kshs30 million to revive an irrigation scheme along the Daawa River for the whole of 2003/2004 and we could get it. There is no doubt that, annually, we would have fed the people of Mandera District if the Kshs30 million was spent in controlling floods and assisting farmers to irrigate their farms along that river. So, these are the questions of priorities I am talking about. The Government finds it very easy to spend billions on famine relief but finds it very difficult to spend a few hundred million on water supply, irrigation and other projects that assist farmers. I think these are some of the things that we were promised the reforms in the Economic Recovery Strategy would address.

Mr. Temporary Deputy Speaker, Sir, in the Supplementary Appropriation Bill, we find that in the Ministry of Health, I have mentioned this earlier, the emoluments figure meant for rural health centres like dispensaries and health centres has been reduced by almost Kshs2.6 billion and I asked this when the Minister was moving the Motion. Why is the Government reducing emoluments in the Ministry of Health, particularly in the rural areas by Ksh2.6 billion? It clearly shows that there was a

provision for employing nurses and other paramedics for those health facilities. Indeed, positions were advertised, interviews were even done but the whole thing was put on hold. So, the Kshs2.6 billion that was already provided for in the Budget by this House was again cancelled. Yet, you would find that other services which are not even as important as provision of medical health services are factored in the Supplementary Appropriation Bill. That money is being spent on other things.

Mr. Temporary Deputy Speaker, Sir, for example the Government is paying, under this Supplementary Appropriation Bill, Kshs500 million for the purchase of Agricultural Finance Corporation (AFC) College, presumably for the Kenya School of Law. This Kshs500 million is a huge amount of money and is something that should have come in the main Budget. But in the Supplementary Appropriation Bill, it is very easy for this kind of money to pass without the attention of the hon. Members of Parliament.

But if I may ask, why is it very urgent to spend Kshs500 million to purchase AFC college for the Kenya School of Law and yet, avoid employing nurses when our people are dying for lack of medical services? People are dying for lack of attention in hospitals and women are unable to deliver due to lack of midwives and nurses in the rural health facilities. I think these are priorities that we expect the Ministry of Finance and the Government to address. In the same way, there are other priorities that have been shelved. For example, the same Kshs500 million could have been spent on the Kshs400 million computerisation of the Customs Department which was provided for in the Budget; that, the Customs Department would be computerised in order to increase revenue generation. I think it is important for the Government to spend time and money on generating more revenue. Yet, that is one of the reductions that have been made.

Apart from those areas of priority that seem to be lacking, I think it is also important to appreciate that financial management in Government is still a major problem.

I think there is need to really improve the management of public resources and the Treasury must take up this responsibility. So, when you find all those cases that I have mentioned being approved, or a waiver being issued by the Treasury or authority being given to do this and that or transfer this from here to there, that really shows that we need to improve the way we manage our finances in the Treasury.

Mr. Temporary Deputy Speaker, Sir, the other aspect I find important is equity in the allocation of resources. This is something that so many of us find to be so important. In fact, as a result of that, Parliament, ultimately, had to enact the Constituencies Development Fund (CDF) Act. If there was equity in the allocation of resources there would have been no need for the CDF Act. After all hon. Members know that their constituencies should be allocated resources because they need them and they are deemed to be the authorities in their constituencies.

A couple of weeks ago, an hon. Member asked a Question in this House. Based on the survey carried out by the Minister for Planning and National Development, a particular constituency, Ganze, was considered to be the poorest in the country and yet when it comes to allocation of resources in the Budget, Ganze Constituency probably receives the lowest amount of money given to any constituency. So, the Question that was asked sought to know what basis the Government, through the Ministry of Finance, was using to allocate resources to various areas of this country.

Mr. Temporary Deputy Speaker Sir, another example was cited concerning the Ministry of Roads and Public Works where billions of shillings were allocated for the repair and construction of roads in one constituency simply because there are powerful Ministers who come from that area. That matter was raised on the Floor of this House. So, I believe that we still are holding on to a culture that was handed down to us by the previous Government; that resources must be allocated on the basis of patronage and favouritism. That is something we should not see happening again.

Mr. Temporary Deputy Speaker, Sir, the Minister mentioned something about one important project in the Ministry of Agriculture which is known as *Njaa Marufuku*. The project is all about poverty reduction and the idea behind it is to encourage people in the rural areas to get some money from the Government in order to engage in activities that would reduce their poverty. The poverty



index of my District, Mandera, is 76.4 per cent and yet out of the Kshs800 million set aside for the *Njaa Marufuku* Project, Mandera District has been allocated only Kshs400,000. One would expect Mandera District, Ganze Constituency and other remote areas faced with the problem of poverty in this country to be allocated the bulk of the money. On the contrary, much of the money is given to districts where powerful people in the Government come from. Therefore, the issue of equity in allocation of resources is important and needs to be addressed.

