

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 22nd June, 2005

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

Sessional Paper No.4 of 2005 on Youth Development.

*(By the Minister for Gender, Sports,
Culture and Social Services)*

Annual Report and Accounts on the Financial Statement of the Local Authorities Provident Fund for the year ended 30th June, 2002, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts on the Financial Statement of the Local Authorities Provident Fund for the year ended 30th June, 2003, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister for Gender, Sports,
Culture and Social Services on behalf of
the Minister for Local Government)*

Annual Report and Accounts of the Teachers Service Commission for the year ended 30th June, 2004, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister for Gender, Sports,
Culture and Social Services on behalf
of the Minister for Education,
Science and Technology)*

Annual Report and Accounts of the National Hospital Insurance Fund (NHIF) for the year ended 30th June, 2003, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister for Gender, Sports,
Culture and Social Services on
behalf of the Minister for Health)*

Annual Report and Accounts of the Coast Development Authority for the year ended 30th June, 2002, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of the Coast Development Authority for the year ended 30th June, 2003, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister for Gender, Sports,
Culture and Social Services on behalf
of the Minister for Regional
Development Authorities)*

Annual Report and Accounts of the National Cereals and Produce Board for the year ended 30th June, 2002, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister for Gender, Sports,
Culture and Social Services on behalf
of the Minister for Agriculture)*

Annual Report and Accounts of Telkom Kenya Limited for the year ended 30th June, 2002, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister for Gender, Sports,
Culture and Social Services on
behalf of the Minister for
Information and Communications)*

Report of the Study Visit to the Socialist Republic of Cuba from 8th to 16th February, 2005.

Report of the Meeting of the Inter-Parliamentary Committee for East Africa, held at Imperial Botanical Beach Hotel, Entebbe, Uganda, from 23rd to 24th February, 2005.

Report on the Second Meeting (Nanyuki II) for Foreign Affairs and Trade Committees of the East African Community Partner States and the East African Legislative Assembly held on 27th to 29th January, 2005, at Imperial Resort Beach Hotel, Entebbe, Uganda.

*(By the Chairman, Defence and
Foreign Relations Committee
(Mr. G.G. Kariuki))*

NOTICES OF MOTIONS

Mr. G.G. Kariuki: Mr. Speaker, Sir, I beg to give notices of the following Motions:-

ADOPTION OF REPORT OF FOREIGN AFFAIRS/TRADE COMMITTEES OF EAC PARTNER STATES

THAT, this House adopts the Report of the Second Meeting of Foreign Affairs and Trade Committees of the East Africa Community Partner States and the East African Legislative Assembly held on 27th to 29th January, 2005, at Imperial Resort Beach Hotel, Entebbe, Uganda, and the Inter-Parliamentary Committee for East Africa held at Imperial Botanical Beach Hotel, Entebbe, Uganda, from 23rd to 24th February,

2005, laid on the Table on Wednesday, 22nd June, 2005.

ADOPTION OF REPORT ON STUDY
VISIT TO CUBA

THAT, this House adopts the Report of the study visit to the Socialist Republic of Cuba from 8th to 16th February, 2005, laid on the Table on Wednesday, 22nd June, 2005.

QUESTIONS BY PRIVATE NOTICE

THEFT OF LIVESTOCK IN KATIKOMOR

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

(a) Is the Minister aware that more than 3,000 animals were stolen from Katikomor on 4th June, 2005, and driven to Uganda despite the presence of security personnel in the area?

(b) How many of the stolen animals have been recovered and returned to their owners?

(c) Is the Minister further aware that the animals were taken because the people of the area could not protect themselves?

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

(a) I am aware that on 4th June, 2005, at about 5.00 a.m., armed cattle rustlers from a neighbouring country drove away unspecified number of animals from Katikomor. The figure of 3,000 animals stolen is highly exaggerated as during that time, less than 100 animals were grazing in the area.

(b) A total of 73 head of cattle have been recovered. The animals that strayed during the confusion have all been recovered. Currently, there is no complaint about lost animals. (c) The area has adequate Government security to provide protection to the residents. Security in the area is provided by the GSU at Chepchoina. We have a police post at Kanyarkwat and a patrol base at Chepchoina. We also have 48 Kenya Police Reservists in the area. There is also regular air surveillance by the Kenya Army based at Kacheliba. This is why 67 animals were recovered by the security personnel shortly after the report reached them.

Mr. Moroto: Mr. Speaker, Sir, I sympathise with the Assistant Minister although he is new in that office. He has totally misled this House. There were security operations when the cattle rustlers attacked our people at Katikomor and two helicopters patrolled the area. There were several lorries full of GSU and Kenya Army officers. All those animals were driven to Uganda in the presence of the security personnel and none was recovered. Could the Assistant Minister confirm to this House that the lives of Kenyans who live along the borders are secure?

Mr. Kingi: Thank you, Mr. Speaker, Sir. The presence of the security personnel that the hon. Member has talked about was as a result of the report which had been received. That is why I said 73 animals were recovered. If the security personnel are on the ground, then it means that the property and lives of the people are protected.

Maj-Gen. Nkaiserry: Thank you, Mr. Speaker, Sir. This is a very important Question because it affects the security of our citizens and their properties. At the moment, the Government is disarming the Pokot, and yet they live along the common border. Why is the Government disarming the Pokot and yet it is not providing them with adequate security?

Mr. Kingi: Mr. Speaker, Sir, I have already said that this area has adequate security because we have GSU officers and police reservists there. There is continuous surveillance by the Kenya Army. That is why it was easy to recover the animals which were stolen.

Mr. Abdirahman: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to talk about internal security when we really want to know what happens in Uganda?

Mr. Kingi: Mr. Speaker, Sir, I am answering the Question which Mr. Moroto asked. I have said that we recovered the animals which were stolen because we had security personnel in that area. The disarmament exercise which is being carried out in our country is also being carried out in Uganda. We are working together with the Ugandan Government to ensure that the border is safe.

Capt. Nakitare: Thank you, Mr. Speaker, Sir. I doubt what the Assistant Minister has told this House. Katikomor is in West Pokot and it is adjacent to the GSU Camp at Chepchoina. Could the Assistant Minister tell us whether the Government is trying to fuel animosity among our people by forcibly disarming them, or is it requesting them to surrender the firearms so that it can defend the borders of our country?

Mr. Kingi: Mr. Speaker, Sir, I have already said that the disarmament exercise is being carried out for security reasons. We provide our people with enough security by ensuring that the borders are secure as we carry out the disarmament exercise.

Mr. Mwandawiro: Bw. Spika, sielewi vile kunaweza kuwa na usalama wa kutosha na huku mamia ya mifugo wanaibiwa mchana, wakati maafisa wa kikosi cha Fanya Fujo Uone (GSU) na wanajeshi wanashuhudia. Je, mifugo walioibiwa na kupelekwa Uganda watarudishwa lini?

Mr. Kingi: Mr. Speaker, Sir, stealing is not a very good thing. That is why it is the duty of this Government to ensure that its citizens enjoy good security. When animals from this country were driven away by forces from the neighbouring areas, we were able to recover them since our security forces were there. We will continue to ensure that when animals or property are stolen, we engage our security forces to recover them.

Mr. Moroto: Mr. Speaker, Sir, I am actually not sure what to say about this matter. The Assistant Minister has told this House that 73 animals were recovered. Could he name those people who were given these animals, the place where they were delivered, and who received them? Again, if he is not in a position to provide security, could those people living along the border be allowed to arm themselves so that they protect their lives and property?

Mr. Kingi: Mr. Speaker, Sir, we will not allow residents to arm themselves because we have security personnel who are trained to take care of our people. This is a decision we have made and we will not reverse it.

As for the people who were given back their animals, we have the records, and if the hon. Member consults me, I could provide him with the details.

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

Mr. Speaker: Mr. Moroto, what is it?

Mr. Moroto: Mr. Speaker, Sir, the Question is not mine. It is now the property of this House. Could the Assistant Minister table those names so that Kenyans know who was given these animals?

Mr. Speaker: Mr. Kingi, could you table the names of those people on Tuesday, next week?

Mr. Kingi: Mr. Speaker, Sir, I will do that.

Mr. Speaker: Next Question, Dr. Khalwale!

WITHHOLDING OF HIV/AIDS
FUNDING BY WORLD BANK

(Dr. Khalwale) to ask the Minister of State, Office of the President:-

(a) Is the Minister aware that the World Bank intends to withhold funding for HIV/AIDS projects worth Kshs8 billion due to misappropriation of the funds earlier released to the National AIDS Control Council?

(b) What urgent action is he taking to pre-empt the catastrophe that would jeopardize the lives of people living with HIV/AIDS and those at risk of infection?

Mr. Speaker: Dr. Khalwale is not here? His Question is dropped!

(Question dropped)

ORAL ANSWERS TO QUESTIONS

Question No.282

STEPS TO LEGALIZE DISTILLATION/ CONSUMPTION OF TRADITIONAL BREWS

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

(a) if he could inform the House which alcoholic drinks are illegal for consumption;

(b) if he is aware that the police are collecting money from brewers of traditional alcoholic drinks; and,

(c) what steps he will take to legalize distillation

and consumption of traditional brews.

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

(a) All alcoholic drinks which are consumed or sold without a permit issued by the Liquor Licensing Board, appointed under Section 3 of the Liquor Licensing Act, Cap.121, are illegal. Such alcoholic drinks are *chang'aa*, traditional liquor, methylated spirits, rectified spirits, mineralised spirits, power alcohol and any other spirits with which any substances are mixed.

(b) I am not aware that the police are collecting any money from the brewers of traditional alcoholic drinks. It is illegal for the police to collect money from such brewers.

(c) The Government has appointed a task force to formulate a policy paper on regulatory framework of alcoholic beverages. The task force is to review the alcoholic beverages industry and address the socio-economic effects of alcohol abuse and make an appropriate regulatory framework on alcoholic beverages.

Mr. Weya: Mr. Speaker, Sir, Kenya is truly an elitist country, because we have cultural nights where *busaa*, *muratina* and other traditional drinks are served openly. When the elite have functions like weddings and funerals, all these drinks are served. However, when the poor *wananchi* brew these drinks in the rural areas, they are harassed by the police. The other day, the President even allowed open consumption of *mnazi* in Mombasa. Could the Assistant Minister tell us whether traditional drinks like *busaa*, *muratina* and *chibuku* could be legalised so that Kenyans can consume them freely?

Mr. Kingi: Mr. Speaker, Sir, we have authorities which can license consumption of these drinks. However, the mood of the country at the moment is not really that of encouraging people to involve themselves in drinking. We are trying to move away from this culture of drinking alcohol, to that of a working nation. That is why we are even putting restrictions in bars that are coming up in residential areas. So, as long as the people in that area see the need to continue drinking local brews and they ask for permits and they are granted, we will have no problem with them.

Dr. Ali: Mr. Speaker, Sir, the Assistant Minister is contradicting himself. I know he is one of the proponents of the *mnazi* drink. Why does he not want to allow other Kenyans to consume *muratina* and *busaa* freely?

Mr. Kingi: Mr. Speaker, Sir, I have not said that we do not want to allow people to drink local brews. In fact, in Nairobi the Liquor Licensing Board has authorised consumption of some of these drinks. However, there are other areas where people have not expressed interest in consumption of some of these drinks and, therefore, we invite them to get permits.

Mr. Munya: Mr. Speaker, Sir, could the Assistant Minister give us the specific law that bars people from brewing and consuming these traditional brews? There is confusion about the legal status of these brews and he is not coming out clean on it.

Mr. Kingi: Mr. Speaker, Sir, there are several Acts of Parliament that we could refer to. We have, for example, the *Chang'aa* Prohibition Act, the Compounding of Portable Spirits Act, the Industrial Alcoholic Act and so on. I could table them if the hon. Member so wishes. However, like I said, we would like to move away from the culture of drinking alcohol and encourage our people to work hard in order for us to develop this country.

COMMUNICATION FROM THE CHAIR

CHANGE OF QUESTION TIME

Mr. Speaker: Hon. Members, I must bring to the attention of the House that I will finish Question Time at 3.20 p.m. because there is a Procedural Motion before we get to the Committee of Supply, which must begin at 3.30 p.m.

Now, let us get the last question from Mr. Weya.

*(Resumption of Oral Answers
to Questions - Question No.282)*

Mr. Weya: Mr. Speaker, Sir, the livelihood of the people in the rural areas depends on money obtained from the sale of some of these brews. On the other hand, huge multinational companies are producing alcoholic products which the local community cannot afford. With the many frustrations that people are faced with daily, the local *mwananchi* would like to entertain himself or herself in the evening. In Uganda, for example, *waragi* is like *chang'aa*, but the Government has regulated the alcoholic content of this product. Could the Assistant Minister consider doing the same here in Kenya?

Mr. Kingi: Mr. Speaker, Sir, that is a very strange request. For us to move towards legalising all these drinks so that we have them consumed is asking for too much. We would like to move away from this culture of consuming alcohol so that we turn this country into a working nation. If we support one other towards this direction, we will be doing our citizens good service.

Mr. Mwandawiro: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to mislead this House that Kenyans do not want to drink? Kenyans want to drink! There is a difference between working and drinking! Drinking is part of leisure! So, he should not mislead this House.

Mr. Speaker: Mr. Kingi, that is his opinion. You do not need to respond to that. In fact, that is a point of argument, which he has put very well.

