

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 25th June, 2013

The House met at 2.30 p.m.

[The Speaker (Hon. Muturi) in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:

The Report of the Departmental Committee on Justice and Legal Affairs in response to Statement requests by Hon. Ibrahim Abdi Saney, MP; Hon. John Waluke, MP and Hon. James Opiyo Wandayi, MP; regarding appointment of Commissioners of the Teachers Service Commission (TSC), the International Criminal Court (ICC) process, and payment of compensation to Hon. Mak'Onyango.

(By Hon. Chepkong'a)

The Report of the Departmental Committee on Defence and Foreign Relations on the vetting of Eng. Karanja Kibicho as Principal Secretary Nominee for Foreign Affairs, Amb. Monica Kathina Juma as Principal Secretary Nominee for Defence and Mwanamaka Amani Mabruki as Principal Secretary Nominee for East African Community.

(By Hon. Gethenji)

The Report of the Departmental Committee on Education, Research and Technology on the vetting of Prof. Colleta Akinyi Suda as Principal Secretary Nominee for Science and Technology and Dr. Belio Kipsang as Principal Secretary Nominee for Education.

(By Hon. (Ms.) S.W. Chege)

The Report of the Departmental Committee on Agriculture, Livestock and Cooperatives on the vetting of Dr. Khadijah Kassachom as Principal Secretary Nominee for Livestock, Prof. Japhet Micheni Ntiba as Principal Secretary Nominee for Fisheries and Sicily Kanini Kariuki as Principal Secretary Nominee for Agriculture.

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(By Hon. Angatia)

The Report of the Departmental Committee on Administration and National Security on the vetting of Mr. Mutea Iringo as Principal Secretary Nominee for Interior and Ms. Josephtha Mukobe as Principal Secretary Nominee for Coordination.

(By Hon. Abongotum)

Hon. Musyimi: Hon. Speaker, I beg to move the following Motion:

THAT, notwithstanding the provisions of Standing Order 120---

Hon. Speaker: Is that a Motion? We are on Papers!

Hon. Musyimi: Hon. Speaker, I am not aware of any Paper that I am laying other than moving a Motion.

Hon. Speaker: Okay. Can we have the next Order?

NOTICES OF MOTIONS

ADOPTION OF REPORT ON VETTING OF PRINCIPAL SECRETARY NOMINEES

Hon. Gethenji: Hon. Speaker, Sir, I beg to give notice of the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya, and the provisions of Standing Order No. 45, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the Vetting of Principal Secretary Nominees, laid on the Table of the House today Tuesday, 25th June, 2013, and approves the appointment of the following persons as Principal Secretaries

1. Eng. Karanja Kibicho - Foreign Affairs.
2. Amb. Monica Kathina Juma – Defence.
3. Mwanamaka Amani Mabruki - East African Community.

Thank you.

Hon. Speaker: Yes, Hon. Kamama.

ADOPTION OF REPORT ON VETTING OF PRINCIPAL SECRETARY NOMINEES

Hon. Abongotum: Thank you, hon. Speaker, Sir. I beg to give notice of the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of Standing Order 45, this House adopts the Report of the Departmental Committee on Administration and National Security on the Vetting of Principal Secretary Nominees, laid on the Table of the House on Tuesday, 25th June, 2013, and approves the appointment of the following persons as Principal Secretaries:

1. Josephtha Mukobe – Coordination;

2. Mr. Mutea Iringo - Interior
Thank you.

ADOPTION OF REPORT ON VETTING OF PRINCIPAL
SECRETARY NOMINEES

Hon. (Ms.) S.W. Chege: Hon. Speaker, Sir, I beg to give notice of the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of Standing Order 45, this House adopts the Report of the Departmental Committee on Education, Research and Technology on the Vetting of Principal Secretary Nominees, laid on the Table of the House on Tuesday, 25th June, 2013, and approves the appointment of the following persons as Principal Secretaries:

1. Prof. Colletta Akinyi Suda - Science and Technology
2. Dr. Belio Kipsang – Education

Thank you.

Hon. Speaker: Yes, Hon. Savula.

ADOPTION OF REPORT ON VETTING OF
PRINCIPAL SECRETARY NOMINEES

Hon. Angatia: Hon. Speaker, Sir, I beg to give notice of the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of Standing Order 45, this House adopts the Report of the Departmental Committee on Agriculture, Livestock and Cooperatives on the Vetting of Principal Secretary Nominees, laid on the Table of the House on Tuesday, 25th June, 2013, and approves the appointment of the following persons as Principal Secretaries:

1. Dr. Khadijah Kassachom – Livestock;
2. Prof. Japheth Micheni Ntiba – Fisheries;
3. Sicily Kanini Kariuki – Agriculture.

Thank you.

Hon. Speaker: And now Hon. Mutava Musyimi. Is he giving notice of a Motion? Hon. Mutava Musyimi, I am told that either the people preparing notice appear to be fond of your name. You are not supposed to be on the list here. They just gave me a list that has your name but, it looks like it was for no reason. I think they are anticipating the debate of the business listed as Supplementary Appropriations. Hon. Mutava Musyimi, you will come in when we get to Order No.15.

Hon. Musyimi: Much obliged, hon. Speaker, Sir.

REQUESTS FOR STATEMENTS

INSECURITY IN SABOTI CONSTITUENCY

Hon. Speaker: Hon. David Wafula Wekesa.

Hon. Wekesa: Thank you, hon. Speaker, Sir. Pursuant to Standing Order No. 44(2)(b), I wish to request for a Statement from the Leader of Majority Party regarding the insecurity and attacks in Saboti Constituency on the night of 22nd June, 2013. A gang of about 20 people struck Muroki Market in Saboti on that night killing five people and injuring several others who are currently admitted in hospital. The gang terrorized the area for over four hours as there was no police officer in sight. The police patrol base is approximately two-and-a-half kilometers away. In his Statement, the Leader of Majority Party should indicate the measures the Government is taking to curb the rampant insecurity in the area. He should also indicate when the Government will deploy more police officers and adequately equip them to handle incidences of violence and thuggery in the area.

Thank you, hon. Speaker Sir.

Hon. A.B. Duale: Thank you, hon. Speaker, Sir. I will give that Statement on Tuesday alongside the one on Mandera.

Hon. Speaker: Very well! Do you have something Hon. Nyenze?

Hon. Nyenze: Hon. Speaker, Sir, I was only being strategic to press it and wait until you come.