With regard to expenditure control, the Government promised that it would reduce wastefulness and expenditure in areas that are not core to the Government. However, even in this simple Supplementary Appropriation Bill, you will find a lot of areas where expenditure could have been reduced or simply treated as non-priorities. For example, the Government Spokesman has been allocated Kshs30 million. You will find huge advertisements in the Press every week telling Kenyans what the Government is doing. I do not know how many hon. Members read those advertisements. There is not much you can gather from those advertisements, but the Government is spending Kshs30 million on advertisements just to tell Kenyans how well it is performing its duties. I think the best way of telling Kenyans how well the Government is performing its duties is by providing services to Kenyans. The Government needs to enhance efficiency in service delivery and enabling Kenyans in the rural areas to access money so that they can develop their own resources.

Mr. Temporary Deputy Speaker, Sir, over Kshs78 million has been provided in this Supplementary Appropriation Bill for commissions, task forces and so on. The Minister himself mentioned something about Kenya Railways Corporation. In his Budget Speech, the Minister promised that there will not be a single penny that will be spent on state corporations that are making losses. Today, in this Supplementary Appropriation Bill, you will find resources being allocated to those kind of institutions, including Kenya Railways Corporation. It is, therefore, important that we cut down on some of these expenditures, that are not essential, so that we can save money and channel it where it is most needed. I think one area that requires more resources, according to the Government's own strategy for economic recovery, is the area our roads. We need to allocate money to improve our infrastructure and enhance our energy sector. We also need to give priority to the provision of water to our people. However, in this Supplementary Appropriation Bill, out of about Kshs12 billion, 70 per cent of that money is consumed by Recurrent Expenditure. I agree with the Vice-President and Minister for Home Affairs that more of our resources should actually go to Development Expenditure and not Recurrent Expenditure. We need to change the existing ratios so that we can spend more money on the development of this country than on consumption.

Mr. Temporary Deputy Speaker, Sir, finally, I need to say that this House does not actually have powers to reject this Bill even if it wanted to. It does not even have powers to alter any of the sums therein or re-allocate them elsewhere. This is an exercise in futility and it is one of the weaknesses that we have as an institution. I believe that the weakness can only be addressed in a new Constitution. The Draft Constitution of Bomas of Kenya actually has a provision that empowers Members of Parliament to reject or amend the Supplementary Appropriation Bill. It is important, therefore, that this Government remains committed to the constitutional review process so that we can have a say on the way our resources are spent.

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

**The Assistant Minister, Office of the President** (Dr. Machage): Mr. Temporary Deputy Speaker, Sir, I support the Supplementary Appropriation Bill. We, indeed, have noted one important aspect in this Bill. Most of the Minister's problems were as a result of the deficiency in the Appropriations-in-Aid in this country. Hence, there was need to get more money to carry out projects that had been suggested in the previous Budget to the tune of Kshs14 billion.

Our experience in this country, for the last ten years, is such that despite the mismanagement of the economy by the former regime, this country was able to survive without necessarily getting a lot of aid from foreign donors. Surely, that is not an experience we can forget. It, therefore, means that with the efficiency that we now have in the Ministry of Finance, under the able leadership of hon.

Mwiraria and coupled with the ability to collect as much tax as is the case presently, the next Budget should include, as little as possible, suggestions on utilization based on promises of foreign aid by donors. We must be self-reliant and we must budget only on what we are able to collect. Kenyans must also be ready to pay their taxes in order to help the Government to carry out its duties. That past experience is very important.

Indeed, I am very happy to note that the Minister has given a lot of attention to supplementing finances on the fight against corruption. Many Kenyans and, indeed, the international community, are watching us and are waiting to see how much we, as a Government, will perform with regard to tackling the problem of corruption. However, let us remember that we inherited from the past regime, a Civil Service that was tuned to a certain way of working. The question then is: Do we lay off all the civil servants in this country and employ new ones? What I may suggest is that there is need for change of attitude and quick learning by the civil servants serving this Government so that we can be able to achieve our aims and projections.

Recently, we passed a Motion on fast-tracking the East African Community. I am happy to note that the Minister has provided some finances to support this goal. We, indeed, stand to gain a lot if the East African Community is fast-tracked and our share to the East African Community budget is paid on time so that the legislators and other officers who are allocated this endeavour can work properly.

The small-scale traders who will benefit from this Bill should utilise these funds that are going to be pushed through micro-financing efficiently. However, I would like to support the Shadow Minister for Finance for his caution that more often than not, the smaller marginalised communities tend to be forgotten. That includes my own community in Kuria District. We do not even have a small Agricultural Finance Corporation (AFC) bank branch in our place and the same applies to other marginalised communities. Most of this money will end up in areas whose per capita income is so much; such as Nandi.

**Mr. Sambu:** On a point of order, Mr. Temporary Deputy Speaker. Is the Assistant Minister in order to impute improper motives on the Nandi people? Does he have any proof that these funds end up in Nandi, otherwise can he withdraw and apologise to the Nandi people?

**The Assistant Minister, Office of the President (Dr. Machage):** Mr. Temporary Deputy Speaker, Sir, whereas I did not want to provoke my colleague he did, indeed, provoke me himself. But I am speaking the truth which is that most Government money was spent in the Rift Valley in the former years.

**The Temporary Deputy Speaker (Mr. Poghio):** Order! Dr. Machage, if you are provoked, you better relax and cool [**The Temporary Deputy Speaker**]  
down, you do not react! In any case, Rift Valley is not Nandi, neither is Nandi Rift Valley!