Mr. Maore: On a point of order, Mr. Speaker, Sir. Under Questions by Private Notice, there is a Question you dropped and immediately you did so, the Questioner walked in. This is a very important Question if you look at its content. Where does the House stand on this?

Mr. Speaker: Hon. Members, you know what time the House starts. Hon. Members are aware when their Questions come to the House. It is the responsibility of hon. Members to come to the House in time to ask their Questions. I really cannot be expected to go round looking for hon. Members everywhere. So, I am afraid the Question was dropped!

Mr. Sambu: On a point of order, Mr. Speaker, Sir. With due respect, the point of order was not raised because you dropped the Question. A point of order was raised that Dr. Khalwale walked in immediately you dropped the Question, and he did not even make an effort to apologise. This Question has taken the chance of another Question by Private Notice. It is a very important issue to

Kenyans.

Mr. Speaker: So, what do you want?

Mr. Sambu: Mr. Speaker, Sir, now that he is here and he did not apologise, may I apologise on his behalf, so that he may ask the Question?

(Laughter)

Mr. Ogur: On a point of order, Mr. Speaker, Sir. I came to the Chair and said: "Please, this Question is about the HIV/AIDS scourge and it is very important. Could I ask it on behalf of Dr. Khalwale?" When I turned, I saw Dr. Khalwale coming in. So, could you, please, allow him to ask the Question on behalf of the people of Kenya?

(Laughter)

Dr. Khalwale: Mr. Speaker, Sir, I would like to apologise most abundantly. I have come late because I was caught up in the traffic lights. There is a programme which I was attending at the studio. It was meant to end at 2.00 p.m, but it did at 2.15 p.m. Since some hon. Members might think that I have been compromised or something like that, and I am prepared for the Question, could I be allowed to ask it?

Mr. Speaker: Where were we? Question by Member of Parliament for Lamu East!

Question No.451

BURSARY FUND ALLOCATION FOR
LAMU EAST CONSTITUENCY

Mr. A.C. Mohamed asked the Minister for Education, Science and Technology:-

- (a) whether he is aware that Lamu East Constituency has been allocated only Kshs500,000 as bursary money this financial year;
- (b) whether he is further aware that the constituency had been allocated over Kshs1.5 million last year; and,
- (c) what the criteria used in distribution of bursary money to constituencies was and why the amount was reduced to Kshs500,000.

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

(a) I am aware that Lamu East Constituency was allocated Kshs1 million as bursary funds in the current financial year and not Kshs500,000 as claimed by the hon. Member.

(b) I am further aware that Lamu East Constituency received a total of Kshs1,526,733 in the last financial year as bursary funds, allocated as follows: The first disbursement was Kshs1 million. The second one was Kshs500,000 and the third was Kshs26,733.

(c) The criteria used in the distribution of bursary money to constituencies is a formula that takes into account the student enrolment in the constituencies and poverty indices of the districts in which the constituencies fall. It is not true that the bursary amount for Lamu East Constituency was reduced to Kshs500,000.

Mr. A.C. Mohamed: Mr. Speaker, Sir, I am surprised by the answer given by the Assistant Minister. Either he has been misled by his officers, or he is deliberately misleading this House. The money we received in our account in March is Kshs136,600.

Last month we received Kshs363,400. The total amount received is Kshs500,000. I have the schedule here from the Ministry which is explained as it is. Could the Assistant Minister check the facts and figures and come with a correct answer?

Mr. Speaker: Mr. A.C. Mohamed, would you like to table that schedule?

Mr. A.C. Mohamed: Yes, Mr. Speaker, Sir.

(Mr. A.C. Mohamed laid the document on the Table)

Dr. Mwiria: Mr. Speaker, Sir, I think there is some misunderstanding. I need to explain that there has been a delay in disbursing the other Kshs500,000. Already, those cheques have been prepared and they should be in every constituency by the end of the month. So, when I say Kshs1 million, I am talking about even the second allocation which should be in the constituency very soon. I think it is because of that delay that there is some confusion.

Mr. Speaker: Mr. Assistant Minister, the paper laid before the House actually bears you out. This paper itself, on the face of it, reads the following: "Balance, Kshs547,893.80 as of 16th June, 2005." Did you not read that, Mr. A.C. Mohamed?

Mr. A.C. Mohamed: Mr. Speaker, Sir, well, instead of Kshs1 million, it is Kshs500,000.

Mr. Speaker: Very well, I think that ends the matter.

Question by the hon. Member over there! Is that Mr. Okioma?

An hon. Member: He is called, Mr. Onyancha!

Mr. Onyancha: Mr. Speaker, Sir, my name is Mr. Joel Onyancha.

Mr. Speaker: Which is your constituency?

Mr. Onyancha: My constituency is Bomachoge!

Mr. Speaker: Please, proceed!

Mr. Onyancha: Mr. Speaker, Sir, I understand because I sit very far from the Speaker's eye.

Mr. Speaker: Order, hon. Member! Why bother with my eye when it has already seen you?

(Laughter)

Mr. Onyancha: Mr. Speaker, Sir, I am saying your eye sees everywhere in the House.

(Laughter)

The Ministry of Education, Science and Technology seems to have money that it allocates for bursaries, free education and other grants, which is never made public. Could the Assistant Minister confirm that there is money in his Ministry that is never made public and it is given to schools without them being made aware on when they can ask for it for use?

Dr. Mwiria: Mr. Speaker, Sir, of course, I would not confirm that there is money that is never made public. We try to make public all the monies that we send to schools. If the hon. Member is not aware of this procedure, this is how we do the bursaries as well. So, sometimes there might be delay and it may look like a surprise that the money has got to school. But it was always budgeted and planned for.

Mr. Speaker: Very well. I think I will finish with the Member of Parliament for Magarini Constituency.

Mr. Kombe: Asante, Bw. Spika. Wilaya ya Lamu ni moja kati ya zile wilaya maskini zaidi nchini Kenya. Wanafunzi wengi huwa wanawacha kuendelea na masomo kwa sababu ya ukosefu wa karo. Utaratibu unaotumiwa na Wizara ili kuzipatia wilaya pesa ni idadi ya wanafunzi walioko shuleni, ilhali wengi wa wanafunzi hawa huwa wameacha masomo. Je, kuna njia yingine ambayo inaweza kutumika kupeana pesa kwa wilaya bila kutumia idadi ya wanafunzi walioko shuleni? Ikiwezekana, itumiwe idadi ya hata wale ambao wameacha shule kwa sababu ya ukosefu wa karo.

Dr. Mwiria: Mr. Speaker, Sir, this is a criteria we have agreed on as Members of Parliament.

I think it is the fairest way of doing it. In spite of that, those constituencies which do not have many students to merit, like up to Kshs500,000, will always get a minimum of Kshs500,000 anyway. For example, Lamu East Constituency was entitled to only Kshs136,000, but it got Kshs500,000 because disadvantaged districts which do not have adequate numbers to justify a lot of resources are given a certain minimum, which is Kshs500,000.

Mr. A.C. Mohamed: Mr. Speaker, Sir, could the Assistant Minister confirm that Kshs1,525,000 has been allocated to Lamu District this year, just like last year? Could he confirm that we will get the same amount of money this year?

Dr. Mwiria: Mr. Speaker, Sir, I cannot confirm that, but we will do the calculations as usual. But I can promise that you will get, at least, Kshs1 million, even though your district does not have adequate numbers. You will get a minimum of Kshs500,000 each time. But the rest has to be calculated.

Mr. Speaker: Next Question by the hon. Member for Wajir North!

Question 204

SPOT-GRAVELLING OF WAJIR-
BUNA-MOYALE ROAD

Dr. Ali asked the Minister for Roads and Public Works:-

- (a) whether he is aware that heavy trucks travelling to and from Moyale and Ethiopia use Wajir-Buna-Moyale Road C80;
- (b) what is the distance of the all-weather road; and,
- (c) what plans are in place to do spot-gravelling on the road.

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

(a) I am aware that heavy trucks travelling to and from Moyale and Ethiopia use Wajir-Buna-Moyale Road C80.

(b) The total length of the road is 190 kilometres, but only a stretch of 16 kilometres of the road is all-weather.

(c) The road is programmed to be spot-gravelled during the 2005/2006 Financial Year. A total of Kshs8,695,000 has been earmarked for that road.

Dr. Ali: Mr. Speaker, Sir, I thank the Assistant Minister for that answer, but I am not sure whether the money will ever come. Some few months back, the same Assistant Minister promised to give us some Kshs2 million for another road and, up to date, we are still waiting. Could he assure the House that, this time round, we will get that money?

**COMMUNICATION FROM
THE CHAIR**

REINSTATEMENT OF QUESTION ON
HIV/AIDS FUNDING BY WORLD BANK

Mr. Speaker: Order! Just before the Assistant Minister responds, I have been pondering over a Question that I dropped because of the absence of the Questioner. In my mind, it is absolutely clear that HIV/AIDS is terrorising this nation. I think it is right that I use my power under Standing Order No.1 and reinstate that Question.

(Applause)

I order that it will be asked in the House tomorrow.

*(Dr. Khalwale stood up
in his place)*

You will sit down! In fact, if you keep on standing, you may be called upon to give a better explanation. I am not the creator of traffic jams and you know they are there. It is your business to avoid traffic jams. In fact, we have a restaurant in Parliament. So, that is not a good reason at all. So, the Question will be asked tomorrow.

Dr. Khalwale: On a point of order, Mr. Speaker, Sir. While I appreciate your good decision, I would like to inform you that the Departmental Committee on Health, Housing, Labour and Social Welfare will be travelling to Kampala tonight, and I am in the group. So, maybe, if you could just allow---

Mr. Speaker: Travelling to where?

Dr. Khalwale: We are travelling to Kampala tonight. Maybe, if you could allow me only three minutes, we can finish with the Question now.

Mr. Speaker: Why do you think travelling has precedence over the sittings of the House? Who gave you permission in the first place?

Dr. Khalwale: Mr. Speaker, Sir, it is only a request.

Mr. Speaker: Okay! Let me be generous from the beginning to the end. I will further extend my generosity to Tuesday. Now, you have no further complaint.

(Laughter)

Dr. Khalwale: Thank you, Mr. Speaker, Sir!

(Question reinstated)

*(Resumption of Oral Answers
to Questions - Question No.204)*

Mr. Speaker: Let us proceed, Mr. Assistant Minister!

Eng. Toro: Mr. Speaker, Sir, I understand the sentiments of the hon. Member. But I would like to assure him that, that money will be spent. If it is not spent, he can come here and raise the issue with the Speaker. The Speaker can help him by sanctioning the Minister.

Mr. Speaker: That is the best undertaking I have ever heard from this House. I will hold it to you!

The hon. Member for Moyale!

Dr. Galgalo: Mr. Speaker, Sir, a stretch of 60 kilometres of that road is in my constituency. It has never been gravelled. Out of the Kshs8 million, how much will be used to gravel the section between Dabel and Moyale, which is in my constituency?

Eng. Toro: Mr. Speaker, Sir, we will generally look at the condition of the entire 190 kilometres road and work on spots which are very bad. If most of the bad spots are in your constituency, they will be taken care of.

Dr. Ali: Mr. Speaker, Sir, I will have to defend myself here. Even the stretch of 16 kilometres of the road is not in my constituency. It is in another constituency. But, sometimes back, I went to the Ministry of Roads and Public Works and was informed that Kshs3.7 million was allocated for that road this year. Where did that money go? We have never seen it! Is the Assistant Minister aware of that?

Eng. Toro: Mr. Speaker, Sir, according to my records, a total of Kshs3.7 million has been spent this financial year.

Mr. Speaker: Order, hon. Members! Mr. Assistant Minister, the hon. Member is saying that he has never seen any activity of road repair along the whole stretch. Where was it done? It must be somewhere!

Eng. Toro: Mr. Speaker, Sir, you heard the hon. Member say that, even the 16 kilometres are not in his constituency. So, maybe, the repairs were done in another constituency.

When we repair roads, we do not go per the constituencies. We look at the entire road length, search for trouble spots and repair them.

Dr. Ali: On a point of order, Mr. Speaker, Sir. The Assistant Minister did not understand the question. I am the one who said that, according to their records, Kshs3.7 million has been allocated for that road. I use that road every time I go to my constituency. I have never seen a tractor or anything new.

Mr. Speaker, Sir, the 16 kilometres were repaired when Eng. Sharawe was the Permanent Secretary in the Ministry of Roads and Public Works. That was way back in 1991/92 or 1996/97 - I do not know! Since then, nothing has been done on that road. Where did the Kshs3.7 million go?

Could you please bring that answer to the House?

Eng. Toro: Mr. Speaker, Sir, I do not have the details of where the Kshs3.7 million was spent. I will go and find out which kilometres were covered and let the hon. Member know.

Mr. Speaker: On Tuesday?

Eng. Toro: Yes, Mr. Speaker, Sir.

Question No.053

SHORTAGE OF NURSES IN
MAKUENI DISTRICT

Mr. Ndambuki asked the Minister for Health:-

- (a) whether she is aware that Makueni District has a severe shortage of nurses; and,
- (b) what action she is taking to deal with the problem.

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

(a) Yes, I am aware that Makueni, like most districts in the country, has a severe shortage of not only nurses, but also other cadres of health workers such as doctors, medical laboratory technicians and so on.