(Laughter)

Hon. Saney: Hon. Speaker, Sir, mine is to seek clarification on the Report that has been tabled in this House now by the Chair of the Departmental Committee on Justice and Legal Affairs with regard to my Statement which I had requested on 4th June, 2013.

Hon. Speaker: Are you saying the Report has been tabled?

Hon. Saney: Yes.

Hon. Speaker: The one that has been tabled by Hon. Chepkong'a?

Hon. Saney: Yes.

Hon. Speaker: These are things, I am sure, you will know in due course. A report of a committee, once it has been tabled now will receive priority when we sit in House Business and then you will debate it.

Hon. Saney: Hon. Speaker, Sir, I seek your guidance because there is a serious violation that contradicts the report. That is because today there is an advertisement on the *Daily Nation* which is in disregard to what the report has. So, it is in the urgency of that, that I seek your guidance.

Hon. Speaker: You will do that when the Report is being debated. In fact, when the Report is being debated, you can even move to amend it. You can move to convince or persuade all your colleagues here to reject it. It is open to you at that time but, as of now, you cannot start saying you are already in disagreement. It is not yet up for debate.

Hon. Saney: I stand guided, hon. Speaker, Sir.

Hon. Wambugu: Hon. Speaker, Sir, I again rise to request for a Statement. You will remember that, sometime last week, I rose on a point of order requesting for a Statement from the Leader of the Majority Party on the status of the crew members and Kenyans who are still detained in Lagos. I am still requesting it because nobody knows where the crew is being held or how they are surviving. The only reports that we are

getting are through newspapers. You know this is an issue which is very urgent and requires a report almost immediately. That is because the families of the members held in that country---

Hon. Speaker: I thought you are requesting for a Statement. When you begin debating about their families, you are likely to even tell us now about their supporters, admirers and such like things.

Hon. A.B. Duale: Hon. Speaker, Sir, I was expecting Hon. Wambugu to start giving the Statement. I know it is a matter of national importance and tomorrow afternoon, I have directed both Ministers in charge of internal security and foreign affairs to furnish us with that report so that the country can know the position.

Hon. Members: Directed?

Hon. A.B. Duale: Hon. Speaker, Sir, not directed. We have asked the Ministry of Foreign Affairs that we need that answer in Parliament tomorrow and I will do it in the afternoon.

Hon. Speaker: Very well.

Hon. (Eng.) Gumbo: On a point of order, hon. Speaker, Sir. Two weeks ago, I requested for a fairly comprehensive Statement from the Leader of the Majority Party on a wide range of issues. He had given an undertaking to give it last week on Thursday. Last week on Thursday, he gave me his gentleman's word that the Statement would be here today. But I am getting concerned that if we do not get it, we may be getting to a situation where we will get stock answers when we ask for Statements.

Hon. Speaker: I have understood it that you sought a fairly comprehensive Statement and so, the Leader of the Majority Party can also address the issues.

Hon. (Eng.) Gumbo: He undertook to do it last week.

Hon. A.B. Duale: Hon. Speaker, Sir, I have the answer but with your indulgence and the workload before us today, I am ready to issue it tomorrow at 9.00 a.m.

Hon. Speaker: Appreciating the business before the House now, in fact, all other requests for statements are adjourned to tomorrow, either in the morning or in the afternoon for some. I am sure it will be fairly comprehensive.

Hon. (Eng.) Gumbo: Can I modify it?

Hon. Speaker: You want to modify it?

Hon. (Eng.) Gumbo: Yes. I want to modify his offer a little bit. I want to kindly ask him to give it in the afternoon because I may have some engagements in the morning and I want to interrogate it.

Hon. Speaker: Is tomorrow 2.30 p.m. okay?

Hon. A.B. Duale: Hon. Speaker, Sir, yes. Then I will do both: The one on the famous Chinedu and the comprehensive one by Hon. (Eng.) Gumbo, at 2.30 p.m.

Hon. Speaker: Very well. Hon. Members, it is directed that all other requests for Statements are put on hold until tomorrow, including the business proposed by Hon. Kaluma. It does not appear like it can be discussed today in as much as I have sympathy. Tomorrow is better because of business.

Hon. Kinoti: Hon. Speaker, Sir, I rise pursuant to Standing Order No.47(5) on the preference of Motions with regard to your direction on the Motion by Hon. Kaluma, because it is a serious issue on teachers. Standing Order No.47 directs that party sponsored Motions shall be given preference. I request your guidance on the order of

preference on party sponsored Motions, issues of vital importance like the strike by teachers and issues of approvals like we are doing today. I was requesting your guidance on direct preference as the Speaker might guide.

Hon. Speaker: You do not need to go beyond what you have just said. I have directed. That is the order of business and so you are accordingly advised or informed. That is the order of business. The strike by teachers is a matter of national concern. Of course, we might also speak here until midnight about the strike by teachers, but we will just be speaking. The business proposes just to speak and I have said it severally in the past that even in Motions you say “urging”; urging who? The Government is not in the House. So, you want to move Motions urging the Government and yet, the Government itself is not in the House. We do not even know who is being urged. As I directed two weeks ago, we need to change our *modus operandi* so that we move away from urging and do business of resolutions of the House. That is because once the House resolves in a particular way, then the Committee on Implementation can take up the matter of the resolutions of the House. These things of urging you--- You will urge the Government to tarmack all roads in every village, but you will just be urging. I do not see anybody responding here to say that they have felt sufficiently urged.

(Laughter)

So, it may be very exciting to urge but, maybe, the person being urged is not here. Let us try to do things that will give the House teeth, and that is the resolutions of the House.

MOTIONS

ADOPTION OF REPORT ON VETTING OF PRINCIPAL SECRETARY NOMINEE

Hon. Mwiru: Thank you, hon. Speaker, Sir. I beg to move the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of Standing Order 45, this House adopts the Report of the Departmental Committee on Lands on the Vetting of Principal Secretary Nominee, laid on the Table of the House on Tuesday, 25th June, 2013; and approves the appointment of Mariamu El Maawy as the Principal Secretary for Lands.

Hon. Speaker, the Committee on Lands was constituted by the House after the recommendation of the Selection Committee on 16th May, 2013 and it comprises of 29 hon. Members. I am not going to read their names because I believe the Report is already circulated.

The Committee is established under Standing Order 216. It has a number of mandates but, specifically for today, it is supposed to vet and report on the appointments where the Constitution or any other law requires the National Assembly to approve, except those under Standing Order 204, and make recommendations to this House.