*(Laughter)*

**The Assistant Minister, Office of the President (Dr. Machage):** Mr. Temporary Deputy Speaker, Sir, I have indeed cooled down and I am relaxed. I am sorry.

**The Temporary Deputy Speaker (Mr. Poghio):** Proceed!

**The Assistant Minister, Office of the President (Dr. Machage):** Mr. Temporary Deputy Speaker, Sir, the truth must always be said, and that is what I am trying to do.

The Ministry of Gender, Sports, Culture and Social Services has been allocated some money for community development programmes. It is a shame when we find sportsmen hanging out in our own stadium and they cannot be allowed to train in order to fight for the country in international games. I hope this will not happen again and I hope the Ministry will address the issue of Harambee Stars now that there is money being given to them.

The famine relief exercise is a big issue currently. Since the creation of the Department of Special Programmes, we have more or less only addressed the famine relief department at the expense

of other departments. It is, indeed, important to note the sentiments of Members that we are spending too much money on treatment and not prevention. This scenario must change. But I have no alternative as an Assistant Minister in that Ministry, but to address the existing emergencies. But I wish the concerned parent Ministries of Water and Irrigation and Agriculture, will address this issue with the seriousness it deserves. A good example is the Ministry of Agriculture which should encourage farmers in the productive regions to produce even more.

In my own Constituency, through God's grace, the Kuria people had a bumper harvest when the rest of the country was experiencing drought. Indeed, farmers have not been able to sell all the crops that they harvested to the NCPB. They have taken maize there worth Kshs170 million, but only Kshs97 million has been paid, and they stand to be paid a balance of Kshs60 million. The last time I was home, many parents came with their children asking me for school fees because the Government which I serve had their money. I want to request the Minister for Agriculture to allocate money to the NCPB urgently so that this deficit in payment to the farmers, who have endeavoured to produce food that is required in this country, is made so that they can buy seeds, fertiliser and till their land for the next crop.

The free primary education is an important issue that the Minister has addressed. Indeed, I support the Vice-President; that attention should be given also to the pre-primary education. I believe, when funds are made available, this will be addressed.

We have very many so-called "white elephants" everywhere in this country. Indeed, most districts endeavoured to build their own district headquarters with their own finances. Kehancha District Headquarters of Kuria is one example. Just as we support the stalled projects, we should remember that some people did, indeed, put their hands into their own pockets to build Government projects. Their due should be allocated to them so that they can use it for other projects.

With those remarks, I beg to support.

**Mr. Sambu:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. I have to support this Supplementary Appropriation Bill because we have no option anyway. For as long as we do not have a Parliamentary Budget Office to question what the civil servants have entered into the books, then we just come here to rubber-stamp the main Budget and the Supplementary Estimates which, as my colleague, the Shadow Minister for Finance stated earlier, are already *de facto* spent anyway. Parliament must make sure that the Parliamentary Budget Office is put in place. The Attorney-General must gazette the roles pertaining to that office immediately.

For as long as the Government uses more of its resources on Recurrent Expenditure to pay salaries, pensions and other personnel emoluments, there will be no development. When there is no development, you cannot create jobs. If we rely on Government to be the employer, then how many people can it employ? Can it create the 500,000 jobs per year that they promised? You will not, if it will be the Civil Service creating those jobs. In any case, we are being told now by the donors to retrench. So, the Government is removing young people before they even serve two or three years and retaining the old people.

Mr. Temporary Deputy Speaker, Sir, we need to put more money on development projects. For instance, the Ministry of Agriculture, whose goal is *njaa marufuku*, cannot succeed as long as we set aside more money for importing food rather than for reviving irrigation schemes, such as the Nyando and Mwea irrigation schemes, the Tana Delta Irrigation Scheme, and starting new ones in the ASAL areas of West Pokot, among other areas.

If we invest in those irrigation schemes, we will first cut the need to import commodities like rice. We are now importing a lot of rice, and yet our own irrigation schemes, which used to produce high quality rice have gone down the drain. So, I would like to urge the Government to put more money in Development Budget rather than on Recurrent Expenditure.

Mr. Temporary Deputy Speaker, Sir, we have been told that we are going to pay some pending bills for security services. What are these pending bills that the authorities are not being

transparent about? This is where the Parliamentary Budget Committee will come in handy. We are being told that the Kenya Anti-Corruption Commission (KACC) will get some more money. It is right to give them more money, but let us also give them power to prosecute. The KACC should use the Public Accounts Committee (PAC) and the Public Investments Committee (PIC) reports. Why are they stalling? They are not prosecuting people.

If you go to our library, you will find many PAC and PIC reports containing recommendations to the predecessor of the KACC and the Attorney-General, to prosecute certain persons and recover monies which were, in the opinion of the Controller and Auditor-General and the PAC and PIC, recoverable and action taken against the culprits. Some recommendations of the PIC and the PAC, which were adopted by this House, bar some hon. Members, who are currently in this House from holding public offices, but they continue to be here. So, that is a contravention of the resolutions of this House.

If *njaa* is going to be *marufuku*, in this country, then we should take care of the interests of the farmers. As an hon. Member said earlier, we have not, up to now, paid farmers for the maize they delivered to the National Cereals and Produce Board (NCPB) last year, and yet we expect the same farmers to plant more maize. So, they are planting using borrowed resources.