(b) Following the recent country-wide Civil Service strike, the Government authorized the Ministry of Health to hire more nurses and health workers. Recently, we have been able to hire about 1,000 nurses. We will distribute them throughout the country. In addition, Clinton HIV/AIDS Foundation has also signed a memorandum of understanding with the Ministry of Health and the Government. It has allocated resources to hire an additional 120 nurses for four districts.

Mr. Ndambuki: Mr. Speaker, Sir, the Minister has agreed with me that there is a severe shortage of nurses. As we talk now, we have a shortage of over 383 nurses. We have more than 25 dispensaries which are not operating because of lack of personnel. Most medical institutions operate from Monday to Friday. Could the Minister tell us, out of the 1,000 nurses that have been employed, how many will be posted to Makueni and how soon?

Mrs. Ngilu: Mr. Speaker, Sir, the current Budget has allocated more resources to the Ministry of Health. Therefore, I will be looking at the number of nurses that we need to hire. We have trained 4,000 nurses in the country and they could be hired if I had more resources. The Ministry is mobilising resources within and outside the Government. It is true that Makueni District requires an additional 386 nurses, if we were to cater for all the health facilities. We will try and see how many nurses we will

provide to that district.

Dr. Kibuguchy: Mr. Speaker, Sir, you heard the Minister say that, after the recent strike by nurses and other health workers, she hired 1,000 nurses. Could she tell us whether any nurses were fired as a result of the strike, so that we can know how many are remaining?

Mrs. Ngilu: Mr. Speaker, Sir, I am in the process of compiling a list of all those who left patients unattended in our hospitals. We are not targeting every nurse who went on strike. But there were some areas where patients were left unattended. We are going to punish all those who left patients unattended. That is one of the reasons why we are going to hire more nurses.

Mr. Speaker: Very well. Last question by the hon. Member for Kaiti Constituency!

Mr. Ndambuki: Mr. Speaker, Sir, since we do not know when the Minister will hire nurses, could she allow those health centres to employ some workers with the little money that they collect? Some of the dispensaries and health centres are not in operation because of lack of personnel. Could she give that authority to health centres?

Mrs. Ngilu: Mr. Speaker, Sir, the recent directive by the Government that dispensaries and health centres should charge Kshs10 and Kshs20 respectively has made it very difficult for most health facilities to hire health workers. That has also affected the amount of drugs that we send them because, due to the cost element, most people who visit our health facilities cannot afford to pay that money and, therefore, those drugs are returned when they are already expired.

We need to balance that situation to ensure that people are not denied services because of the cost that the health facilities will incur. But we have Health Management Committees and if they and the communities agree, they can go ahead and employ health workers.

Mr. Speaker: Very well. Order, hon. Members! As I had earlier announced, we will end Question Time now! Hon. Members of Parliament for Bondo, Magarini, Makadara and Gatundu North constituencies will have their Questions answered tomorrow!

Question No.473

INCREASE IN CONSUMER
CONTRIBUTION TO REPS

(Question deferred)

Question No.221

PALM WINE FACTORY FOR
COAST PROVINCE

(Question deferred)

Question No.166

MEASURES TO SAVE NAIROBI
RIVERS FROM POLLUTION

(Question deferred)

Question No.338

MINISTRY'S ACQUISITION OF LAND
WITHOUT COMPENSATION

(Question deferred)

Next Order!

PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM PROVISIONS
OF STANDING ORDER NO.137(1)

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, this House orders that the business appearing on today's Order Paper be exempted from the provisions of Standing Order No.137(1) which gives precedence to the debate on the Financial Statement.

Mr. Speaker, Sir, constitutionally, the Vote on Account must be dealt with before 26th, June.

As you rightly pointed out, we lost a day and, therefore, it is necessary that we deal with the Vote on Account today to meet the constitutional requirement. We will then go back to the Seventh Allotted Day tomorrow.

With those few remarks, I beg to move.

The Minister for Education, Science and Technology (Prof. Saitoti) seconded.

(Question proposed)

(Question put and agreed to)

COMMITTEE OF SUPPLY

(Order for Committee read)

MOTION

VOTE ON ACCOUNT

The Minister for Finance (Mr. Mwiraria): Mr. Speaker, Sir, I beg to move:-

THAT, in accordance with Section 101 of the Constitution of Kenya, the withdrawal of Kshs149,615,806,914 representing one-half of the total net estimates of Recurrent and Development Expenditure made up in the manner set out in the Vote on Account schedules laid on the Table of the House, be authorised for the purposes of meeting expenditure necessary to carry on the services of the Government of Kenya during the year ending on the 30th, June, 2006, until such a time as the Appropriation Act for the year comes into operation.

**VOTE ON ACCOUNT SCHEDULE (RECURRENT)
FINANCIAL YEAR 2005/2006**

**ESTIMATES showing the several services for which a Vote on
Account is required for the Financial Year ending 30th June, 2006**

Vote No.	Service	Total Net Estimates	Vote on Account
		<u>KShs</u>	<u>KShs</u>
R01	Office of the President	25,591,307,000	12,795,653,500
R02	State House	861,926,100	430,963,050
R03	Directorate of Personnel Management	2,740,703,500	1,370,351,750
R04	Ministry of Foreign Affairs	5,311,614,410	2,655,807,205
R05	Office of the Vice President and Ministry of Home Affairs	7,180,842,410	3,590,421,205
R06	Ministry of Planning and National Development	834,612,800	417,306,400
R07	Ministry of Finance	13,601,122,980	6,800,561,490
R08	Department of Defence	23,173,936,960	11,586,968,480
R09	Ministry of Regional Development Authorities	535,436,770	267,718,385
R10	Ministry of Agriculture	4,466,543,850	2,233,271,925
R11	Ministry of Health	20,140,112,960	10,070,056,480
R12	Ministry of Local Government	546,776,290	273,388,145
R13	Ministry of Roads and Public Works	1,735,223,820	867,611,910
R14	Ministry of Transport	1,555,095,700	777,547,850
R15	Ministry of Labour and Human Resource Development	796,989,350	398,494,675
R16	Ministry of Trade and Industry	1,413,509,280	706,754,640
R17	Ministry of Justice and Constitution Affairs	552,000,000	276,000,000
R18	Ministry of Gender, Sports, Culture and Social Services	1,727,626,290	863,813,145
R19	Ministry of Livestock and Fisheries Development	2,376,974,300	1,188,487,150
R20	Ministry of Water and Irrigation	2,047,385,269	1,023,692,634
R21	Ministry of Environment and Natural Resources	2,496,961,500	1,248,480,750
R22	Ministry of Co-operative Development and Marketing	701,159,960	350,579,980
R24	Ministry of East African and Regional Co-operation	441,829,140	220,914,570
R25	The State Law Office	559,946,890	279,973,445
R26	Judicial Department	1,235,204,120	617,602,060
R27	Public Service Commission	181,879,730	90,939,865

R28	Kenya National Audit Office	1,064,870,840	532,435,420	
R29	National Assembly	5,554,089,760	2,777,044,880	
R30	Ministry of Energy	124,335,000	62,167,500	
R31	Ministry of Education, Science and Technology	88,277,995,390	44,138,997,695	
R32	Ministry of Information and Communications	703,977,270	351,988,635	
R33	Electoral Commission of Kenya	1,786,497,480	893,248,740	
R34	Kenya Anti-Corruption Commission	1,200,000,000	600,000,000	
R36	Ministry of Lands and Housing	1,717,948,300	858,974,150	
R45	National Security Intelligence Service	5,200,000,000	2,600,000,000	
R46	Ministry of Tourism and Wildlife	1,508,963,170	754,481,585	
	SUB - TOTAL KShs.		229,945,398,589	114,972,699,294

**VOTE ON ACCOUNT SCHEDULE (DEVELOPMENT)
FINANCIAL YEAR 2005/2006**

**ESTIMATES showing the several services for which a Vote on
Account is required for the Financial Year ending 30th June, 2006**

Vote No	Service	Total Net Estimates <u>KShs.</u>	Vote on Account <u>KShs.</u>
D01	Office of the President	6,568,134,100	3,284,067,050
D02	State House	250,000,000	125,000,000
D03	Directorate of Personnel Management	263,400,000	131,700,000
D04	Ministry of Foreign Affairs	100,000,000	50,000,000
D05	Office of the Vice-President & Ministry of Home Affairs	1,148,064,000	574,032,000
D06	Ministry of Planning and National Development	875,226,060	437,613,030
D07	Ministry of Finance	19,912,121,390	9,956,060,695
D09	Ministry of Regional Development Authorities	291,000,000	145,500,000
D10	Ministry of Agriculture	2,481,222,000	1,240,611,000
D11	Ministry of Health	6,590,204,900	3,295,102,450
D12	Ministry of Local Government	947,072,950	473,536,475
D13	Ministry of Roads and Public Works	8,816,769,600	4,408,384,800
D14	Ministry of Transport	7,683,126,000	3,841,563,000
D15	Ministry of Labour and Human Resource Development	194,000,000	97,000,000
D16	Ministry of Trade and Industry	708,367,000	354,183,500
D17	Ministry of Justice and Constitution Affairs	142,000,000	71,000,000
D18	Ministry of Gender, Sports Culture and Social Services	150,015,800	75,007,900

D19	Ministry of Livestock and Fisheries Development	918,751,460	4 59,375,730
D20	Ministry of Water and Irrigation	4,727,093,100	2,363,546,550
D21	Ministry of Environment and Natural Resources	436,109,900	218,054,950
D22	Ministry of Co-operative Development and Marketing	49,000,000	24,500,000
D25	State Law Office	35,000,000	17,500,000
D26	Judicial Department	281,000,000	140,500,000
D30	Ministry of Energy	1,161,396,000	580,698,000
D31	Ministry of Education, Science and Technology	3,658,140,980	1,829,070,490
D32	Ministry of Information and Communications	26,000,000	13,000,000
D36	Ministry of Lands and Housing	713,000,000	356,500,000
D46	Ministry of Tourism and Wildlife	160,000,000	80,000,000
	SUB - TOTAL KShs.	69,286,215,240	34,643,107,620
	GRAND TOTAL KShs.	299,321,613,829	
	149,615,806,914		

Mr. Speaker, Sir, His Excellency the President has given his consent to this Motion.

Mr. Speaker, Sir, hon. Members have already received their Estimate Books and schedules on Vote on Account for the year 2005/2006. I am sure that hon. Members have gone through those two documents. They should, therefore, have no problem in following this Motion.

Mr. Speaker, Sir, the current financial year ends in a few days' time; that is, on 30th, June. After that, we need to keep the Government running from 1st July until we pass the Appropriation Bill for the year 2005/2006. I am sure hon. Members are aware that they will be discussing the Estimates Ministry by Ministry for several months, before we conclude our discussions.

Therefore, today, I am asking for funds to keep the Ministries going until the Appropriation Act is approved. That will be done by ensuring that there will be no introduction.

I am seeking the approval of the House in accordance with the stipulation of Section 101 of the Kenya Constitution, which requires that I get authority to withdraw from the Consolidated Fund monies not exceeding in total, one-half of the total net sums included in the Estimates of both Recurrent and Development Expenditures for the year 2005/2006.

Mr. Speaker, Sir, during the debate for the first six Allotted Days, some Members have noted that the Government has changed its classification of items in the Budget. I want to say that we have done this, not with the intention of hiding anything or becoming opaque; we have introduced Government financial statistics classification, which is, in fact, being used throughout the world to make it possible for Kenya's financial statistics to be comparable with statistics of other countries of the world.

The new presentation confers greater autonomy to the Ministries and departments, as it removes sub-item level controls since the allocations are on the basis of the intended purpose. Accordingly, the analysis and audit are mainly focused on performance and outlook. We are, in fact, likely even to change our auditing from audit of just the funds voted to the accrual audit, which means that we will be taking into account the assets and liabilities of the Government.

Mr. Speaker, Sir, as is the practice and procedure of this august House, the Estimates of

Recurrent and Development Expenditures will be scrutinised and discussed in detail during the Committee of Supply. I propose, therefore, that I do not dwell on details of individual Votes now since the time will be availed for that purpose later.

Mr. Speaker, Sir, the net Estimates of Recurrent Expenditure amounts to Kshs229,945,398,589 for which, at the moment, I am seeking approval of Kshs114,972,699,294; while for the Development Expenditure is Kshs69,286,215,240, for which I am seeking approval of Kshs34,643,107,620 to be able to continue Government services uninterrupted until such a time as the Appropriation Act for the year is enacted by Parliament and becomes operational.

The funds sought will be used for the purposes for which they have been allocated. For Recurrent Expenditure, the funds will be used mainly for payment of salaries and wages, provision of services and operations and maintenance. For Development Expenditure, the funds will be used for implementation of the programmes and projects approved.

This is a Constitutional Motion. Therefore, I will call upon hon. Members to support and pass it to enable me to release funds to Ministries and departments to finance their operations at the commencement of the next financial year, 2005/2006 when it starts on the 1st of July.

With those remarks, I beg to move.

The Minister for Education, Science and Technology (Prof. Saitoti): Mr. Speaker, Sir, I rise to second the Motion on the Vote on Account. In doing so, I want to make some very brief observations.

Today being the 22nd of June, we have to take into account the fact that our Standing Orders require that we should have passed the Vote on Account before the 26th of June. If we do not do so, come the end of this month and we go into the 1st of July, the money which was voted for this current financial year cannot be withdrawn to cover the services required by the Government. Therefore, it is important that we deal with this Vote on Account today.