Hon. Speaker, the Committee was having only one Principal Secretary, whose name I have already mentioned earlier. She is supposed to serve in the Ministry of Land,

Housing and Urban Development. She appeared in person before the Committee on 19th June, 2013. On Tuesday, 11th June, the Chair communicated to the House that this Report should be tabled in the House within 14 days. We are actually under that obligation to table the same and, of course, debate it as requested.

Hon. Speaker, we did only one meeting to vet Madam Mariamu El Maawy. The Report that I am going to present here has no dissenting voice. Therefore, it was unanimously agreed to. Madam Mariamu El Maawy is a lady who, at her early stages of life, ventured into a very hard subject of architecture, when even men who are inside and outside this House could not venture into it at that time. Indeed, this is one of her strengths that enabled her to make such hard decisions at that very early age. She has done a bachelors degree from the University of Nairobi.

Hon. Speaker, Madam El Maawy has finished her Architecture from the University of KwaZulu Natal, Durban. In fact, she is currently doing research in completing her course for masters. El Maawy has been heading a number of organizations, both private and public. Ms. El Maawy is writing a paper on cultural and contemporary architecture in hot cities, including Kenya.

Hon. Speaker, Sir, we also looked at her masterly of the work or the subject she is supposed to undertake. Having a background in architecture, she was able to convince the Committee that her day-to-day work, right from the time she started her work, was based on land, in terms of planning, acquisition and making designs for the development of land. Therefore, that is a subject that is at her fingertips and that is what she has been practising all through. She had also to go through quite a number of questions so that we could prove that she is material worth being at the helm or as Chief Executive Officer at the Ministry of Land, Housing and Urban Development.

Hon. Speaker, we looked at her academic qualifications, employment records and potential conflict of interest but found none. We also looked at the knowledge of the relevant subject which I have already alluded to earlier and the overall suitability of the position, including tax compliance and integrity. She benefitted from the Higher Education Loans Board (HELB) and so far she has completed repayment of the loans. Therefore, she is 100 per cent compliant and understands her mandate of trying to help other needy cases.

On tax compliance, she has complied as of now. On integrity issues, she used to sit on the Board of Ethics and Anti-Corruption Commission. Therefore, you can understand that her integrity is quite high; it is not like that of Justice Ringera who was pushed out. She was not questioned on that issue.

On adverse affidavits, the Committee did not receive any adverse affidavits against Mariamu El Maawy. She had also gone through Public Service Commission (PSC) and that is where she was recommended for appointment to the President and thereby the President proposed her name to this Parliament. She had, therefore, followed the whole due process.

She has also served in the Board of Procurement Oversight Committee meaning she is quite versed with issues to do with procurement and financial management. She has also done accounting at the Jaffery Institute of Professional Studies and she is a member of the Association of Chartered Accountants. Therefore, when it comes to financial management issues, where she is going to serve as an accounting officer, I think

she is already well versed in that particular line. She knows pretty well what she can do. Therefore, she is not new and she is not venturing into new grounds.

The lady belongs to several organizations, which some of us may not even know. But, at least, we have known and it is important also for this House to know. She is a member of the African Public Procurement Network (APPN) to date. She was a member of Mombasa Polytechnic University Council where she had served as a member. She was also the chairperson of the Faza Fire Disaster Fund. She was also a member of the Technical, Industrial, Vocational and Entrepreneurship Training (TIVET) that is transforming national colleges to universities. Of course, as I had mentioned earlier, she had served as a member of the Advisory Board to the Ethics and Anti-Corruption Commission.

Hon. Speaker, Sir, on historical injustices in land administration, Mariamu El Maawy promised the Committee that she will ensure that counties will be empowered to manage various registries and thus ensure uniformity in infrastructure and service delivery.

Hon. Speaker, Sir, on corruption at the land registries which every hon. Member here must know--- Almost everyone might have traded with that commodity called land. The Principal Secretary nominee showed a lot of awareness that such kind of a vice is going around in the land registries. Therefore, in her answers to those questions, she said that she will be able to set up enough infrastructure and networks within these areas, including setting up Closed Circuit Television (CCTV) cameras to get to know what kind of transactions and exchanges are being done within those registries.

On the issue of realisation of Vision 2030, Mariamu El Maawy was able to put the Committee through how important land is towards achieving Vision 2030 because it is a key factor. Therefore, she assured the Committee that she will establish how much public land is available for development and that, if there is any shortfall, she will acquire land from the private sector through direct purchase or partnership with the owners. Hon. Members realise that even when we want to expand anywhere in this particular country, matters to do with compensations on land are plenty. An example is the interchange at Cabanas where we are spending Kshs27.2 billion not building the road, but compensating the owners of that land. Therefore, she is willing to see the country have land set aside for such kind of developments and especially on the side of the planning where, of course, she is going to be the head again.

Hon. Speaker, Sir, on the issue of setting up of a land bank, Mariamu El Maawy was very enthusiastic that setting up a land bank in Kenya is very key for purposes of future developments---

Hon. Kaluma: On a point of order, hon. Speaker, Sir. We have very many urgent issues of national importance to discuss. The House notes that we have just put aside the issue of the teachers' strike that has paralysed learning in public institutions across the country to tomorrow in order to debate this Motion. My fear is that going through these details that we already have in the reports of committees, we will not be able to transact the business pending before us today. So, I was going to urge you to give directions on how long the chairs of the committees can take so that we go into the other matters.

Hon. Speaker: Point noted, Hon. Kaluma. Hon. Mwiru, try to finish.

Hon. Mwiru: Hon. Speaker, Sir, I also note and thank you Hon. Kaluma. Let me just have it this way: Madam Mariamu El Maawy, according to the Departmental Committee on Lands, is one of those Kenyans who are really qualified in the field that she has been put and is one able Kenyan who has even sold some *mitumba* and understands exactly the problems that Kenyans are facing in terms of land, especially the squatters and Internally Displaced Persons (IDPs). So, it is only necessary that this honourable House approves the name of Mariamu El Maawy for Principal Secretary for the Ministry of Land, Housing and Urban development.

I beg to move and call upon my Vice-Chairman, Hon. Moses ole Sakuda, to second the Motion.

Hon. Speaker: Just as you get seconded, have you looked at the docket to which she has been nominated? Is it to the docket of the Ministry of Lands or Ministry of Land, Housing and Urban Development? What is the name of the docket specifically?

Hon. Mwiru: Hon. Speaker, Sir, the docket is Ministry of Land, Housing and Urban Development and she is the only nominee.

Hon. Speaker: But would you then like to make that amendment so that the Motion reads that she is approved as the Principal Secretary for Land, Housing and Urban Development since your Motion reads “Principal Secretary for Lands”?