I have heard that the Government is going to put money in micro-finance institutions to be on-lent to farmers and small-scale traders. Why can the Government not start with the existing institutions? If the Government puts the money into the Agricultural Finance Corporation (AFC), which already has offices all over the country, it will be able to take care of the cereal, dairy and cotton farmers, as well as finance development projects. So, we are starting to experiment with bodies called micro-finance, when we already have existing institutions like the AFC. So, I want to urge the Minister, who is unfortunately not here---

**An hon. Member:** The Assistant Minister is here!

**Mr. Sambu:** Oh, yes, but he is not seated on the Front Bench, where Ministers and the Assistant Ministers sit.

**The Assistant Minister, Office of the President (Dr. Machage):** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for Mr. Sambu to insinuate that the Minister for Finance is not here, and not seated on the Front Bench, whereas the Minister is actually here?

**An hon. Member:** Where is he?

**The Temporary Deputy Speaker (Mr. Poghio):** Order! The Minister is represented here. Proceed, Mr. Sambu!

**Mr. Sambu:** Mr. Temporary Deputy Speaker, Sir, I will not spend my time responding to frivolous points of order. We know who the Minister for Finance is.

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

**The Temporary Deputy Speaker (Mr. Poghio):** Order! Order, all of you! All that you need to do is rise on a point of order.

**The Assistant Minister for Finance (Mr. Obwocha):** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to insinuate that an Assistant Minister is not a Minister, when we know that the definition of a Minister, as provided for by our Standing Orders includes an Assistant Minister?

**Mr. Sambu:** Mr. Temporary Deputy Speaker, Sir, I do not want to know, because Section 16 of the Constitution provides that Parliament is the one to set up the offices of the Ministers.

I am talking about the Constitution, and not the Standing Orders. Nonetheless, I want to say---

**Mr. Ethuro:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the

hon. Member for Mosop, who is a good friend of mine, to insist on what he knows for sure; that, for purposes of parliamentary business, an Assistant Minister, in accordance with our Standing Orders, which are also provided for by the Constitution, is as good as a Minister?

**The Temporary Deputy Speaker** (Mr. Poghisio): I do not know what this argument is all about.

Proceed, Mr. Sambu!

**Mr. Sambu:** Thank you, Mr. Temporary Deputy Speaker, Sir. I now know that my colleague, Mr. Obwocha, is the Minister. I thought that Mr. Mwiraria was the Minister for Finance.

**The Assistant Minister for Finance** (Mr. Obwocha): That is good enough!

**Mr. Sambu:** Mr. Temporary Deputy Speaker, Sir, I did not know that you had taken over from Mr. Mwiraria.

*(Laughter)*

**The Temporary Deputy Speaker** (Mr. Poghisio): How is this helping you?

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

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! Order, all of you! Mr. Sambu, how is the definition of a Minister helping your course? Let us not take a lot of our time trying to tell who is a Minister. We all know, by definition, in the Standing Orders, who the Minister is. So, let us proceed with that knowledge. Let us not argue.

**Mr. Sambu:** Mr. Temporary Deputy Speaker, Sir, I will proceed. I just wanted the Minister to take notes, because I want maize farmers in my constituency to be paid. I am not interested in anything else.

So, for the Ministry of Agriculture to succeed in eradicating hunger in this country, the existing financial institutions that used to give loans to farmers should be financed, particularly the AFC. We have been told that there will be more new task forces which will be funded from these Supplementary Estimates. Why do we need all these task forces? Year in, year out, we spend so much money on task forces rather than spending it on development projects.

**Mr. Sambu:** Mr. Temporary Deputy Speaker, Sir, I would like to request the officials concerned to reduce the amount of money spend on the task forces and commit it to development. For example, when the Minister moved the Bill, he said that there will be new task forces on land tenure systems in the country. I believe that we all know the land tenures existing in the country. I would like to request the Ministry of Lands and Housing to set aside monies for payment of allowances for various members of the Land Control Boards and the Land Dispute Tribunals because they are hardly funded.

Finally, on Vote R29, Parliament re-allocated its own funds and, therefore, we do not understand why the Treasury is withholding Exchequer Issues for the Constituency Development Fund (CDF) offices. Since there was zero requirement on Vote R29, the Minister should release the Exchequer Issues so that the Clerk of the National Assembly can write cheques for the establishment of constituency offices for hon. Members, maybe by tomorrow before we go for recess.

With those few remarks, I beg to support.

**The Minister for Energy** (Mr. Nyachae): Thank you, Mr. Temporary Deputy Speaker, Sir. I am not going to take as much time as some of the previous speakers. I want to touch on two or three points.

First of all, I want to support the Bill. However, I would like to make a few remarks which I consider to be pertinent when it comes to matters concerning the wellbeing of this nation. I would like to start with an issue that concerns food shortage; the so-called famine. I am convinced, in my own

mind, and I am basing my conviction on experience as a farmer, that what we are calling famine is indeed not caused by drought and the excuse we keep giving year in, year out about drought is wrong. It is not drought that is causing food shortage in this country. Drought may contribute a very small percentage, particularly in the northern parts of the country. Most of our food crops are not produced in the northern parts of our country. We have not developed the right approach in food production in this country.