Mr. Speaker, Sir, the Vote on Account contains 50 per cent of the sums exhibited in the books as far as the Budget is concerned, to cover both Recurrent and Development Expenditures. Clearly, we all know that the debate on the Ministerial Votes will come much later. Normally, even after each Ministerial Vote is approved by this Parliament, no money is appropriated until an Appropriation Bill is brought to this House and then it is assented to by the President. That is done before the 1st of October.

Fortunately, the Constitution under Section 101 allows for the Vote on Account to be approved by Parliament in the recognition of the fact if we had to wait until the Appropriation Act is in place, then it would mean the Government would not be able to provide its services.

Clearly, there are major services that need to be provided, including the payment of salaries of civil servants, teachers and even Members of Parliament. So, if we do not pass this Vote on Account, Government services, including this Parliament, would come to a halt and we would not be able to represent effectively the people who elected us to come to this House. Hospitals need to provide drugs to patients. In the same way, the Ministry of Water and Irrigation requires money to provide water for the people, including the drilling of boreholes.

Mr. Speaker, Sir, we do not need to be reminded that the Ministry of Roads and Public Works needs to continue with its works of repairing roads. It needs to continue with the on-going projects. Yesterday, the National Assembly, although not inside here, deliberated on the subject of the renovation of this Chamber. We cannot wait for six months from now for the renovation to be embarked on. The renovation of the Chamber should be embarked on as quickly as possible. I have brought up this issue for all of us to be aware of the fact that the Motion of the Vote on Account is extremely important. It entails the continuation of the salaries to be paid to us and to the civil servants and the continuation of the work which is already in progress. It is for that reason that I wish to urge the hon. Members to take this Motion with the seriousness it deserves and pass it today.

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

(Question proposed)

Mr. Billow: Thank you, Mr. Speaker, Sir. The Minister touched on an important issue on the transparency of the Budget, when he repeated the concerns by hon. Members on the Printed Estimates. He stated that, indeed, this year there is change in the way the Printed Estimates have been done, in which lumpsum amounts have been allocated to Ministries and the discretion to spend that money has been given to Ministers. We will discuss that in detail when we come to the specific Votes.

However, we have raised concerns that we have seen in the last two-and-a-half years, as the Official Opposition, that the discretion that has been given to Ministers, particularly with regard to the autonomy that the President has given to Ministers in managing their Ministries, has been abused. Ministers have tended to be executives taking over the roles of Permanent Secretaries and other people in their Ministries. Our concern is that when you give Ministers powers to determine how to spend a certain amount of money, they will spend it in accordance with the priorities which have been identified in the Economic Recovery Strategy and which have been identified by the Government in terms of addressing poverty. The money should not be spent according to the whims of the Ministers.

There is a risk that Ministers will use that money based on patronage. They will give it to their friends, districts or constituencies that they come from or spend it on areas which we think may not be priorities and hon. Members will have a difficulty voting for money that they do not know where it will be spent or to which project it will go to. That is going to raise concerns when it comes to the Public Accounts Committee (PAC) looking at the specific utilisation of that money based on the report of the Controller and Auditor-General. I agree with the Minister that we will discuss this in detail when we come to the Estimates. This raises an issue of concern about the transparency of our Budget. Already, Budgets have been very complicated.

Mr. Speaker, Sir, in these Printed Estimates, you cannot know how much money is relating to pending bills. When you look at the Ministries' Votes, you cannot know how much out of the money being allocated is intended for paying expenditures which were incurred the previous year or expenditures which were incurred many years ago.

A good example was raised here yesterday by the Minister for Agriculture. He announced that he has outstanding payments under the National Cereals and Produce Board (NCPB) of Kshs1.6 billion. In other words, with regard to the maize which was delivered in the last season to the NCPB, there is an outstanding payment of Kshs1.6 billion. The Ministry spent all the money that was voted last year for the purchase of maize and ended up buying more and, therefore, ended up with a pending bill of Kshs1.6 billion. So, part of the money that we shall vote today to the Ministry of Agriculture will actually be spent to pay a bill for last year.

Looking at the Estimates, hon. Members may not know that the money they are voting for will be used to pay a bill that was incurred last year. This is fairly common in most of the Ministries.

The Minister for Finance (Mr. Mwiraria): On a point of information, Mr. Speaker, Sir.

Mr. Billow: No! Thank you. **Mr. Speaker:** It is absolutely within your rights to either accept or agree to receive the information, but the House does benefit if the correct information is given. But it is up to you.

Mr. Billow: Mr. Speaker, Sir, the Minister will respond. He will have time to explain those issues.

In most of the Ministries, you will find that there are arrears relating to expenditures which have been incurred which need to be explained, so that hon. Members can understand. This happens because there is always a variance between the approved Budget and the actual Budget out-turns at the end of the year. For example, this is shown clearly when the Government publishes the public expenditure reports. For instance, in the 2003/2004 Budget, State House over-spent by 26 per cent and the Department of Defence over-spent by 22 per cent. This was published by the Ministry. Some of those are arrears and they will end up being factored in the Budget and the hon. Members will end up voting for them.

I will go to another important point. This is on the Budget ceiling. The Minister, when he published the Budget Strategy Paper, announced that there will be Budget ceilings and that any one who exceeds the ceiling for each Ministry, will be dealt with. However, as I have mentioned in the case of the Ministry of Agriculture and in many other examples, invariably, Ministries will always over-spend.

The Minister of State, Office of the President (Mr. Michuki): On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to imply that excess votes are voted without the authority of this House? We know that there is a procedure to contain excess votes by bringing a Motion before this House if that happens. Is he in order to mislead this House? He is pretending to know about this procedure when he does not know.

Mr. Billow: Mr. Speaker, Sir, clearly, in spite of the many years he has been in this House, the Minister does not appreciate matters of finance. Hon. Members, do not, at any time, when they are approving the Budget, discuss excess votes for the coming year. They discuss Votes which are allocated to particular Ministries for that particular financial year. Motions on excess votes come subsequently two or three years later to get an approval for an expense that was incurred.

The point that I was making is that the Minister announced that Budget ceilings will have to be adhered to by every Ministry, including his own Ministry. Invariably, for the last two years, Ministries have continued to over-spend. Our concern is the ballooning Government's expenditure. The risk of having these over-expenditures is that the Government has to borrow to meet them. Last year, for the information of the Minister who has just spoken, the Government's external borrowing went up from Kshs5 billion to over Kshs13.5 billion in one year alone. It was more than double. This was caused by over-expenditures by his Ministry among others.

Mr. Speaker, Sir, the Minister must move an amendment to the Public Finance Management Act, so that there are penalties for Ministries which over-spend without the authority of this House. There is no point for Parliament to approve the Budget, if by the time Ministers leave this House, Ministries are free to spend as they want and after two years, we are asked to approve the excess votes. We must live within our means because this country is already heavily indebted. Ministries must not over-spend.

The second point I wanted to raise regards wastage. We have also seen that, inspite of the pledge by this Government, unabated expenditures in areas we think are not necessary continues. There is a lot of wastage and inefficiency, and that is why in just two-and-a-half years of this Government being in power, the total expenditure has gone up from Kshs246 billion when they took over to Kshs508 billion this year, which is more than double the amount in this short period. Yet we have not seen a single improvement in service delivery efficiency in this country. Kenyans will bear testimony to that.

(Applause)

Kenyans will bear testimony to the fact that, inspite of our expenditure doubling in less than two years, we have not seen any discernible improvement in efficiency of public service delivery in this country.

Secondly, we have not seen---

The Assistant Minister for Foreign Affairs (Mr. Ojode): On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to mislead this House, whereas he knows of the Constituency Development Fund (CDF), which was not in our Budget last year? The free and compulsory primary education---

(Loud consultations)

Mr. Billow: Mr. Speaker, Sir, he is eating into my time!

Mr. Speaker: Order! Order! Order! I will give you an extra minute, Mr. Billow. Now, this is

a timed debate and we should not allow hon. Members to take away the time of others. Please, sit down patiently and reply to the arguments made when your time arrives.

Why, in the name of God, Mr. Ojode, do you think we have an Opposition Side in the House?

(Applause)

Proceed, Mr. Billow!

An hon. Member: Tell him! He is ignorant!

Mr. Billow: Thank you, Mr. Speaker, Sir. He has forgotten that his own party was in the Opposition Side until a few weeks ago. In addition to that, the point I was making is that in spite of the huge public expenditure and in spite of the fact that Kenyans are coughing up more money to this Government, we have not seen any discernible improvement in public service delivery or in infrastructure to date. We still have the potholes in which we drive into and we have the same problems of lack of water that we have always had. We have not seen any single improvement in terms of security, with all due respect to the Minister here.

Mr. Speaker, Sir, I need to mention that the Minister did promise that there is going to be control---

The Minister did mention that he is going to limit the number of motor vehicles and travel out of the country, but Ministers here will bear testimony to the fact that when they travel, some of them do so with their families, personal assistants and even bodyguards. That is why, for example, there is a Minister who spent over Kshs40 million in one year on travel and accommodation alone, and this is available in the records that the Minister has. I think this is wastage and the Government must cut down on its expenditure. There is no merit in taxing people when that money is wasted by public officers.

Mr. Speaker: Your time is up!

Mr. Billow: Thank you, Mr. Speaker, Sir. I beg to support.

The Minister of State, Office of the President (Mr. Michuki): Thank you, Mr. Speaker, Sir, for granting me this opportunity to contribute to this debate on the Vote on Account.

As the Minister for Finance has explained, the reason why we are taking a Vote on Account is because the Bill that would eventually be approved into law cannot be debated within this period, and I believe the Bill will become law much later within the financial year. But in the meantime, the services that the Government is expected to give will have to be given and this will cost money. Therefore, the Constitution allows for these arrangements under the relevant sections, to allow some of the money to be available now awaiting the final curtain, which will fall with the passing of the Appropriation Bill sometimes in October, 2005. So, between now and October, 2005, the services will have to be financed and that is why the Vote on Account has to be taken. This Motion is basically a Procedural Motion but, of course, issues that hon. Members may wish to raise now can be raised, just as the hon. Member who has just been on his feet has raised.

Mr. Speaker, Sir, I think there is a misunderstanding about the procedures and requirements. For example, there is no way in which expenditure which has already been incurred could be included by the Minister for Finance in the Estimates that he has now tabled in this House for debate and approval. This is because---

I hope the culprit Member would listen to me, because I want to teach him a lesson or two.

(Laughter)

The ambit of the Vote is a very important aspect of the appropriation of funds, and if the hon. Member would care to read when he gets hold of the Printed Estimates, he would see that the ambit of the Vote talks about expenditure to provide or meet expenses arising from services to be given from this date to that date. In other words, the period over which the money is required to be spent is quite

definite. Therefore, it is not possible, whether somebody is looking at these figures magically or otherwise, for past expenditures to be hidden within the Printed Estimates. Therefore, any reference to that kind of behaviour can only be misleading. That is one of the points that I wanted to raise.

Mr. Speaker, Sir, the second point is that expenditure of funds, even excess expenditure, is not necessarily bad. It will be a Budget of angels, although some angels also erred and are in hell---

Satan was an angel and he erred and was put into hell. Ours will have to be a Budget of angels which will not have excesses or shortfalls, because within human ability, there must be errors and that is why estimates are made; give or take an allowance of 10 per cent. Therefore, when there is over-expenditure, one will have to find---

Mr. Kipchumba: On a point of information, Mr. Speaker, Sir.

Mr. Speaker: Would you like to be informed?

The Minister of State, Office of the President (Mr. Michuki): I would rather inform him, if he does not mind, because I think I can inform him on one or two things.

(Laughter)

All right, he can inform me.

Mr. Speaker: But you know, Mr. Kipchumba, it is information and not misinformation.

Mr. Kipchumba: Yes, it is information, Mr. Speaker, Sir.

Mr. Speaker: All right, proceed!

Mr. Kipchumba: Mr. Speaker, Sir, I just wanted to inform the Minister that, indeed, it is against the law to overspend. Indeed, there is no point of us bringing the Budget here if we are going to overspend. Then there is no point of bringing it here! In fact, there is a law which sets the limits.

The Minister of State, Office of the President (Mr. Michuki): Mr. Speaker, Sir, I think that is a point of intervention rather than information.

We must remember that estimates are made by human beings, and that is the point I want to stress. As it were, to insist that expenditure must be in accordance with the Printed Estimates to the last penny, is expecting too much from human behaviour. Therefore, I am trying to suggest that expenditure can be in excess because of a variety of reasons. It may be because of the rise in prices, inflation or there was need to expand that project. Without expansion, there would be good money lost because of saving very little money. There are many reasons for this. One would have to go into every question before condemning the Government like the hon. Member was trying to do. These monies should be granted because it is procedural. Even hon. Members will need to be paid by July even though the Appropriation Bill will still be waiting for debate. I hope that all hon. Members will support this Motion so that we can get on with the proper debate on the Financial Statement.

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

Mr. Kipchumba: Thank you, Mr. Speaker, Sir. We all understand that we have to give permission so that the Government can spend 50 per cent of these funds. That is not the issue. The issue is the prudent use of the funds. If, indeed, the Government must overspend, it must seek permission from this House. That is why we have Supplementary Estimates. If there are increases in prices or deviations, it will have an avenue to bring in Supplementary Estimates to this House for approval. It makes no sense to give Accounting Officers authority to overspend when that can be done by this House. However, that is not what I wanted to say today.