Hon. Mwiru: Hon. Speaker, I beg to amend the Motion as follows:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of Standing Order 45, this House adopts the Report of the Departmental Committee on Lands on the Vetting of Principal Secretary Nominees, laid on the Table of the House on Tuesday, 25th June, 2013, and approves the appointment of Mariamu El Maawy as the Principal Secretary for Land, Housing and Urban Development.

Hon. Speaker: Very well, Hon. ole Sakuda.

Hon. ole Sakuda: Thank you very much, hon. Speaker, Sir. I rise to second the Motion as amended and moved by my able Chair, Hon. Alex Mwiru on the nomination of Mariamu El Maawy as the Principal Secretary for Land, Housing and Urban Development.

Indeed, we sat as a Committee and as my Chairman has read it out, Principal Secretary nominee Mariamu El Maawy has academic qualifications and management skills. She is very versed with accounting. She is versed with land and housing issues that affect this nation. All of us are aware that land is a very key resource that this country has and, therefore, if we do not put the right people to manage it, we might end up in problems. However, the way we saw her as an administrator, accountant and an architect, she will be able to implement and introduce reforms that the Ministry of Land, Housing and Urban Development so needs in this country.

Hon. Speaker, Sir, we looked at one of the programmes that she is involved in. We actually looked at her qualifications. We also looked at a number of projects that she has been involved in. She has been involved in architecture in this country. There is a programme called *The Kenya National Special Data Infrastructure* that seeks to be put in place by the Ministry of Land, Housing and Urban Development that will greatly improve the way land in this country is managed and we, as the Committee, saw that she is competent.

Therefore, without further ado, I second the Motion as amended. Thank you very much.

(Question proposed)

Hon. Members: Put the Question!

(Question put and agreed to)

ADOPTION OF REPORT ON VETTING OF
PRINCIPAL SECRETARY NOMINEES

Hon. Kamau: Thank you very much, hon. Speaker, Sir. I do not intend to take a lot of time. In fact, I just want to take very few minutes to move this Motion.

I beg to move the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of Standing Order 45, this House adopts the Report of the Departmental Committee on Energy, Communication and Information on the vetting of Principal Secretaries Nominees, laid on the Table of the House on Tuesday, 25th June, 2013, and approves the appointment of the following persons as Principal Secretaries:

1. Eng. Joseph K. Njoroge - Energy and Petroleum
2. Mr. Joseph Musuni Tiampati - Information and Communication

The Committee was set up under the provisions of Standing Order No.216(5) which I think all Members are aware of and in accordance with the Second Schedule of the Standing Orders. The mandate of the Committee includes considering fossil fuel exploration, development of energy, production of energy, information and broadcasting, amongst others. The Committee oversees two State departments namely the Department of Information, Communication and Technology and the Department of Energy and Petroleum.

On 11th June, 2013, the hon. Speaker, in a Communication to the House informed the House that the Clerk of the National Assembly had by a letter dated 10th June received from His Excellency the President, the names of Joseph Tiampati ole Musuni and Eng. Joseph Kibere Njoroge and directed the names and the curriculum vitae of the said nominees be referred to the Committee for vetting and reporting to the House on or before 25th June, 2013.

The Committee had three sittings which were conducted on 19th June, 2013. From the start, I would like to acknowledge and sincerely thank the offices of the Speaker and the Clerk of the National Assembly for the necessary support extended to it in the execution of its mandate.

As the Chairperson, I would like to take this opportunity to thank all Members of my Committee for their patience, sacrifice, endurance and commitment to public service under tight schedules, which enabled us complete the task within the stipulated time.

Hon. Speaker, Sir, turning to the individual nominees, we vetted them and what we were looking for, according to the Public Appointments (Parliamentary Approval) Act

No.33 of 2011, were the academic qualifications and employment records, amongst others. I think all hon. Members are aware of that.

The Principal Secretary nominee for the Department of Information, Communication and Technology, Mr. Joseph Tiampati, appeared before the Committee in the afternoon at 2.30 p.m. on 19th June, 2013. We informed the nominee that there was no adverse memorandum received from the public against him. So, he was clean and clear from the public. Upon further scrutiny, we were able to see as a Committee that he has considerable training in banking operations, commercial contracting, risk management, leadership amongst other areas and he still has a lot of experience.

On suitability, he has professional experience of about 28 years and meets the job requirements as advertised, having handled people, finance and executed a number of projects under his domain. His background in mathematics and computer science will add value to the ICT sector.

Hon. Speaker, Sir, I think it is important for me to state something on that nominee who had an election petition. He had contested as a Governor for the Narok County seat and upon scrutiny and questions by the Committee, the nominee said that if he succeeds to be appointed as a Principal Secretary, he intends to withdraw from the suit without compromising justice as the suit will proceed with the remaining petitioners since there were three petitioners in total.

With respect to the second nominee, Eng. Joseph Njoroge, he appeared before us on 19th June at 4.00 O'clock. We informed him that there was an affidavit that was brought by a member of the public against him. This affidavit was rejected by the Committee because it attacked the corporate entity rather than the individual nominee. The nominee responded to the questions put to him by the Committee and it was satisfied that, indeed, that affidavit was not in good faith.

The nominee informed the Committee that he has worked previously at Kenya Power and Lighting Company (KPLC) for a total of 33 years. He has been a Chief Manager, Regional Manager, Chief Operations and Maintenance Engineer, a Senior Operations and Maintenance Engineer, Nairobi Area and finally, the Managing Director, KPLC.

On the Committee's observations, we found that those two nominees are suitable and the Committee unanimously found them qualified for appointment as Principal Secretary for the Department of Information with respect to Mr. Tiampati and with respect to Energy and Petroleum, Eng. Njoroge was also found to be equally competent.

Hon. Speaker, Sir, finally, on behalf of the Committee and pursuant to Article 155(3) of the Constitution, Section 8(1) of the Public Appointments (Parliamentary Approval) Act No.33 of 2011 and Standing Order No.199(6), the Committee recommends to this House to approve the appointment of Mr. Joseph Tiampati ole Musuni as the Principal Secretary for Information, Communication and Technology and Eng. Joseph Kibere Njoroge as the Principal Secretary for Energy and Petroleum.

Hon. Speaker, Sir, I beg to move and request my good friend, Hon. (Eng.) Gumbo to second this Motion.