We used to have the Guaranteed Minimum Returns (GMR) which supported farmers. We used to have farmers' divisional committees which made recommendations as to which farmer needed support to produce food crops. These were removed. All the authority was centralised at the headquarters of the Agricultural Finance Corporation (AFC) and all applications were coming to Nairobi, yet they did not know the farmers. There were delays and as we all know, seasons do not wait. The rain does not wait for the AFC to process applications here in Nairobi and then send them to the farmers. I want to appeal to policy makers in this country, including Parliament, to trace back and find out what we did then to avoid famine. We are going to cry about drought and it will always be there in its own style. We are not going to have rain from January to December.

Mr. Temporary Deputy Speaker, Sir, we are talking about irrigation. When we used to have enough food in this country until about 10 years ago, were we doing irrigation? Has the land where we used to produce food become smaller? What has gone wrong is the utilisation of the land because the farmer does not have sufficient means to produce enough and utilise the land. Large-scale farmers, like myself and others, have access to credit from the banks. When we go there, we get enough funds for farming. Why is it that when we get funds, our yields are not affected? It is because we base our production on a programme that goes with the season. However, small-scale farmers do not have that access to credit from the banks. We must give small-scale farmers access to working capital which must start early in the season before the rains. If we give farmers money after the rains, they are not going to get any yields!

Let us not keep on cheating the whole world that it is drought that is causing food shortage. Rain gauges show what has been going on over the years. I can produce the rain gauge records of my farm for the last 35 years. The difference is not that big. Therefore, it is not the lack of rain that causes food shortage as we keep complaining. This year, on the basis of the estimates that have been worked out on the shortfall of food for this country, if we are going to import that food, we are going to spend well over Kshs4 billion to finance a foreign farmer. Kenyan farmers would not need such an amount. Our cereal farmers do not need more than Kshs3 billion to produce enough foodstuffs. This is a fact! I know the acreage needed for cereal production in this country.

However, Mr. Temporary Deputy Speaker, Sir, we need an additional amount of money. When we are talking about cereals, it is not the only food we eat. We have never thought about supporting other foodstuffs. I see a lot of people here; some are tall and others are short. They have not eaten the traditional food that some of us were brought up with like sweet potatoes. However, sweet potatoes are not being financed. We have been brought up eating beans and we do not look different. Why are we not supporting production of traditional foods as well? Why do we keep thinking in terms of maize and wheat?

Mr. Temporary Deputy Speaker, Sir, we need to finance the production of bananas, sweet potatoes, potatoes, beans and vegetables. However, this should not be done at the Agriculture Finance Corporation (AFC) Headquarters; it should be done at the local level. I used to be a member of the Central Agricultural Board. I was also a member of the Divisional Agricultural Committee in my division and we never lost money because we used to talk to the farmers. We knew what they wanted and they also knew that we were watching them. Let us not be theoretical about food production. We should be practical, trace our footsteps backwards and produce food. That is the reality.

I come from a community where people are very hard working and they have concentrated on the production of traditional food crops. They have the smallest acreage of land per family in the country and since 1920, we have not received a bag of any relief food. Why is it that we do not talk

about drought in this part of Kenya? This is because people are organised. How should we help people to be organised? Are we ready to listen to them about their needs? I can talk for long about agriculture because sentimentally, I feel very strongly about this. We are misleading ourselves by saying that there is drought in our country, while there is no drought. For us to produce even extra food, we need to start irrigation schemes, as has been said here. Irrigation which is being discussed here is not the kind of irrigation that people want. We want to import pumps and technical experts from Germany and other countries to come and show us how to irrigate farms. If you want to know that local farmers can irrigate farms on their own, you should visit the border of Marakwet and Pokot, a place called Endow, and you will find that these people have been irrigating their pieces of land for many years. They have been producing food through irrigation. You can get potatoes and bananas there which are produced through irrigation. We have been told that we must get some consultants to come and show us how to irrigate. We should leave the local people to do it.

Mr. Temporary Deputy Speaker, Sir, when I was the Minister for Agriculture, I visited Ahero Irrigation Scheme and I found out that where there were experts, the irrigation scheme had collapsed and where the local people had set up their own committees, the irrigation scheme was still going on. So, who is qualified to produce food? Are they the ordinary people or the experts who had failed and had gone away? We need to review our approach to food production.

I also want to touch on some parastatals, particularly the Kenya Railways Corporation (KRC). I heard the Minister say that we need to make the KRC to continue "breathing". The truth of the matter is that you will not solve the problems of the KRC by allocating some money to it, like the Minister has done today. The KRC is very "sick". There is no way you are going to support the KRC in the form of annual allocations. My submission is that the Government, through the relevant Ministry and probably with the support of the Ministry of Finance, should go back to the history of the KRC and find out who constructed the Kenya railway line? The railway line was constructed by Indians. In India, they are running similar railway lines. The Exim Bank of India has made available to this country for more than two years US\$20 million for our utilisation. We should tell the Indians, who constructed our railway line, to send their Indian coolies, to come and repair our railway line. The Exim Bank of India would support the rehabilitation of our railway line.