I want to raise an issue that is going to affect the collection of the same tax. I wish the Minister for Finance was listening carefully. We all depend on the Kenya Revenue Authority (KRA) to collect taxes. However, it must administratively, and within regulations, collect taxes. We expect them to surpass their target.

During the Budget Speech, the Minister for Finance said that oil companies will pay their taxes at entry depots. That will cause a lot of problems for this country. Oil companies pay a lot of taxes to this country because taxes, for example on petroleum, will cost Kshs25. If you require an oil company

to pay tax in advance; Kshs25 per litre for 5,000 cubic metres or five million litres, which is a normal batch, that will be about Kshs125 million paid in advance for a product that will be sold in Kisumu or Eldoret in 20 or 30 days later. Who will meet the cost of financing that process? It, therefore, means that oil companies are going to factor in the cost of financing those products by borrowing money from banks. While we are saying that we should bring down the cost of inflation and assist Kenyans to pay more for petroleum, we are in effect saying that oil companies can now increase the prices to levels where Kenyans cannot afford.

We admit that there have been cases of pilferage of taxes, but the KRA must be efficient when collecting them. We cannot transfer the inefficiencies of the Government to oil companies that have obediently paid taxes that run this country. Therefore, I want to humbly request the Minister to go and re-look at that aspect. There are so many logistical issues. A batch of petroleum from Mombasa to Nairobi will require that the dealers must bring in certain quantities yet there are losses on the road of even up to 0.25 per cent. The dealers will pay the taxes in advance, but it will be very difficult for them to receive the same quantity from the depots. We all know that oil companies have always pre-paid for the product before they transport it to the intended destinations. I hope the Minister will consider that request. You cannot kill the cow that gives you the milk. Business people are ready to pay the taxes but they must be assisted so that small oil companies can survive in this country.

I also want to briefly talk about the money that the Kenya Roads Board (KRB) gives to hon. Members. Last year, every hon. Member received Kshs5 million from the KRB.

Mr. Speaker: For the record, do you mean the Constituency Development Fund (CDF)?

Mr. Kipchumba: Yes, Mr. Speaker, Sir. Thank you for the correction. Last year, each constituency got about Kshs5 million of the 24 per cent. However, this year, we have only received Kshs2.7 million which is almost 50 per cent less. We have been told that the KRA surpassed its target and that there was an improvement in terms of tax collection. If that is the case, we wonder why then the amount would reduce by 50 per cent when it is supposed to go up. It is time that all the taxes that are collected are used for the intended purposes.

With those few remarks, I beg to support.

Mr. Angwenyi: Thank you, Mr. Speaker, Sir. I rise to support the Motion on the Vote on Account. However, I would like to make the following remarks.

First, this is a Procedural Motion that does not allow us to dissect, analyze and assimilate the implications of voting 50 per cent of the Budget for the year for this country. I would like to urge this House to rise up and make amendments and changes to our procedures of discussing and deliberating on the Budget. I would like to inform my colleagues that it is within our powers to make changes as appropriate, and as the country develops facilities for analyzing budgets to improve them.

Mr. Speaker, Sir, we are going to vote 50 per cent of this Budget and we will have confirmed to the Minister that he can spend up to 50 per cent without recourse to this Parliament. We know that in many cases, the Minister is not capable of using the entire amount of money that we have voted on account during the first half of the year. We are not concerned about implementation. We know that, at the end of every year, the Ministry receives funds from various departments of Government which have been under-utilised. These are funds that have been denied Kenyans from being used elsewhere apart from where they were voted to. I will take a case of the funds that were voted for roads last year. There was one road in my constituency which was allocated Kshs50 million. However, nothing was spent on it. The entire amount is going to be returned to the Treasury at the end of next week yet we need roads in that constituency. That is a road that will serve our farmers and eliminate the prospects of our tea rotting by the roadside.

Mr. Speaker, Sir, I would like to make a comment on the National Assembly. We draw the budget of our National Assembly but because of our inability to implement it, we do not spend the entire amount of money that we are supposed to spend in a year. The Parliamentary Service

Commission (PSC) has thought of establishing a fund in which to credit the amounts of money which are allocated to this House for parliamentary work. It has taken more than a year before the Minister for Finance and the Attorney-General establishes this fund for us. Due to the non-establishment of that fund, it may be seen that Parliament is not utilising adequately the resources allocated to it. At this juncture, I would like to plead with the Minister to ensure that this fund is established quickly as we start a new financial year and that will avoid the prospects of returning to Treasury substantial amounts of funds that could have been used in the House for the purposes of delivering services.

Mr. Speaker, Sir, I would also like to make a comment on the Fuel Levy. As you know, currently, the law provides that 15 per cent of the Fuel Levy be distributed to all constituencies equally and the balance of 24 per cent be distributed equitably to the districts. However, this amount of 24 per cent never reaches our districts. I would urge the Minister to work in conjunction with the Minister for Roads and Public Works so that they can amalgamate these two portions of the Fuel Levy so that 40 per cent of it is distributed equally to all constituencies in this country. I hope that if they work together, they will bring that amendment through the Miscellaneous Amendments Bill.

Mr. Speaker, Sir, I would also like to make a comment on the Constituency Bursary Fund. The system of the Constituency Bursary Fund that was introduced by our able Minister for Education, Science and Technology is a revolution for this country because the people who have been appointed to the committee that dishes out the bursary funds represent all corners of a constituency and they know the students who are poor but clever and who cannot afford to pay their school fees. They address the issue of payment of school fees by those who cannot afford. So, we want to encourage it and I am asking the Minister for Finance to allocate more funds for the Constituency Bursary Fund. If the Minister for Education, Science and Technology has got inadequate resources, the Minister for Finance should allocate more resources for bursaries and they can account for them during the Supplementary Estimates.

Mr. Speaker, Sir, I cannot avoid commending the Minister for accepting the principle of the Constituency Development Fund (CDF). That is another revolution in this country. If you go round the country, particularly in the villages where the people were unable to raise funds through Harambees to construct schools or health centres, you can see structures coming up that will serve our people. I wish the Minister could consider increasing the amount from 2.5 per cent to at least 5 per cent, if not 10 per cent, and you will see a revolution in this country.

(Applause)

Mr. Speaker, Sir, I know that there are certain parts of this country which did not see a single shilling for development during the last regime. My area is one of them. I was here for six years and I never saw a single shilling from the development fund; developing any project in my constituency but to date we have spent in excess of Kshs30 million and you can see it all over Kitutu-Chache. I have seen it in Nyaribari-Masaba for example. I have seen it in Nyaribari-Chache in my district and also in Bonchari. I was able to see it in Kajiado South when I travelled to Amboseli. You can see new schools and dispensaries and the Maasai livestock owners are taught not to sell their livestock to construct a health centre or school.

I would like to urge the Minister for Finance to allocate probably more resources to areas like Kajiado South, Trans Mara and Samburu. These are areas which were left behind. These are areas where you have one or two secondary schools in a constituency of about more than 100,000 people. If the Minister were to give those funds to those areas which were left behind, there would be a big difference between this Government and the previous one which left a lot of areas in this country far behind in economic development.

Mr. Speaker, Sir, we should also look at the needs of our vulnerable groups. For example,

with regard to the people being evicted from forests, the Government should set aside adequate resources where they can acquire land and settle them on. We would like to conserve our forests so that we can maintain and sustain our water flow but we must be humane when we handle these people. We must be humane when we move people from their present habitats to new ones. We must consider where they will go to.

We do have a Settlement Trustee Fund (STF). Give it adequate resources. Let them acquire land. Some people in this country have got 100,000 to 200,000 acres of land. Let us forcibly acquire that land and settle our people who are being evicted from forests and river beds.

Mr. Speaker, Sir, I cannot conclude my contribution without speaking about health care. We have seen the CDF establish health facilities but we lack personnel to run them. Already, I have established four dispensaries in my constituency but they do not have personnel to run them and so they cannot be of any benefit to my constituents until I get the personnel to run them.

With those few remarks, I would like to support.

The Vice-President and Minister for Home Affairs (Mr. Awori): Bw. Spika, asante kwa kunipatia fursa hii ili nichangie kidogo Hoja hii. Wakati huu tunajadiliana tu juu ya habari ya makadirio, mapato na matumizi ya Serikali. Wengi wanasahau kwamba wakati huu si lazima pesa kamili zitolewe.

Bw. Spika, matumizi mara nyingi huzidi kwa sababu ya hali ambayo iko wakati huu. Kwa mfano, unaweza kuweka pesa za kutumia hivi na vile halafu hali ya anga iharibike, yaani kuweko na ukame, mafuriko ya maji au ukinunua bidhaa utakuta bei ya mafuta ambayo tunatoa mbali imepanda juu na wakati ambapo ulikuwa unatengeneza yale makadirio hukuwa unatarajia kwamba itapanda. Ndio maana yake nyuma tunaleta Makadirio ya Ziada ili yaweze kurekebisha hiyo hali.

Bw. Spika, la pili ni mtindo ambapo unaweka pesa katika hundi moja ili uwapatie Wizara, jinsi wenyewe watakuja kuona watapewa kipaumbele wapi. Lakini jambo hili lisilete wasiwasi kwa upande wa Upinzani, wakifikiri kwamba, kwa sababu Mawaziri wamepewa uwezo watautumia vibaya. Ijapokuwa Mawaziri wamepewa uwezo katika Wizara, tungali na Katibu wa Kudumu na wale wengine ambao watakuja kuonyesha jinsi pesa za Serikali zinatumiwa.

Bw. Spika, mhe. Mbunge mmoja alisema kwamba, ijapokuwa tumetumia pesa nyingi, huduma haionekani. Aliyesema hivyo, amekataa kuona yale maendeleo yaliyoko mashinani. Elimu yetu, hasa ya shule ya msingi ni huduma ambayo imekubaliwa katika dunia nzima; kwamba hivi sasa watoto wetu wote watapata elimu ya msingi.

Uchumi wetu umekuwa kwa kiwango cha asilimia nne. Hii ni kusema kwamba tumetumia pesa zetu vizuri, na uchumi umeimarika. Mwaka wa 2003, tulipata mapato ya Kshs24 bilioni kutokana na utalii. Mwaka wa 2004, tulipata Kshs46 bilioni. Kwa kweli ikiwa hii si huduma, sijui ni huduma gani tunayojadiliana.

Ukienda katika mashinani, utakuta kwamba sasa matibabu yako sasa, dawa ziko na kadhalika. Usalama umeimarika katika sehemu nyingi. Bado hatujafikia kiwango ambacho tunataka. Lakini ukilinganisha hali ya usalama wakati huu na miaka ile mingine iliyopita, utaona kuwa usalama wetu sasa umeimarika. Huu sio wakati wetu kuzungumza zaidi juu ya Hoja hii, kwa sababu kile tunachotaka ni kuona kwamba huduma ambazo tunawapa wananchi zinaendelea. Makadirio ambayo tulikuwa tumetoa yataisha siku nne kutoka leo, na bado tunataka huduma ziendele; wafanyakazi wa Serikali yafaa wapewe mishahara yao na ulinzi wa nchi hii uendele.

Humu nchini, tuna vikosi vingi ambavyo hutumwa kulinda usalama katika nchi nyingine. Hii ni kazi ambayo Serikali yetu imefanya vizuri. Hatufai kuingilia makadirio ya kila Wizara, kwa sababu Katiba inasema kwamba, ni lazima tumalize hii shughuli yote wakati huu. Na hivyo ndivyo tunavyofanya. Ningependa kuwaomba Wabunge wote wapitishie Hoja hii hata kabla ya saa kumi na moja jioni ya leo.

Kwa hayo machache, ninaunga mkono, Bw. Spika.

Mr. Bahari: Mr. Speaker, Sir, I would like to join my colleagues in supporting the Motion on

the Vote on Account for the 2005/2006 Financial Year. This is principally because the Government needs to be run. We have been told, time and again within certain times of the financial year, that the Government has no fuel or funds, and so it cannot provide these services.

Mr. Speaker, Sir, I do not know of any organisation or government that will not be ready to spend money at a particular time or fail to provide services because one or two things at the Treasury are not right. It is extremely important that we have continuity in service delivery and nothing should stop that; even during a crisis.

Mr. Speaker, Sir, I wonder why that happens. If you go to the district with an urgent matter, you will be told that there is no fuel because they are closing the financial year. This goes on for quite some time. It even goes on further until such a time that we do not even get AIEs for Development Expenditure until around December every year. Come April or May, then we return the same money again to the Treasury. This period of lull should be done away with. It is for this principal reason that I want to support this Motion.

However, in this year's Budget, a lot of emphasis was laid on the private sector as the engine for growth as stated by the Minister. However, my concern is that the Minister will definitely be relying a lot on collections by the Kenya Revenue Authority. If for any reason that fails and there has been over-reliance on that in the Budget, then the Treasury will be borrowing locally and that will end up squeezing the credit in the local market. As a result, less funds will be available for the private sector to borrow. This is a very delicate plan that the Minister has put in place and he has to prepare for a fall back position in the event his projections are not right.