Hon. (Eng) Gumbo: Thank you, hon. Speaker, Sir. I wish to second the Motion as moved by my able Chairman, Hon. Jamleck Kamau. As I second it, it is also important as a House that we appreciate those Kenyans who have made major contributions to our

country. Mr. Tiampati appeared before us, but as Kenyans know, he is going into a docket which has up to now been headed by one Bitange Ndemo. In my view, and I said it during the vetting, Dr. Bitange Ndemo is a trail blazer. He has set a trend in the telecommunications sector in Kenya, which Mr. Tiampati will have to follow. We urged him that the shoes he is about to acquire are, indeed, very big but we have no doubt that he will fit into them.

Moving to the nominee for the Principal Secretary for Energy, Eng. Joseph Kibere Njoroge, allow me to remind ourselves that as a country we must form the habit of celebrating Kenyans who are achievers. I am extremely proud of those Kenyans who go out of their way to achieve. Many of us sitting in this House may not remember that sometimes in the mid 70s, there was a strike at the University of Nairobi. The reason for that strike was because those who were in charge of the College of Architecture and Engineering at the time, who were mainly non-Africans saw to it that no African, no matter how bright you were, could get anything better than a Lower Second Class Honours. I am saying this because the nominee for the docket of Energy, in my view, Eng. Joseph Kibere Njoroge is a trail blazer. He went to the University of Nairobi at a time when discrimination was still rife in our universities and he is among the very first Africans to get a First Class Honours in Electrical and Electronics Engineering.

I did the course and I can tell you that by the time we joined, I was privileged to sit in the same class as Eng. Njoroge many years after him. We entered 36 students but when we were leaving, we were only 21. Half of us used to speak in tongues because of the problems we were going through. So, for him to have achieved First Class Honours, this is a true son of Kenya whom we must celebrate.

As I conclude because I do not want to extend the debate, I just want to urge this House that there is a lacuna in our Constitution which, as Members of this House, we must address. If you look at Article 130 of the Constitution, it talks of the National Executive of the Republic, which is composed of the President, Deputy President, Attorney-General and Cabinet Secretaries. Nowhere does it outline the duties of the Cabinet Secretaries. When you look at Article 155, it says that the Principal Secretaries will be in charge of administration and it stops there. I foresee a possibility that there could be a crush between those two very powerful constitutional offices. As I conclude, I want to urge this House that it is our duty to bring a Bill to this House to define clearly the functions of the Cabinet Secretaries and the Principal Secretaries, so that we do not have problems arising from the unclear definition of roles.

With those remarks, I second the Motion and I urge this House to approve the appointment of Mr. Joseph Tiampati ole Musini as Principal Secretary for Information, Communication and Technology and Eng. Joseph Kibere Njoroge, my senior in the distinguished profession of Electrical and Electronics Engineering, as the Principal Secretary for Energy and Petroleum.

I second.

(Question proposed)

Hon. Outa: On a point of order, hon. Speaker, Sir, we have had very good testimonies from Eng. Gumbo and Hon. Kamau. Would I be in order to ask you to put the Question?

Hon. Speaker: Very well, Hon. Out.

(Question put and agreed to)

ADOPTION OF REPORT ON VETTING OF
PRINCIPAL SECRETARY NOMINEE

Hon. (Ms.) R.K. Nyamai: Hon. Speaker, Sir, I beg to move the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of Standing Order 45, this House adopts the Report of the Departmental Committee on Health on the Vetting of Principal Secretary Nominees, laid on the Table of the House on Tuesday, 25th June, 2013; and approves the appointment of Prof. Fred H.K. Segor as Principal Secretary for Health.

I wish to start by thanking the Members of the Committee on Health for their input and valuable contributions during the deliberations and the vetting of Prof. Segor. The Committee worked as one team. I am happy to report that it was unanimous in recommending the appointment of the nominee as Principal Secretary, Ministry of Health. In the interest of time, I will not name the Members of the Committee. We are 29 Members who worked very hard to accomplish this mission. The Health Committee is charged with among others, vetting and reporting on all appointments where the Constitution and any other law require the National Assembly to approve.

The Committee also oversees the Ministry of Health and other parastatals under it, including the National Hospital Insurance Fund, Kenyatta National Hospital, Moi Teaching and Referral Hospital (MTRH), Pharmacy and Poisons Board, Kenya Medical Research Institute (KEMRI) and National AIDS Control Council, among others. The Committee was guided by the Fourth Schedule to the Constitution of Kenya which contains the duties of the national Government and those of the county governments.

On Wednesday, 19th June, 2013, the Committee held a session with the Principal Secretary nominee, Prof. Segor. In conducting the exercise, the Committee was guided by among other documents, the Constitution of Kenya, Public Appointments (Parliamentary Approval) Act No.33 of 2011 and National Assembly Standing Orders. It examined the nominee following this criteria: Academic qualification, employment record, professional affiliations, potential conflict of interest, knowledge of the relevant subject, overall suitability for the position, tax compliance and integrity. I would like to go straight to the deliberations.

Prof. Segor was born in Baringo and the Committee found that he is an accomplished scientist in the field of chemistry. He holds a PhD in Chemistry and also has first and second degree in the same field. Currently, he is an Associate Professor who has risen through the ranks from a Graduate Assistant to Professor.

Hon. Speaker, Sir, those of us who have gone through university know very well that it is not easy to move from a Graduate Assistant to become a professor. So, that was very commendable. We also had some observations which I would like to go to, in the interest of time. The Committee felt that Prof. Segor is academically qualified and that he is accomplished in the field of bio-chemistry. So, he will be useful in the Ministry of Health. The professor has never been charged in a court of law, neither has he been dismissed from any office for contravention of the provisions of Article 75 of the Constitution, which deals with the conduct of State officers. The Committee noted that Prof. Sigor expressed willingness to work closely with the stakeholders in the Ministry of Health, as well as with Parliament, especially on budgetary and policy matters. The Committee observed that the nominee applied for the position of Principal Secretary, as advertised by the Public Service Commission.

The Committee felt that Prof. Segor is suitable for this position since he will utilise his academic background in research and bio-chemistry, as well as his leadership and managerial experience attained while serving as Head of Department and Dean in the University, to improve service delivery in the Ministry of Health. The Committee has noted that Prof. Segor's short-term goal includes putting in place measures to reduce – if not to eliminate – corruption in the Ministry and equipping public hospitals with better and modern equipment. We established that the nominee understands the functions of the national Government and those of the county governments. He has a clear understanding of the roles of both levels of government. We also noted that he understands that it is not easy to instantly devolve matters to do with health care. He felt that it requires time to devolve the various activities in the Ministry of Health. He gave the examples of devolving the payroll, matters of vaccines and procurement of drugs.