About five years ago, we went to the extent of bringing technicians from General Electric here to revive the engines and the locomotives of the KRC. These technicians have gone away, but the KRC is still "sick". We should not go for the sophisticated people who make engines for aircrafts. We should just bring in Indians and they will get our railway line working. I am convinced that, that can happen. We need to think twice and walk the way our fathers taught us to walk. When we hire expatriates as consultants, they take all our money away just like the money which we are voting today will go out to finance the farmer in America.

Mr. Temporary Deputy Speaker, Sir, I forgot to mention that we have no marketing systems for our agricultural produce in this country. The farmer who is planting now does not know the price at which his maize will be bought. I am properly connected in the cereal industry and I know that an American farmer knows what the price of one tonne of his cereals will be in another three years. This is projection of marketing. If the farmer knows at what price his produce will be bought, then he can plan his income properly.

Mr. Temporary Deputy Speaker, Sir, in Kenya, we go by dreams. After farmers have harvested, that is when we negotiate with them about the prices. I keep on hearing that prices have been adjusted. How can you adjust prices when farmers have already incurred expenditure and all their money is gone? We need to sort out this issue.

As hon. Members we must understand that the ordinary person matters more than ourselves. The ordinary person has a marginal income than ourselves. There are certain things we do without realising that we are hurting the ordinary person. Hon. Members stand up in this House to support the conservation of our forests.

Mr. Temporary Deputy Speaker, Sir, most hon. Members are supporting the issue of

fast-tracking the East African Federation. This in essence means that they are supporting the Customs Union. How will the ordinary *mwananchi* benefit from this union? We are punishing innocent Kenyans. I would like to give an example which I feel very strong about. When the Budget was read last year, Liquefied Purified Gas (LPG) was zero-rated. Right now, the ordinary *mwananchi* is paying 25 per cent tax on LPG because of the Customs Union. If we make gas more expensive, what are we telling the ordinary *wananchi* to do? We are telling them to go back to the forest to cut trees and burn charcoal for cooking. What are our choices here? Majority of hon. Members here are using electric cookers. Ordinary Kenyans cannot afford it. So, what is our policy? Is it to destroy trees? Why should we make life of our people more complicated? Are we allowing the ordinary person to survive? Let us think of the well-being of the ordinary person.

Mr. Temporary Deputy Speaker, Sir, in my view, while supporting the presentation by my colleague and which he did very well, let us get outside this discussion and review our approach to the management of this country. We want our approach to benefit our ordinary people. We will also be in a position to revive our railway lines.

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

**Mr. Ojaamong:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the Supplementary Appropriation Bill which seeks our authority to allow the Government to draw some funds from the Consolidated Fund. These funds will enable the Government provide services to our people. The catch words here are, "provision of services".

*(Prof. Olweny and Mr. Midiwo  
consulted loudly)*

Mr. Temporary Deputy Speaker, Sir, if you could protect me from these gentlemen from Luoland.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, hon. Members! Let us listen to Mr. Ojaamong.

Proceed!

**Mr. Ojaamong:** Mr. Temporary Deputy Speaker, Sir, I was saying that the Government wants to provide services to our people. This is a very noble request. The provision of services requires finances. My appeal to the Government, even though it has been mismanaging our resources just like the previous regime, is to change its attitude. We now intend to authorise the Government to withdraw money from the Consolidated Fund. As we do so, let us ask: What is the size of our Government now compared to when the NARC Government initially came into power? It is a very large Government. How many Assistant Ministers do we have? They are so many. Some of them have even confessed to me that there is no work they do in their offices. Some of them say that they are so bored almost throughout the year. There is totally no work they do. Why should these people be appointed to earn salaries? We should take this money to other sectors where our people in the micro enterprise industry will borrow and improve our economy?

Mr. Temporary Deputy Speaker, Sir, I am saying this because the Minister for Finance is very close to the President. I believe he could advise him to reduce the number of Ministers and Assistant Ministers. By so doing, we could save a lot of money which could be channelled to the Agricultural Finance Company where our people would borrow money. That way our country will grow.

Mr. Temporary Deputy Speaker, Sir, some of the money is being earmarked for the review of electoral boundaries through the Electoral Commission of Kenya (ECK). For a very long time, almost 10 years now, some of the people have been placed in electoral areas where they do not want to belong. I come from Teso District. Some of my kinsmen have been forced by the system to either be in Busia District or Bungoma District. Those people have been enslaved. During recruitment for employment, they are not catered for because when they go to Busia District, they are told to go back to Teso District. When they go to Bungoma District, they are told to go back to Teso District. It is my



opinion that the ECK goes down to the people and finds out in which electoral areas people want to belong to. For that factor alone, I very much support this Supplementary Appropriation Bill, so that funds go to the ECK to ensure that there is a proper review of these electoral boundaries.

Mr. Temporary Deputy Speaker, Sir, the Minister is also seeking for authority to get money from the Consolidated Fund to fund the Office of the President for famine relief. I fully support this.