Mr. Speaker, Sir, one other thing that I would like to point out is this business where the format of budgeting has really changed this time round. We are now giving something in a basket to the Ministers to distribute the way they want. I do not think that is right. Parliament is an approving authority. You can only approve when you are sure where the funds are going. It is not transparent enough for us to be told that the Treasury has allocated a lumpsum to a certain Ministry. I think that is unfair.

I am surprised that a method that we have used for many years has suddenly been changed without notice. I am not sure whether there is a regulation that requires that the approval of this House is required before that procedure is changed. I am sure even the Minister would not like to approve things he is not sure of. He must be comfortable when he is approving. The Minister comes to seek approval from the House for things hon. Members are not sure about. I think that is injustice and we should do away with that system. Hon. Members must rise to object to this.

Mr. Speaker, Sir, one of the biggest problems in this country right now is insecurity. When you give somebody a responsibility - in this case the Commissioner of Police - it should be matched with commensurate authority. This includes expenditure of funds. When the Accounting Officer is not the Commissioner of Police, but the Permanent Secretary elsewhere, who is also busy doing other things, I do not think that is good enough. It is not prudent management. I can comfortably say that, whenever a responsibility is given to an officer, there must be a commensurate authority of expending finances.

One of the ways to transform and ensure speedy response by police, is to ensure that the people who have the responsibility have the commensurate authority to carry out that function. One other issue that I want to raise is about the profits that we have been told have been made by parastatals and other quasi-Government organisations.

I will take the case of Mumias Sugar Company. It is very important for the Ministry responsible to find out whether these are quality profits. It is not good enough to talk about profits only. It is important and prudent to go further and find out whether that profit is quality profit.

In my own conclusion, it is quite clear that most of the profits made by these sugar companies, especially Mumias Sugar Company Limited, are price-led. In 2002 the price of sugar was Kshs50 a

kilogramme. Today, the same kilogramme of sugar goes for Kshs80. You cannot be proud that you are making profits when they are purely price-led. We must be told whether such profits are quality or not. Kenyans are suffering as a result of the increase in the price of sugar.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): On a point of order, Mr. Speaker, Sir. Is my good friend in order to vilify a reputable sugar company like Mumias when he and everybody else knows that the escalating price of sugar is brought about by profiteers, starting from middlemen, and not the factory?

Mr. Speaker: That is an argument!

Mr. Bahari: Thank you, Mr. Speaker, Sir. The Assistant Minister has already been answered.

It is high time the Ministry of Finance started to think about the inequalities in this country. All this time, since Independence, we have been talking about Gross Domestic Product (GDP) growth. That is not enough and that is a fact I am sure the Minister is well aware of. The Ministry of Finance is the nerve centre of this country and, therefore, it must be in the forefront in ensuring that there is equity in this country. I am saying this because 80 per cent of this country is disadvantaged. It is high time we set up what we would refer to as the "equalization fund."

Mr. Speaker, Sir, long time ago, when I was still in lower primary school, a prominent legislator of this House, the late J.M. Kariuki, said in this House that when some people come from some parts of this country to Nairobi, they say that they have visited Kenya. He said that those people were right in saying so. This is because this country has not identified with those people. That must have been said in 1975 and, since that time, nothing deliberate has been put in place by the Ministry of Finance in terms of establishing an equalization fund. If that is done, the balance will be deliberately tilted to ensure that the disadvantaged areas are assisted. It is only by doing that, that those areas will feel integrated in this country.

I hope that the able Minister for Finance will look into this issue in the next Budget and ensure that those disadvantaged areas get special attention by benefitting from the equalization fund. That is the only way we can address adequately the inequalities that exist in this country and **[Mr. Bahari]** which are a threat to our peace.

Mr. Speaker, Sir, with regard to the conflict between wildlife and human beings, whenever there is a Question in this House concerning that subject, half the number of hon. Members in this House stand up wanting to say one or two things. It is high time we realised that we are conserving our wildlife for posterity and measures must be put in place in order to have prudent management of wildlife. In my own constituency, every five months whenever it rains and the wildlife move out of its habitat, we lose human beings. Last week, a mother of six children in my constituency was killed by wildlife. As if that is not enough, recently, a couple was killed by wildlife too. We know what the laws of compensation entail in this country. The law of compensation with regard to human life lost as a result of attack by wildlife is a burden to us. It is high time the Ministry responsible came up with a policy that is sustainable. Kenyans are law abiding citizens and they would not go out of their way to kill elephants and other wild animals.

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

The Assistant Minister for Foreign Affairs (Mr. Ojode): Thank you, Mr. Speaker, Sir, for allowing me this chance to add my voice to this very important Motion.

First and foremost, I want to thank the Minister for Finance for having given us a good Budget. It was a good Budget because it focused on the poor. The Shadow Minister for Finance said that there was a general increase in this year's Budget. It is true that there was an increase, but it is as a result of several other components which have been included. You will remember that we have several stalled projects in this country. The projects stalled because money allocated to them was misappropriated during the last regime. Close to Kshs2 billion has been included in this year's Budget. I thought that the Official Opposition would appreciate the fact that we are doing a job that they left

halfway. I heard the Chair ruling that the Opposition has got a duty to perform. However, the Opposition should not only thrive on falsehoods. They should also appreciate the fact that this Government is doing work which they left halfway.

Mr. Speaker, Sir, concerning free primary education, the Minister has provided almost Kshs11 billion towards this programme. This is an effort that was never there; 42 years after Independence. So, the Opposition should appreciate. Look at the Constituencies Development Fund (CDF). Nobody ever thought about it when KANU was in power. When the idea about CDF was floated, they were saying that it is an impossibility. What they did not know is that it was impossible simply because not enough taxes were collected. I would like to request the Minister for Finance to consider increasing the CDF allocation from 2.5 per cent to 5 per cent now that we have expanded our revenue base.

Currently, each constituency in this country gets between Kshs30 million and Kshs35 million. However, if the allocation is increased to 5 per cent, each constituency will get Kshs60 million. After five years, we would have used Kshs300 million from the CDF. If, within five years, I am given Kshs300 million, I am sure I will be able to change my backward constituency into an urban centre.

With regard to the health sector, there is an increase of 40 per cent. What about roads? Every time I stand up in this House to contribute to any Vote, I always talk about the state of roads in my constituency. There are no roads in my constituency. The road network in my constituency is so bad that it is impassable. We do not have enough money to construct our roads. Last weekend, when personnel in my Ministry went for a retreat in Naivasha at a place called Simba Lodge, we drove along a small stretch of about 3.5 to 4 kilometres. That stretch is bad. When I called the Permanent Secretary, he told me that he had already disbursed about Kshs50 million for repair of that road. It is surprising that the officers in the Ministry of Roads and Public Works in Naivasha have not done any work on that road. That means that on 30th June, 2005, the money will be returned to the Treasury. It is for that reason that I want to request the Minister for Finance to ensure that any Ministry which returns unused money explains why the money was not used. Some of the lax officers in the Ministries are the people who are giving the Government a bad name. We are trying our level best as a Government, but there are a few officers who think that they can get a way of misusing money.

With regard to rural electrification, we had said that this programme should be extended to all constituencies. The Ministry of Education, Science and Technology had a plan of supplying computers to primary and secondary schools now that we are in an Information Technology (IT) era. Without electricity, students will never know how to use computers. I appeal to the Minister concerned to allocate some money for this purpose so that our children can acquire the knowledge of using computers. An hon. Member from the Opposition side was complaining that there are some goods which are taken out of the Mombasa Port without payment of duty. I beg to differ with him. As far as we are concerned, as a Government, whether it is second-hand clothes or motor vehicles, there is no way that one can remove goods from the Port without paying duty. That is completely out! I want to assure the hon. Member that duty is paid for all goods before they are removed from the Port.

There was also an hon. Member who was saying that when we overspend, Parliament does not allocate money from the Supplementary Estimates. The reason why we have the Supplementary Estimates is because we need to cushion on what has already been spent on the original 50 per cent allocation.

Hon. Angwenyi talked about the 24 per cent Petroleum Levy. I agree with him that this 24 per cent levy should be taken to the constituencies to supplement on what has already been allocated.

You are aware that in this Budget, there is a cool Kshs200 million to enhance cotton growing. I expect that farmers who want to grow cotton will start preparing their land so as to grow the crop. The Minister for Finance should do something about the prices of farm inputs. There are certain farm inputs which are taxed and end up becoming too expensive for farmers.

On the issue of fertilisers, this time round, I thought that the Minister would look into ways of

lowering the prices. Even if the prices of fertilisers were zero-rated, I believe the products would still remain expensive. Let us find out why these products are expensive. If we got rid of middlemen, then the prices of fertilisers would go down and farmers would benefit from this.

In the allocations for Ruma National Park, I saw a component from the Ministry of Livestock and Fisheries Development; of about Kshs30 million for the eradication of tsetse flies. That is not enough! Tsetse flies have completely destroyed our economy in South Nyanza. As we speak, my people in Ndhiwa Constituency do not have cattle. They do not have cattle as a result of tsetse flies. We are asking the Minister for Livestock and Fisheries Development to do something like aerial and ground spraying so as to eradicate these flies. This problem extends to Bondo and all the way to Mr. Wetangula's place. What is the Minister concerned doing about it? An allocation of Kshs30 million is nothing compared to the magnitude of the problem. The money he has factored is nothing! It is completely peanuts! In order for us to make our people believe that they are the ones who are controlling the economy of a given area, the Minister for Livestock and Fisheries Development should ask for more funds so as to eradicate tsetse flies.

We have failed in fishing in areas like Nyatike, owing to lack of fishing gear. The Minister should zero-rate fishing gear so that our people can do a lot of fishing. There are some nets which our ordinary people cannot afford. These are people at the grassroots level. If nets are not zero-rated, what do we expect our fishermen to do? I urge my friend to think of zero-rating fishing nets so that our people can enhance their fishing activities.

With those few remarks, I beg to support.

Mr. Rotino: Thank you, Mr. Speaker, Sir, for giving me the opportunity to add my voice to this Procedural Motion. In supporting this Motion---

Mr. Speaker: It is not a Procedural Motion, but a Constitutional Motion!

Mr. Rotino: Mr. Speaker, Sir, I want to support the Constitutional Motion. As from February this year, maize farmers have not been paid their dues. We come from marginalised areas. Farmers who grow maize in these areas entirely depend on the crop to earn money. When they are not paid, then it becomes a big problem. I went to West Pokot and found out that maize farmers have not been paid money to the tune of Kshs96 million, yet this is what they depend on. I plead with hon. Members to approve this Motion. If we approve it, the Minister will be able to pressurise the Minister for Agriculture to allocate money to the National Cereals and Produce Board (NCPB) so that it can pay farmers. I also want to plead with the Minister to pay pyrethrum farmers. I come from an area that grows pyrethrum. For the last three years, farmers have not been paid. I am pleading that some money be allocated for this purpose so as to help these poor farmers.

It is important that we speak about education. I come from an area where people have not felt the value of the free primary education. Many of our people depend on boarding schools because of the nature of our communities. Our communities are pastoral in nature. Missionaries have built low-cost boarding schools in those areas. Parents are asked to pay a certain amount of money to cater for these local boarding schools, which means that the free education system has not yet been felt by pastoralists.

Mr. Speaker, Sir, I urge the Minister for Education, Science and Technology, together with the Minister for Finance, to set aside a specific amount of money to cater for low-cost boarding schools in marginalised areas. That way, the impact of free primary education will then be felt in those areas. We do not really feel the impact of the free primary education because our children are asked to pay either Kshs1,000 or Kshs2,000 to cater for boarding facilities. I consider this to be the responsibility of the Ministry. It should set aside a certain amount of money or increase the bursary fund allocation for those areas.

Regarding shortage of teachers and nurses in marginalised districts, in West Pokot alone, we are short of 900 teachers. Remote schools that are supposed to be funded and receive teachers are the

ones which do not have teachers. I plead with the Ministry to employ teachers from the areas in question, so that they can be able to work there comfortably. Teachers from urban areas cannot work in those areas comfortably. Teachers who are trained and are unemployed in remote corners of our constituency should be given the first priority when it comes to employment. The problem of shortage of teachers in this country is recurring because of concentration of teachers in urban areas.

Mr. Speaker, Sir, so, I would like to plead with the Government to recruit more personnel, especially nurses and teachers, who should be posted to remote areas of this country where there is a severe shortage of staff.

[Mr. Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, on the issue of ghost workers in the Civil Service, if you visit various parts of the country, especially when we are marking national holidays such as Madaraka Day, the divisional heads do not even attend these functions. I am convinced beyond any reasonable doubt that there are many ghost workers within the Civil Service.

I recommend that the Public Service Commission (PSC), through each Ministry, conducts a census to establish the true number of civil servants, because a lot of money is spent on Recurrent Expenditure, especially on remuneration of staff.

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

Mr. Sungu: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. As we support the Minister's Motion on Vote on Account, I wish to draw his attention to a few facts that need to be taken care of.

Comparing the entire Vote, one notes that, in fact, the money intended for Recurrent Expenditure is more than that intended for Development Expenditure. The principal culprits, of course, are the Office of the President and the Ministry of Education, Science and Technology, amongst others. However, what worries me most is that where the engine of the economy is, I note that---

QUORUM

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

The Temporary Deputy Speaker (Mr. Kipchumba): Mr. Onyancha, what is out of order?

Mr. Onyancha: Mr. Temporary Deputy Speaker, Sir, it is quite unfortunate that we are discussing a very important matter and we do not have quorum.