Hon. Speaker, Sir, during the vetting exercise, we felt that Prof. Segor understands that there are many challenges in the health sector. He expressed his willingness to work with the Cabinet Secretary, this House's Departmental Committee on Health, as well as with all other stakeholders, including donors to help reduce the challenges being faced in the health sector. He mentioned some of the challenges as staffing of health facilities, poor remuneration of health workers and poor infrastructure, among others. From the deliberations, we delved into matters of corruption and we felt that Prof. Sigor is willing to reduce or even eradicate corruption completely in the Ministry of Health. We found that undertaking encouraging since this is one of the Ministries which do not have automated systems in place and which has consequently been causing the Government to lose a lot of money. He also gave examples of other institutions under the Ministry, which are facing corruption problems.

Hon. Speaker, Sir, Prof. Segor also showed commitment in improving the welfare of staff members in the Ministry of Health. He said that, that will go a long way to deal with matters which are already causing unrest. So, we felt that he is aware of what is going on and, therefore, he will be able to work with members of staff and other stakeholders in the health sector to solve those problems. The Committee also felt that the nominee is aware that we have a serious problem of dealing with counterfeit drugs, which are in the market. He showed commitment about working with the Pharmacy and Poisons Board in order to handle that matter. That includes heightening surveillance to ensure that counterfeit drugs do not find their way into the market.

The matter of taking health services closer to the people was raised with him and he said he was willing to work towards ensuring that health facilities are taken closer to the people. He gave the example of the many health facilities that have been put up through the Constituencies Development Fund Committees (CDFCs) countrywide, but which are not being used. He said that he will fast-track the process of ensuring that those facilities are put to use. The matter of provision of HIV/AIDS drugs to affected people was raised because we think it is a very important matter, to which he gave a very strong response. He said that he is concerned as Members of the Committee and Kenyans that, as a country, we are relying too much on donor funding for HIV/AIDS drugs. He pointed out that it was time the Government gave a strong commitment in terms of budgetary allocation in order to prepare ourselves for any eventuality, including the possibility of withdrawal of donor funding in the area.

Hon. Speaker, Sir, the Professor also showed concern in addressing terminal illnesses. This question was answered to the satisfaction of the Members of the Committee. The Committee also felt that Prof. Segor is enthusiastic about provision of free maternity healthcare. Therefore, we felt that this is the right person for this job, especially now that the Jubilee Government is keen on implementing its manifesto, which provides for free maternity healthcare. We also noted that the professor is committed to dialogue. We think that is the kind of solution required in dealing with the various problems in the Ministry of Health.

In the interest of time, I feel that I have mentioned the key highlights of this Report. Therefore, having considered the suitability, capacity and integrity of the nominee, and pursuant to Article 155(3) (b) of the Constitution and Section 8(2) of the Schedule to the Public Appointments (Parliamentary Approval) Act, the Committee recommends that this House approves the nomination of Prof. Segor for subsequent appointment by the President.

Hon. Speaker, Sir, it is my pleasure and duty to kindly request my Vice-Chairman, Hon. (Dr.) Pukose, to second the Motion.

Hon. Speaker: Hon. (Dr.) Pukose, make some request on the system.

Hon. (Dr.) Pukose: Thank you, hon. Speaker, Sir. Thank you, Chair of the Committee. I stand to second the Motion on the appointment of Prof. Segor as the Principal Secretary Nominee for Health. Having listened to what the Chair has said and considering that Prof. Segor comes from the remotest part of this country, I think this is an appointment to assist those who are marginalized. From his village, for one to become a Professor, it means that he or she is a very hard working Kenyan. He deserves to be commended for having attained all those qualifications.

Hon. Speaker, Sir, Article 43(1) of the Constitution provides that every person has a right to the highest attainable standard of health, which includes the right to health care services and reproductive health care. Having attained that level of studies, Prof. Segor understands very clearly what Kenyans deserve. It is a right for Kenyans. It is under the Bill of Rights. Being in charge of the policy, research and referral facilities of this country, and being a Professor of Biochemistry--- Biochemistry is one of the subjects that are taught at the undergraduate level for those who become doctors like me. So, I know that, that Professor understands the area that he has been appointed to, and he will not let Kenyans down.

In the interview we asked him whether he knows if *miraa* is a drug or a cash crop. He said *miraa* is a leaf that needs further studies. So, I assure my colleagues, especially from the Meru area that when the National Authority for the Campaign against Alcohol and Drug Abuse (NACADA) is trying to criminalize *miraa* as a drug which for us--- As a health person, I know that under the World Health Organisation (WHO) classification of 1980, it is classified to be below alcohol and even tobacco. So, it cannot be a drug. It is a cash crop.

Thank you, hon. Speaker, I beg to second the Motion.

(Question proposed)

Hon. Outa: Thank you, hon. Speaker. I am also in the Health Committee. I want to tell you that the nominee is qualified for that job. I would ask you to put the Question.

(Question put and agreed to)

Hon. Speaker: Next Order.

ADOPTION OF REPORT ON VETTING OF
PRINCIPAL SECRETARY NOMINEES

Hon. Abongotum: Thank you, hon. Speaker. I beg to move the following Motion:

THAT, pursuant to Article 155 (3)(b) of the Constitution of Kenya and the provisions of Standing Order No.45, this House adopts the Report of the Departmental Committee on Administration and National Security on the vetting of Principal Secretary nominees, laid on the Table of the House on Tuesday, 25th June, 2013, and approves the appointment of the following persons as Principal Secretaries:

- (i) Mr. Mutea Iringo to be in charge of Interior.
- (ii) Madam Josephtha Mukobe to be in charge of Coordination.

Hon. Speaker, Sir, on behalf of the Members of the Committee on Administration and National Security and pursuant to the provisions of Standing Order No.216, it is my pleasure and duty to present to the House the Committee's Report on the vetting of Principal Secretaries Nominees.

Hon. Speaker, Sir, the Committee was constituted by the House on Thursday, 16th May, 2013. I will not read all the names in the interest of time. The Committee is established under Standing Order No.216 (5) and it is mandated to *inter alia*: To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204.

Pursuant to Article 155(3) of the Constitution, His Excellency the President forwarded to the Speaker of the National Assembly the names of the two nominees, together with others, vide a letter dated 10th June, 2013 for vetting by the Departmental Committee on Administration and National Security, and consideration for the approval by the National Assembly for appointment as Principal Secretaries. Nominee number one

is Mr. Mutea Iringo to be in charge of Interior in the Ministry of Interior and Coordination of National Government and Madam Josephtha Mukobe to be in charge of Coordination in the Ministry of Interior and Coordination of National Government.