I would like to talk about the Agricultural Finance Corporation (AFC). People from Teso District are supposed to benefit from the AFC office based in Kimilili. If you looked at the conditions attached for one to receive services from the AFC, they are so difficult to meet and thus ordinary people cannot get any assistance. One of the conditions is that a farmer is supposed to have a title deed. Majority of peasant farmers in Western Province do not have title deeds. Another condition is that one must have a cadastral map. This is a very strange thing to most of the peasant farmers. The third condition is that one must have a bank statement. Very few peasant farmers can afford to open a bank account. So, by asking them to have a bank statement for at least one year, it is a very difficult condition for them. As a result of these difficult conditions, it is very difficult for peasant farmers to participate in agriculture and thus produce more food for our people.

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

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

Mr. Temporary Deputy Speaker, Sir, I also want to emphasise the issue of management of our financial resources. When the NARC Government took over, initially, things worked well but down the way, things have gone helter-skelter. The officers who manage our resources in our districts have developed a habit of misusing Government's funds. The Government is doing very little to contain this situation.

I want to thank the Government because it gave me Kshs19 million through the Ministry of Water and Irrigation, to carry out water projects in the last financial year. Kshs19 million, if given to my constituents to manage properly, would be enough to install piped water in the whole of my constituency. In fact, this financial year, we should be asking the Government to reallocate our money to Ukambani. Unfortunately, what has the Kshs19 million we were given done in Teso? It has done zero! It has done nothing completely. You cannot even see a single project which has been done with the Kshs19 million. The officer in charge of water projects in Teso cannot even account for the money. Auditors and the provincial monitoring teams have gone there, but there is nothing they have done about the situation. If, indeed, the money that the Government is requesting for is for provision of services, it should go down to the districts and improve on the management of our resources.

**An hon. Member:** Where were you when the money was being misused?

**Mr. Ojaamong:** Mr. Temporary Deputy Speaker, Sir, an Assistant Minister is shouting, asking me where I was when the money was being misappropriated. I have to tell him that the money can be misappropriated even when an area Member of Parliament is around. In your own district of Kakamega, a lot of money has been embezzled and you should be doing something about it. It is not a laughing matter. It is something which has affected our people.

I also want to say that money will be allocated to the Office of the President. We have districts that were created during the KANU regime, some of which do not have district headquarters to date. It is my believe that the Minister will allocate some of this money to districts so that headquarters can be put up and Government Officers can have good offices from which they can deliver services to the people of Kenya.

We also have a problem with boundaries in our various administrative units. I want to talk on behalf of the people of Busia District, whose headquarters are located in my district, in Teso. The

people of Busia have to come all the way to my district, Teso, to look for a District Commissioner in order to append Government signatures on various forms. These people are suffering. The Government or the Office of the President should allocate some of these funds, now that the Vice-President and Minister for Home Affairs comes from there, so as to build the headquarters in a central place like Funyula, where residents of Busia District can access services efficiently and effectively.

In so doing, I think these funds will have been used in a useful way because services will have gone closer to people. For instance, when people from Bunyala want veterinary services, they would easily reach their district headquarters.

Mr. Temporary Deputy Speaker, Sir, money should also be allocated to the Judiciary Department. We cannot pretend that our Judiciary system has now improved, even after corrupt magistrates and judges were sacked.

**The Assistant Minister for Justice and Constitutional Affairs** (Mr. Githae): On a point of order, Mr. Temporary Deputy Speaker, Sir. So far, no hon. Member has opposed this Motion. Clearly, hon. Members have started repeating themselves. Would I be in order, to call upon the Mover to reply?

*(Applause)*

**The Temporary Deputy Speaker** (Mr. Ethuro): Order, hon. Members! I think it is proper for any hon. Member, at any particular time during discussions to rise on a point of order. I think the next step is for the Temporary Deputy Speaker to put the Question, which is up to you to determine.

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

**The Minister for Finance** (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, I wish to thank hon. Members for constructive suggestions they have made. I want to be very brief and to the point. I want to assure this House that we do not budget with a view of moving funds during Supplementary Estimates. We have moved from that all together. What happens is that, sometimes when we budget as we did this year, we expect some funds to come from other sources and certain projects to get completed, although they do not even get started. So, because of delay in one area and good progress in another, and we do not want to hold development, we allow movement of funds through Supplementary Estimates. As I said, we are actually reducing the Budget by Kshs2.03 billion.

Mr. Temporary Deputy Speaker, Sir, the second point is that we are taking care of large amounts of money we are spending on famine relief. It is just a matter of a month and I will be here giving the Budget. I will tell you what difference there will be in the coming financial year. As far as the Ministry of Health is concerned, if hon. Members look at the Vote properly, they will see that we have increased the Recurrent Expenditure by Kshs1.5 billion. Most of that money will be used for employment of additional staff members. If you find a deduction in one area, it is because there were no staff members in that area but elsewhere. But when you look at the whole Budget, you will see that is what is happening.

I really want to request the House to pass this Bill because we need the money to spend for the remaining days of this Financial Year.

With those few remarks, I beg to move.