The Temporary Deputy Speaker (Mr. Kipchumba): There is, indeed, no quorum. I order that the Division Bell be rung!

*(The Division Bell
was rung)*

The Temporary Deputy Speaker (Mr. Kipchumba): Hon. Members, we now have quorum. Mr. Sungu, you may now proceed!

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, before I was interrupted, I was decrying the large amount of money set aside for Recurrent Expenditure as opposed to Development Expenditure. I am more concerned about what I would call the engine of development. This refers to the core

ministries of Energy, Agriculture, Roads and Public Works, Water and Irrigation, Environment and Natural Resources, Livestock and Fisheries Development and Co-operative Development and Marketing. These are some of the most important Ministries. The Ministry of Energy has about Kshs124,335,000 allocated for Recurrent Expenditure, and about Kshs1,161,396,000 set aside for Development Expenditure. I would like to urge the Minister to make sure that this money goes to every district and not to just a few districts.

Mr. Temporary Deputy Speaker, Sir, on agriculture, the Minister, in his Budget Speech gave the theme of this year's Budget as "Re-orienting Expenditure to Achieve Rapid Economic Growth and Poverty Reduction". There is an allocation of Kshs4,466,543,850 for Recurrent Expenditure as opposed to Kshs2,248,122,000 for Development Expenditure. That is a very unfortunate situation because it is only through agriculture that we can eradicate poverty. In fact, the Government has cited improvement of agriculture as part of our strategy to achieve Millennium Development Goals, which the Government has taken as a yardstick for measuring development in this country.

Mr. Temporary Deputy Speaker, Sir, that also goes for water and irrigation services. I dare say that if we want to achieve any positive change in this country, we must focus on irrigation. When I was elected as a hon. Member of Parliament for the first time, one of my chief campaigners, the late Ogedo Ponge, the former Mayor of Kisumu Municipality, used to remind me: "If you go to that House, just say one thing and sit down if you do not have anything else to say: What about Nyamthoi?" Nyamthoi is a wetland surrounding Lake Victoria. If cultivated, this area is enough to feed the whole of Nyanza Province and beyond, yet it is not utilised because we are not able to tame its water. Instead we allow the water to flood people's homes. In the process, we lose vital water, which is now being pumped out of the Nile River Basin into the Sinai by Egypt. The waters of Lake Victoria Basin can even be channelled all the way to northern Kenya, if we are serious. All we need to do is to make sure that we pump it all the way to Timboroa and then make sure that it flows by gravity downwards. There is no other place higher than Timboroa except Mounts Kenya and Kilimanjaro. So, if we were to focus on irrigation, we would do very well.

Mr. Temporary Deputy Speaker, Sir, catchy words are really overtaking us. The word "reform" has become the catch word in every aspect of Government business and national life. Even in Parliament, that is the key word. However, the Government's strategy for revitalising agriculture based on its reform agenda is still lacking. I do not see the involvement of Parliament in all this. For example, what contributions do hon. Members of Parliament of this august House make in the preparation of the Medium Term Strategy Paper? There is something lacking here. Parliament must now be part and parcel of the Budget-making process. We play a big role of representing the people of this country. We also have the oversight and law making roles. I dare say that the Executive arm of Government has undermined some of our representative duties by taking away some of our responsibilities, for example, our role in the Budget-making process. While we know that Committees in this House are becoming proactive in terms of keeping Ministers on their toes, the mandarins at the Treasury still ignore Parliament in the most important aspect of our national life, and that is the Budget-making process. Therefore, there is a need to balance these areas so that Parliament can play its proper role in propagating development ideas. There must be more accountability and transparency in this process. We know that the Budget-making process is quite opaque. Dialogue is necessary, so that whenever Treasury moguls are preparing policy papers, hon. Members of this august House are well aware of the details to be contained in them.

Mr. Temporary Deputy Speaker, Sir, the development budget, as we have noted, is skewed. Government after Government since independence, and this is why this country has never developed properly, has always tried to favour some regions as opposed to other regions. The little economics that I studied at the University of Nairobi (UoN) when I was a young man taught me that if you put a proper development item in a particular place, it should produce economic linkages. In other words, if

you look at the factors of development, identify natural resources and other factors that will influence location of a particular resource in a particular area, then that resource will be inter-linked to resources in other areas, and that can create linkages and help this country to develop equitably. Nyanza Province is one of the poorest provinces in Kenya. I know, for sure, this is not because of bad politics. As we all know, the people of Nyanza Province are firmly in Government. Even my friends from Ford-P are in Government. So, I do not see why our people continue to languish in poverty. Therefore, I want to appeal to the Executive arm of the Government to play fairly. It must not be seen applying discriminative tactics to sideline other areas of this country from sharing the national cake. We all support this Government.

As I said, we must also ensure that the projects we start are also supportive to our people. For example, if we are to set up a hydro-electric generation plant where there is not enough water, or where there is no capacity to create industries, then what are we going to achieve? We must look at where the rivers are. Let us start such a project along River Nzoia. We know this river during the rainy season kills our people and destroys their crops and homes. We should start such projects along Yala, Nyando, Migori and Kuja rivers. If we can construct dams along these rivers, we will control flooding and, at the same time, start irrigation schemes. We can then pump some of this water to other areas of this Republic that need development.

We must never put development projects in places for political reasons. So, when it comes to poverty eradication, it is imperative that we focus on irrigation. As I speak now, if we were brave enough to put enough money in the Kano Plains, then we would be doing a lot of good to this country. This is because it is easier to use flood irrigation where the gradient favours us than if we were to pump water using electricity which is more expensive. Therefore, we can produce more rice and other food crops which will ensure that we do not have poverty in our region. I believe the key to poverty eradication is in the use of agriculture through the irrigation method. This is because it is the only way we can produce food crops and other export crops without consideration of the vagaries of weather which this country is suffering from. A good chunk of this country suffers from the vagaries of weather.

I would like to urge the Minister to ensure that next time he focuses like a laser beam on irrigation, agriculture, energy and roads infrastructure, so that we can develop this country together.

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

Mr. Mwandawiro: Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii ili nichangie Hoja ya kuiruhusu Serikali kutumia nusu ya pesa zilizotengwa katika Bajeti ya mwaka huu. Mawaziri wamepewa pesa kwa jumla kuzitumia na waajibika kwa Bunge na wananchi. Hilo ni jukumu kubwa sana na linahitaji uzalendo mkubwa. Ni muhimu sana kwa Mawaziri kutambua kwamba ni Mawaziri wa taifa nzima. Kwa hivyo, ni matarajio yangu kwamba watazuru sehemu zote za nchi hii kuliko wanavyofanya sasa ili wajue shida zinazowakumba watu wetu.

Kutokana na Maswali na majibu ambayo yanajitokeza katika Bunge hili, ni maoni yangu kwamba Mawaziri wetu wanahitaji sana kutembelea sehemu mbalimbali za nchi yetu. Mawaziri wetu wanazuru zaidi nchi za nje kuliko ndani ya nchi hii. Ni muhimu zaidi watembelee sehemu zote za nchi kwa sababu wana jukumu kubwa sana la kuhakikisha kwamba pesa zinatumika kwa haraka na kwa njia ya uzuri na haki. Pia wanajukumu la kuhakikisha kwamba matumizi ya pesa yanamulika matatizo na hali halisi ya taifa letu. Ni lazima tuziangalie pia zile sehemu ambazo zimewachwa nyuma ili zionekane kwamba zinaendelea kwa haraka zaidi kuliko zilivyo sasa.

(Applause)

Bw. Naibu Spika wa Muda, ningependa pia kuisitiza kwamba Serikali ifanye kazi kwa sababu tunawapa pesa wakati huu. Ni kweli kwamba baada ya Serikali ya NARC kushikilia uongozi,

tumepiga hatua za kimaendeleo. Tukiangazia sehemu za mashambani, tunaona pesa katika Wizara ya Elimu, Sayansi na Teknolojia zinafanya kazi. Pia tunaona mabadiliko mengi yanafanyika katika hospitali zetu. Pesa za maendeleo katika eneo za uwakilishi Bungeni, yaani Constituency Development Fund (CDF) zinatumiwa vizuri. Ni jambo la kutia moyo kuona barabara kadhaa zikifanyiwa ukarabati. Hata hivyo, ukichunguza sana kuna sehemu zingine ambako Wizara fulani hazifanyi mengi. Pesa za CDF ni asilimia 2.5 ya Bajeti. Asimilia 97.5 ya Bajeti inayosalia inaenda kwa Wizara. Pesa hizi zinapewa Mawaziri. Kwa hivyo, ni lazima kazi ya pesa hizo ionekane. Ni lazima kuwe na tofauti kati ya kazi inayofanywa na pesa za CDF na zile za Wizara.

Ukitembelea eneo langu la Uwakilishi Bungeni, utaona kwamba kutokana na pesa za CDF, miradi ya maji inafanyika. Pia kuna miradi ya shule na miradi mingine mingi. Lakini wananchi wa Wundanyi tunabaki tukijiuliza: Je, ule mkono wa utekelezaji wa asilimia 97.5 uko wapi? Mradi wa Wizara ya Maji katika eneo la uwakilishi Bungeni la Wundanyi uko wapi? Hatuuoni! Kwa vile tunapitisha pesa hizo katika Bajeti, ni muhimu kuona mkono wa Serikali ukionekana kwa wananchi. Serikali haifai kujivunia maendeleo mbalimbali. La muhimu ni kujua ile asilimia 97.5 inaenda wapi na inafanya nini? Je, Serikali inaweza kuwajibika namna gani baada ya mwaka mmoja?

Bw. Naibu Spika wa Muda, tuna Wizara ya Serikali za Wilaya. Lakini tukiangalia miji yetu, imejengwa kiholela holela bila mpango. Je, Wizara hii inafanya nini? Vile vile Wizara ya Mazingira na Mali ya Asili haifanyi kazi nzuri sana. Katika eneo langu la uwakilishi Bungeni la Taita Taveta, misitu inaendelea kukatwa. Kwenye chemichemi za maji kunalimwa, ilhali kuna sheria inayowazuia watu kulima mita fulani kando ya mto. Hata hivyo, sheria hii haifuatwi.

Kwa hivyo, tunapitisha hizi pesa, lakini ni lazima Serikali ifanye kazi na iwajibike kwa wananchi na Wabunge. La muhimu ni kwamba tunapitisha pesa hizi, ni lazima tuwasikilize wananchi wetu. Si vizuri kusema utalii umeimarika kwa sababu utalii huo unaweza kuwa ni kifo kwa watu wa Wundanyi.

Bw. Naibu Spika wa Muda, utalii unaweza kuleta vifo. Kule Wundanyi, utalii umeleta vifo vingi sana. Ndovu na wanyama wengine wa pori wanatumaliza na kusababisha njaa katika sehemu yangu ya uwakilishi Bungeni. Hakuna maendeleo na watoto hawaendi shuleni. Hata hivi sasa, ndovu wamevamia huko. Sasa wamesema watatuongezea ndo vu 400 katika Wilaya ya Taita Taveta. Kiazi cha Kshs4 milioni kinatumiwa kumsafirisha ndovu mmoja kutoka Shimba Hills hadi Taita Taveta. Lakini, hatuchimbiwi hata bwawa moja la maji. Kwa hivyo, kuwa na maafu kama hayo katika enzi hii tuliojitoa kwa ukoloni, ni ukatili mkubwa. Ni jambo ambalo linafaa kurekebishwa. Serikali inatakiwa kusikiliza vile wananchi wanasema. Tukipitisha Hoja nzuri ya kujenga mabwawa ili wananchi wajitosheleshe na chakula, Serikali inazunguka huku na kule ikepeana chakula cha misaada. Hiyo ni aibu kubwa sana kwa sababu tunajua tunaweza kuwapatia wananchi mbegu na kuwachimbia mabwawa ya kunyunyizia maji mashamba, kuliko kutumbukiza pesa kwenye shimo lisilo na mwisho! Ni lazima tuzingatie mambo yatakayotutoa katika umaskini milele.

Tukiangazia barabara, kwa mfano ile inayotoka Mombasa hadi Mariakani, tunajiuliza: "Je, waziri yupo?" Hiyo barabara ni mbaya sana! Hiyo barabara ni muhimu sana kwa sababu inaenda Congo, Sudan, Uganda na mataifa mengine.

Bw. Naibu Spika wa Muda, tunapoteza wakati mwingi sana kutoka Mombasa hadi Mariakani. Pia, barabara ya kutoka Voi hadi Taita Taveta ni mbaya sana. Tanzania imejenga hiyo barabara hadi mpakani. Lakini kutoka Taita Taveta hadi Mwatate, ni aibu kubwa sana kwa nchi hii, ambayo imekuwa mbele! Tunawasihi Mawaziri watembee na waangalie hali halisi ya nchi yetu.

Kwa hayo machache, naomba kuunga mkono.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Mr. Temporary Deputy Speaker, Sir, thank you for giving me an opportunity to contribute to this very important Motion that requires Parliament to approve expenditure for the Government to make it function. As we approve this money, there are several things that we expect line Ministries to do for this country, in terms of

service delivery.