On Tuesday, 11th June, 2013, the hon. Speaker, in Communication to this House, informed the House that he had received the names of the two nominees and directed that their names and curriculum vitae be referred to the relevant Department Committees for vetting, and report back to the House on or before 25th June, 2013.

Hon. Speaker, the Committee held three sittings during which the nominees appeared and were vetted in accordance with the Public Appointments (Parliamentary Approval) Act No.33 of 2011 for appointment as Principal Secretaries. On behalf of the Committee, I have the honour and pleasure to present the Committee's Report on the vetting of the nominees. May I take this opportunity to thank all Members of my Committee for their input and valuable contributions during the deliberations and vetting of those nominees.

Hon. Speaker, I will try to summarize and I will start with the Committee's observations on the suitability of Mr. Mutea Iringo. Mr. Mutea Iringo holds a Masters Degree in International Relations and a Bachelor of Arts Degree from the University of Nairobi. In his employment history, he is currently the Permanent Secretary, Internal Security. He has served this Government for over 26 years, starting as a District Officer and rising to the level of Permanent Secretary.

Hon. Speaker, Sir, in terms of achievements, he has achieved a lot in this Ministry during his tour of duty in the Government and he has enacted quite a number of legislations to promote issues touching on security and Provincial Administration. He has drafted a policy on small arms and light weapons. He has also drafted a policy on peace and conflict management.

On the issue of integrity, he takes the box. On the overall suitability, I would say he takes the box because he was able to display exceptional abilities in handling security matters and also excellent understanding of what obtains in this country, especially on issues of security and management of Provincial Administration.

Hon. Speaker, Sir, we had an affidavit by Messrs Mbugua and Mburu. These two gentlemen raised issues concerning Internally Displaced Persons (IDPs) and also members of the Provincial Administration who actually misappropriated funds meant for IDPs. He convinced the Committee that he actually dealt with those matters professionally. As we speak now, most of the officers who stole those funds have been sacked and a good number are answering some of these allegations in court. So, overall, the Committee found this nominee very suitable for this job.

Ms. Josephtha Mukobe had the relevant qualifications. She has a Masters Degree in Human Resource Management from the University of Manchester and also Bachelor of Arts degree in humanities from the University of Nairobi. Just for the information of hon. Members, this nominee comes from the constituencies of people with disabilities.

(Applause)

This nominee was appointed as Personnel II after leaving university and rose through thick and thin to be Chief Personnel Officer, Assistant Director, Human Resource Management, Senior Director, Human Resource Management and Deputy

Director, Human Resource Management in the Ministry of State for Planning, National Development and Vision 2030. She has an excellent record in public administration and especially with specific reference to human resource matters.

Hon. Speaker, Sir, we received two letters. There was an affidavit from the National Council for People with Disabilities on this lady and there were issues of impropriety. The affidavit said that this nominee was involved in misappropriation of funds meant for the disabled people and many other complaints. But after a thorough analysis, we established that most of them were allegations. Generally, on the issue of integrity, I think she takes the box.

On the issue of qualification, she is more than qualified. With her condition, she was able to pass her exams and managed to go all the way to Alliance Girls High School and up to her current position.

Hon. Speaker, there was a letter from Ethics and Anti-Corruption Commission (EACC) which said that this nominee is being investigated for misappropriation of funds. We managed to summon officials from EACC and they confirmed to us that they were going to conclude investigations touching on her in a month's time. The Committee found it necessary to clear her pending the investigation. I am assuming, if EACC has substantive issues, they can take this nominee to court, if she is appointed by the President.

Hon. Speaker, Sir, we want to say that on the issue of performance and understanding the role of that docket, she did not do quite well. I want to say that she did not display or demonstrate capacity to perform and deliver on this mandate. So, on account of overall suitability we said, nonetheless, we have to consider issues of affirmative action as provided for in Article 55 (2) of the Constitution and taking into consideration the values and principles of Public Service as provided for in Articles 232 (1) of the Constitution, the Committee found the nominee generally suitable for appointment as Principal Secretary for Co-ordination in the Ministry of Interior and Co-ordination of National Government.

Lastly, I wish to say that pursuant to the provision of Article 155 (3) of the Constitution and Standing Order No. 45 and 216 (5)(f), the Committee recommends that this House approves the following two nominees for the appointment by His Excellency the President, as Principal Secretaries in the Ministry of Interior and Coordination of National Government.

One is Mr. Mutea Iringo, Principal Secretary for Interior and Madam Josephtha Mukobe, Principal Secretary for Co-ordination.

Hon. Speaker, Sir, I beg to move and ask my good friend, one of the senior Members of this House, Hon. Mohamed Shidiye to second.

Thank you.

Hon. Speaker: Let us have Hon. Mohamed Muktar Shidiye to contribute.

Hon. Shidiye: Thank you, hon. Speaker. In the interest of time and the mood of the House, I do not wish to take much time because this matter is fairly straight. We have the report in our hand.

Hon. Speaker, under our able Chairman, Hon. Kamama, we ventilated all the issues pertaining to this matter.

On Josephtha Mukobe, I would like to say that this is ground breaking issue. It is the first time in the history of Kenya that we have a disabled person who has been given an opportunity. I think that has been very good because if you look at her credentials; her academic qualifications, she has Masters degree, Bachelors degree and she went to Alliance Girls High School for six good years. You will realize that she has come from far. It is good that we mainstream the disabled fraternity. You realise that 15 per cent of Kenyans are disabled and this is really an encouragement to Kenyan disabled people. So, it is a new dawn for this country because we have never had a lady or gentleman who was disabled coming all the way to this position. I think she has struggled because even when she appeared before us she was struggling to come to the seat where we were interviewing her. She could not even touch the button for the microphone. You could see her struggling. So, for that alone it shows her dedication and commitment. She has a lot of challenges but challenges have never intimidated her to be where she has reached.

So, I think it is a historic moment for us and the House and we need to support such a person. So, I think we must give applause to this House and to the President who has appointed her.

(Applause)

Hon. Speaker, Sir, on Mutea Iringo, he has also come a long way. He has 26 years experience in public service management. He has been in the security docket. I worked with him as a District Officer (DO) long time ago before I ventured into these turbulent waters of politics and to be very honest, he comes from a very humble beginning. He is a very dedicated civil servant. He is very honest, experienced and polished. He has the gravitas. He has what it takes and I think he will do a good job for this country. I think we need to support him because security is not an easy docket. It is also challenging and it requires experience. You cannot bring somebody from the private sector to run security. It is not easy because it requires experience and somebody who is networked and who has worked in various challenging stations. For instance, he told us that by choice he went to northern Kenya to see firsthand and to gain the experience of what was going on there. So, we have no option in this House. I think we need to support and encourage them and we need to also make sure that the security is right. We have challenges in Mandera and other parts of the country.