*(Question put and agreed to)*

*(The Bill was read a Second Time)*

*and committed to a Committee  
of the Whole House today by  
leave of the House)*

**COMMITTEE OF THE  
WHOLE HOUSE**

*(Order for Committee read)*

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

**IN THE COMMITTEE**

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

**THE SUPPLEMENTARY APPROPRIATION BILL**

*(Clauses 2, 3, 4, and 5 agreed to)*

*(First Schedule agreed to)*

*(Second Schedule agreed to)*

*(Title agreed to)*

*(Clause 1 agreed to)*

**The Minister for Finance** (Mr. Mwiraria): Mr. Temporary Deputy Chairman, Sir, I beg to move that the Committee doth report to the House its consideration of the Supplementary Appropriation Bill and its approval thereof without amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

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

**REPORT AND THIRD READING**

**THE SUPPLEMENTARY APPROPRIATION BILL**

**Mr. Ethuro:** Mr. Temporary Deputy Speaker, Sir, I beg to report that the Committee of the Whole House has considered The Supplementary Appropriation Bill and approved the same without amendments.

**The Minister for Finance** (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, I beg to

move that the House doth agree with the Committee in the said Report.

**The Minister for Livestock and Fisheries Development** (Mr. Munyao) seconded.

*(Question proposed)*

**Dr. Galgallo:** Mr. Temporary Deputy Speaker, Sir, the Minister told us that he had not taken any money from the Ministry of Health, and that he had increased the allocation to enable the Ministry hire some more health staff. But on page 185, Head 335 - Recurrent Expenditure, the Minister has reduced the money meant for personal emoluments, house allowance and other personal allowances which, to me, was meant for hiring new staff. That amount has been reduced by Kshs2.5 billion.

Could he explain this reduction?

**An hon. Member:** You cannot do that!

**The Temporary Deputy Speaker** (Mr. Poghisio): Dr. Galgallo, you cannot re-open debate! You can only seek clarification!

**Dr. Galgallo:** Mr. Temporary Deputy Speaker, Sir, I am seeking a clarification.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! Nothing can change now! So, I just want interventions.

**Dr. Galgallo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I just asked the Minister to explain. I am not seeking to change anything. Otherwise, what ceremony is this?

**An hon. Member:** Not at this stage!

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, hon. Members! I think we need to understand this: When we were at the Committee Stage, you could have done that kind of intervention at that point. That is when the votes were being called out. You could have done that. Now, we have moved on. You can just ask for clarifications.

**Mr. Arungah:** Mr. Temporary Deputy Speaker, Sir, I am glad we have passed this Bill. I would like to thank the Minister for Finance for enhancing the collection of revenue. I hope that it will be utilised in a more appropriate manner than it has been in the past. I am glad that the Constituency Development Fund (CDF) will get additional funds.

I would urge all the *wananchi*, including the Press, to monitor how the balance of the money that is allocated for development is spent. They are focused on the 2.5 per cent of the Gross Domestic Product that is given to Members of Parliament. They are forgetting that there is more than Kshs50 billion that is available for development. They are not bothered to find out where that money goes.

Mr. Temporary Deputy Speaker, Sir, the Minister for Finance should also demand value for the money. For example, we should account for the money that is given to trade attachees by increased volume of trade. Otherwise, they should be recalled back home.

With those few remarks, I beg to support.

**Mr. Bahari:** Mr. Temporary Deputy Speaker, Sir, while I thank the Minister for bringing the Bill, no attention has been given to veterinary services. There has been an increase in ticks and other animal-related diseases which are undermining livestock production. It is incumbent upon the Government to ensure that sufficient resources are allocated to such vital services.

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

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, hon. Members! This is not the time to say what you did not say at that time.

*(Question put and  
agreed to)*

**The Minister for Finance** (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, I beg to move that the Supplementary Appropriation Bill be read the Third Time.

**The Vice-President and Minister for Home Affairs** (Mr. Awori) seconded.

*(Question proposed)*

*(Question put and agreed to)*

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

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

### MOTION

#### ADOPTION OF TWELFTH PIC REPORT

THAT, this House adopts the Twelfth Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on Wednesday, April 13, 2005.

**The Temporary Deputy Speaker** (Mr. Poghio): The Chairman of the PIC is not around? The Motion is deferred.

*(Motion deferred)*

Next Order!

### BILL

*Second Reading*

#### THE PUBLIC PROCUREMENT AND DISPOSAL BILL

**The Minister for Finance** (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, this Bill has been passed to the Finance, Planning and Trade Committee which is still looking at it.

Mr. Temporary Deputy Speaker, kSir, lthey have not completed their comments on it and I think it is only fair that we give them time to complete their consultations.

**The Temporary Deputy Speaker** (Mr. Poghio): The Bill is deferred.

*(Bill deferred)*

Next Order!

### MOTION

#### ADOPTION OF SESSIONAL PAPER

## NO.3 ON SPORTS DEVELOPMENT

THAT, this House adopts Sessional Paper No.3 of 2005 on Sports Development laid on the Table of the House on Thursday, 28th April, 2005.

**The Temporary Deputy Speaker** (Mr. Poghisio): The Minister for Gender, Sports, Culture and Social Services is not here. Any Minister to move on his behalf?

**Hon Members:** No!

**The Temporary Deputy Speaker**  
(Mr. Poghisio): Then the Motion is deferred.

*(Motion deferred)*

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, hon. Members! There being no other business, the House is, therefore, adjourned until tomorrow, Thursday, 12th May, at 2.30 p.m.

The House rose at 6.10 p.m.