Mr. Temporary Deputy Speaker, Sir, I will start by mentioning the issue of security. Everybody in this country has been lauding the re-designation of Mr. Michuki to the docket of security and, indeed, he has been hopping up and down the country trying to get things moving. But I get the impression that the Minister is paying in-ordinate attention to security issues in urban centres and security among the Pokots and their neighbours. He is forgetting that other areas in this country also require attention. I say that because in the last three months, we have witnessed not less than six gun crimes in my constituency. Last week on Sunday, a person from my constituency who works in Kericho went home carrying Kshs50,000 to buy a piece of land. In the middle of the night, gunmen walked into his house, blew off his head and went away with the money. That happened only 100 metres from the nearest Administration Police Post. Up to today, nobody has been arrested. That is not the only incident. We have had gun crimes committed in Kanduyi - Mr. Wamunyinyi's Constituency, Webuye - where my national Chairman comes from - and all over Bungoma District. I urge the Minister, now that we are giving him money, to step up police patrols, increase the number of policemen and give them vehicles, so that they can provide adequate security. Development without security will come to naught because insecure people are unlikely to go to their farms or pay attention to other wealth creation activities.

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

[Mr. Speaker resumed the Chair]

Mr. Speaker, Sir, hand in hand with security, goes the problem of infrastructure. We witness an inordinate number of Questions coming to the Floor of this House about roads. We are in the third year of our term. If you single out the road from Mombasa through Nairobi-Naivasha-Nakuru-Timboroa and Kampala - the road that is virtually the artery of the economy of this country - it is in such a sorry state that, we really wonder whether there is any attention being paid on critical roads in this country by the Ministry responsible. That is because without roads, we cannot transport our commodities to markets and inputs to farms. The cost of transport becomes too expensive. Trucks that would normally take about two days from Mombasa to Kampala, are now taking a week, if not more. That is revenue lost. In this Financial Year, we should urge the Ministry of Roads and Public Works to pay attention to that trunk road that is running from Mombasa to Malaba and Mombasa to Busia for either reconstruction or proper re-carpeting, so that we can move commodities to the markets and create wealth for our people.

Mr. Speaker, Sir, we have all lauded the idea of Constituencies Development Fund (CDF). I would like to say that a constituency like mine, which has existed since Independence, has never seen a project worth more than Kshs10 million. But now, we can boast of Kshs30 million coming in *per annum*. That is a great and noble idea and we should tell those who are vilifying the concept of CDF to pay attention to the errant colleagues and committees that are mismanaging CDF. Let us not vilify a concept that is doing so much and so well in the country. It is only through CDF that some parts of this country will be able to taste development. It is also through CDF that we will be able, at however minimal scale, equalise some levels of development. Now, everywhere you go, schools and health centres are being constructed, water projects are being undertaken, minor and classified roads are being done and so on.

In fact, I would like to tell the Leader of Government Business that, in the course of this Financial Year, we would like to extend the application of CDF from 2.5 per cent to 5 per cent, so that we can realise much better and greater attention to our constituencies in terms of development.

Mr. Speaker, Sir, I would like to say one thing about education. In many parts of this country, we have serious under-staffing of schools. In some rural areas, you will find double stream schools with over 1,000 pupils and only four teachers. Some have even less than four teachers. So, children simply go to school to pass time, play around and then go home. At the end of the day, we subject the same children to the same national examinations as those in academies and municipal schools where there is gross over-staffing. The Ministry of Education, Science and Technology should, this year, make a conscious move to train enough teachers. They should recruit people and take them to teachers training colleges. When they are recruiting, they should move away from the notion of recruiting people from every district.

Priority must be given to areas which have acute shortage of teachers because, it has been proven that teachers, especially primary school teachers, want to teach closest to their homes. For example, if West Pokot or Bungoma districts do not have enough teachers, give them a greater quota, so that we can have sufficient teachers in every area to enable our children to benefit from the concept of free primary education.

Mr. Speaker, Sir, We know that, since the concept came into place, more than 1.6 million children registered in schools. We have old men of 80 years who have gone to Standard I. But the enrolment is of little value to both the children and the parents if we do not have adequate teachers. We are now busy using CDF funds to improve the physical facilities in our schools, but we must complement that with more teachers.

Mr. Speaker, Sir, I also want to mention something about Parliament. From day to day, you will hear hon. Members standing here complaining: "Ministries are not functioning properly! Ministers are not doing the following! Ministers are erring in doing this!" But we are forgetting that this Parliament has oversight over all the Ministries. We have every Ministry mirrored by a committee of this House. I have said this before, and I want to say it again.

I am happy that you are in the Chair. The concept of our Parliamentary Committees spending the bulk of their time travelling outside Kenya should be changed. They should sit in this Parliament and do their oversight duty.

(Applause)

Mr. Speaker, Sir, it is not enough for a member of an oversight committee to stand here and tell us how a Ministry he oversees is not working. He has a duty to this House, himself and the country to call the Minister responsible and ask him or her to account for the money they are given. They should account for the time they spend in the Ministries, slow them down on their overseas travelling and get them to deliver services. It is not good for us to degenerate into a complaining Parliament when we have the legal authority to do what we ought to do. I think your office can help this Parliament by reducing the over-travelling outside this country---

Mr. Speaker: As a matter of fact, I have already ordered about that!

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Thank you, Mr. Speaker, Sir. That is something which will help this country.

Mr. Speaker, Sir, I want to finish by paying attention to agriculture. Farm inputs are too expensive in this country. They are not expensive because the Government is imposing any tax. Most of them have been zero-rated. Fertilizers, tractors and tractor parts are all zero-rated. What we have done is that we have surrendered the running of our agricultural activities to profiteers and greedy middle men.

Mr. Speaker, Sir, now that we have passed a Sessional Paper to revive the Kenya Farmers Association (KFA), I would like to see a situation where the Agricultural Finance Corporation (AFC) is promoted to a farmers' bank. It can then provide financial back up to KFA by opening Letters of

Credit (LCs). KFA can then bring fertilizers into this country and sell them to farmers without making the obscene profits that Indians are making in this country. That way, we will produce enough food. There will be food security in this country.

With those few remarks, I beg to support.

Mr. Speaker: I have to agree to some longevity. The longer you stay in the Chamber, the more chances you have of contributing. The hon. Member for Kuria Constituency, please, proceed!

The Assistant Minister, Office of the President (Dr. Machage): Thank you, Mr. Speaker, Sir. Today, Members of this House are being called upon to allow the Government to withdraw a sum of Kshs149 billion to meet the purposes of Recurrent and Development Expenditure.

Indeed, I support the same. I am sure that all hon. Members of this House will also support the Motion. However, it is our duty to make a few remarks, some of which might encourage or rebuke the work that is being done by us out there.

Mr. Speaker, Sir, the Government is endowed with a big responsibility of ensuring that its citizenry is given services. Whereas we appreciate that the Minister for Finance tried to budget on what he collected in terms of tax, we have to appreciate that it can never be enough. We, therefore, have to tighten our belts in our expenditure and save as much as we can. We should spend money only on productive areas. Counter-productive areas should be removed as a service to this country. Non-performing parastatals and other bodies should be clearly observed and either given a clean bill of health, or totally done away with. That will help us to avoid unnecessary expenditure.

Mr. Speaker, Sir, we should put more emphasis on service-delivery Ministries that will directly change the livelihood of Kenyans. Kenya is the only country in the world which, despite its minimal development in Africa, cannot pride itself with a very high infant mortality rate. Some parts of this country have an infant mortality rate of 125 per 1,000. That means that, in every 1,000 children that are born, 125 will die within the first year. The use of our money should be directed and governed by demographic factors and statistics. That is what should direct the Ministries on where to fund.

Mr. Speaker, Sir, Nyanza Province has some of the worst hit communities. We not only have malnutrition, but the HIV/AIDS pandemic is hitting very hard. Along Lake Victoria, there are some communities which have a HIV/AIDS prevalence rate of up to 30 per cent! We do appreciate that some communities have worked hard to have an HIV/AIDS prevalence rate of less than 2 per cent. We must not forget the fight and war against HIV/AIDS.

Mr. Speaker, Sir, the Ministry of Health should direct its services where there is great need. Improvement of medical facilities will also reduce death rates. That will also improve working man-hours as a form of development in this country. Indeed, drugs procurement procedures must be looked at. Recently, there were complaints about the purchase, storage and transportation of drugs to health centres. We must look into all that. We should avoid situations where drugs expire in the stores when Kenyans are suffering out there. Some money should be directed to develop maternal-child health care programmes. We know that malnutrition in the first five years of age is detrimental to the brain development of a child. We want Kenyans to grow to be intelligent people---

Capt. Nakitare: On a point of order, Mr. Speaker, Sir. With all due respect, and bearing in mind the time that is left, would I be in order to request that the Mover be now called upon to reply?

(Applause)

Mr. Speaker: It sounds like that is the mood of the House. I will submit myself to the wish of the House!

(Applause)

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

(Applause)

The Minister for Finance (Mr. Mwiraria): Thank you, Mr. Speaker, Sir. Let me thank hon. Members who have contributed to the debate for giving very solid suggestions. However, I would like to correct---

(Loud consultations)

Mr. Speaker: Order, hon. Members! The House is still in session!
Proceed, Mr. Minister!

The Minister for Finance (Mr. Mwiraria): Mr. Speaker, Sir, let me correct a few misunderstandings that came out during the discussions.

Let me start off by saying that the money that we used to buy maize for famine relief was from the Civil Contingency Fund. We used the money and replenished it later. The Ministry of Agriculture does not get money out of its Vote to pay some of the money. I hope we will be in a position to satisfy farmers whose maize was taken, and will not be paid out of today's Vote on Account. The second point was made by the Shadow Minister for Finance.

Mr. Speaker, Sir, I want to tell the House that it is not possible these days for Ministries to overspend, unless they do so and hide the invoices in their drawers. This is because we, in the Ministry of Finance, issue cheques to the Ministries and they can only spend what they have in their bank accounts. What is equally important to state here is that this House passed the new Finance Management Act which holds the Accounting Officers responsible for their actions. If they overspend or spend on items not in the Appropriation Act, there is provision for retribution. I think it is important to explain those two points. In fact, I must say that it is making our work much easier. The only area where there could be a problem is if they spend and hide their invoices. But because we have also ruled that there should be no pending bills, I doubt whether the temptation will be there.

Mr. Speaker, Sir, Members have spoken on the need for equity in Budgeting so that the whole country is developed together. I want to say that the NARC Government has gone out of its way to bring development in as far as it is possible, throughout the country, including and, in fact, favouring the Arid and Semi-Arid Lands (ASAL) areas.

This year, for instance, I have provided Kshs1.5 billion for water projects in the ASAL areas. You will recall that in the Budget Speech, I talked about each district in the ASAL areas getting at least, two boreholes and two dams, besides getting the existing boreholes repaired. In addition, we have provided funds specifically for boarding primary schools in some of the ASAL districts. This is something that was not done before. I think it is equally important to look at the Bursary Fund. We have allocated Kshs1 million to every constituency. In fact, the constituency with the least number of secondary schools has got two. There are others which have got 30 secondary schools. So, when you get Kshs1 million for two secondary schools, you can pay fees for all the children. In fact, you can educate all the children out of Government funds without the parents having to pay anything. A member just close by is saying that money is not enough. I do not know how many schools he has in his constituency, but I am sure he is able to go a long way much further than any of the people from the better developed areas.

Let me comment on this hackneyed statement that poverty is increasing, there is no development anywhere---

Mr. Speaker, Sir, I have been wondering whether there are some people who have eyes and they do not want to see; or others who have ears and they do not want to hear. Quite honestly, you need to ask yourself what the NARC Government has done since it took over. Free primary education speaks for itself, nobody can deny that, that is a promise that we have taken care of. There may not be enough teachers, but they are there. Let us admit that. Mr. Speaker, Sir, secondly, for somebody who comes from an agricultural country like Kenya, surely, this Government has been fairly kind to agriculture.

People say that we are favouring coffee and tea sectors, but that is not true. We are favouring Dairy, sugar--

Mr. Speaker, Sir, this year, I have gone out of my way to provide Kshs250 million to revive the cotton industry. We have also gone out of our way to look at pyrethrum and provided the legal framework for the pyrethrum industry to thrive.

Mr. Speaker, Sir, by and large, the farmers of this nation are better off today than they were two and half years ago. I want to be challenged by anybody who can deny that. Whether they are growing sugar-cane or keeping cattle for milk, growing tea, coffee, tobacco, name it; they are much better off today than they have been. So, instead of giving the Kenyan nation the wrong message, let us begin saying, "yes, we have a Government which is caring for the people of this nation, a Government that has brought tangible changes."

Mr. Speaker, Sir, the Constituency Development Fund (CDF) is doing things which were impossible before we took over. I would like to plead with hon. Members to make sure that, that money is put to good use, because Kshs20 million per constituency is a lot of money, if properly used. I have been looking at the returns I have been getting from the CDF Secretariat. Mr. Speaker, Sir, many districts have built secondary and primary schools, others are building nursery schools, while some are even building a dispensary for every location. So, really, let us begin to see the good things that the NARC Government is doing.

Mr. Speaker, Sir, I really do not want to take too much time.

I thank the hon. Members, some of whom have made really good suggestions, which I am going to look at critically and take them on board.

With these few remarks, I beg to move.

(Applause)

(Question put and agreed to)

ADJOURNMENT

Mr. Speaker: Hon. Members, that concludes the business on the Order Paper. The House is, therefore, adjourned until Thursday, 23rd June, 2005, at 2.30 p.m.

The House rose at 5.40 p.m.