With those few remarks, we need to support them and thank you. I second.

(Question proposed)

Hon. Speaker: Hon. George Peter Opondo Kaluma.

Hon. Kaluma: Hon. Speaker, Sir, I rise to support the Motion. For a long time in the history of this country we have never rewarded merit and for a very long time we have never saluted those Kenyans who are qualified in public service and who have showed necessary devotion to be able to lead our offices. The new Constitution gives us a good opportunity as a House just to restore the nation to that path.

Hon. Speaker, Sir, I know the workings of Mr. Mutea Iringo even before the nomination that is the subject matter of approval. He is a Kenyan who has served this

country without the biases which define our other public servants. He is a Kenyan who is very qualified in the work that he is doing. He is a Kenyan that given the opportunity as a House, I believe we should reward him by approving his appointment. I would urge the House really in exercising this great mandate we are given by the Constitution of the Republic of Kenya to salute such Kenyans so that other Kenyans can feel that we are on the right path as a nation.

Hon. Speaker, Madam Josephtha Mukobe is the only person with disability so far mentioned as nominated for the position of Principal Secretary. I am looking at the law relating to how we should deal with the issue of affirmative action in relation to persons with disabilities. We are required as a nation to reserve them at least five per cent of what we have in public and capital resources of the nation progressively. We should avoid a situation where institutions of governance like the Ethics and Anti-Corruption Commission may be used to block the way of people in getting opportunities to serve the country, particularly when those issues are not yet investigated and a conviction confirming that a person is corrupt is established.

I would like, with those many remarks, to support this Motion and really urge the House to move and help the Government to properly function. On the side of the Minority Party as indeed my senior brother Hon. Jakoyo said in the morning, we have a duty to enable the Government to function. His Excellency the President has gone through the entire country and thinking about how best he can execute and implement the manifesto he gave to the country, he identified these Kenyans we are dealing with and as Kenyans we believe we would best assist him in doing so. As a Minority Party, I would urge that we really support the President. If there were to be any failure, that would be the thing we would be pirating from as the Opposition.

I would urge, with those many remarks, that we support this Motion. Hon. Speaker Sir, I am urged by the mood of the House to ask whether it would be in order that the Question be put.

Hon. Speaker: Now that you have had the benefit of contributing, you cannot be allowed to also be the one proposing curtailment of debate.

(Laughter)

Hon. Speaker: Hon. Isaac Mwaura.

Hon. Mwaura: Thank you, hon. Speaker, Sir. I rise to support the proposed nominees for Interior and National Co-ordination and in particular Madam Josephtha Mukobe who is actually not just a disabled person but a woman with disability who has risen through the ranks and files. Actually, if this House were to have an interview with Madam Josephtha Mukobe, you would also realise that it is not just your usual type of disability. This lady managed to go to Alliance High School in the 1970s actually and you can see the struggle. At that time, disabled people were not even recognised. They were just seen as beggars in the streets or people who just depend on others. Therefore, sometimes when people appear in committees, things evaporate more so when there are busy bodies who actually write all manner of allegations against potential candidates because of whatever reasons they have.

Hon. Speaker, Sir, even for the record, you and I having worked together in the National Council for Persons with Disabilities(NCPD) know that there are those busy bodies that every time make wild allegations that are unsubstantiated. Therefore, I rise to support the two nominees only that I would want to correct Mr. Mutea Iringo. He does not enact laws, he proposes or initiates enactment of laws.

Thank you, hon. Speaker, Sir.

Hon. Speaker: Well spoken, Mr. Mwaura. It is the nominee who said so and I think you have corrected him.

Hon. Dido: Thank you, hon. Speaker, Sir. Initially, I had intended to rise under Standing Order No.95 but I have changed my mind. I want to contribute to this Motion.

I support the two nominees because their dockets are very serious departments within the Jubilee Government. This is because they are about normalcy, order and good running of the Central Government *vis-à-vis* establishing a good working relationship between the national Government and the county government. Any lapse on the part of these two individuals in their dockets will result in very serious crisis in our country.

I had the privilege of working and sharing with Mr. Mutea Iringo both as a District Commission in my constituency and also as a Permanent Secretary in the current docket. I think he is held high and he is a professional civil servant. As the last speaker said, he is a man who is very balanced in his job.

In these two dockets of National Security and Administration, we should, as Kenyans, not do this for sheer politics but we must congratulate the civil servants for effective performance of the task that has been set for them.

Currently, we are having conflicts in many places in the country. There are also conflicts within the Police Force which is basically hierarchal. This has been attributed to the Constitution which I believe that with time this House is duty-bound to address.

More importantly, we see the turf wars between the national Government servants and the county governments. This is bound to undermine the smooth running of the Government not only at different levels but more importantly in service delivery to our people.

Therefore, I wish to say that the Constitution of the Republic of Kenya should be the guiding light so that both the civil servants and the Legislature use the Constitution so that people do not suffer in vain.

Hon. Speaker, Sir, I wish to finish my contribution by saying that certain issues have been raised about Ms. Mukobe by the Committee in terms of disability. I want to say that her disability is not inability because the Committee actually said that she is qualified. However, does a person work in Government alone? People work as teams so that everybody or each individual brings his or her specialty and effort together. In terms of equal opportunity and also in recognizing those few who have not been recognized, I think the Jubilee Government has done this country proud.

Hon. Speaker, Sir, I beg to support the two nominations. Thank you.

(Applause)

Hon. Speaker: Yes, Hon. Washington Jakoyo Midiwo.

(Hon. Midiwo logged in)

Hon. Midiwo does not represent Mathare Constituency. I do not know why he forgot his card today or where he may have lost it.

Hon. Midiwo: But I would like to confirm that I slept in my house, Hon. Speaker, Sir, except that I forgot my wallet. I am surely not that careless.

I would like to support this Motion and very briefly say that in the words of Hon. Shidiye, this is the first and this country needs to speak to the words of our laws; that inclusion of minorities from all quarters is a good thing every time we attempt to do it. I would like to support this and encourage the Government to do more in that regard.

(Applause)

The two are the most important nominees that we have talked about today because their docket addresses the issue of security. I want to plead with Mr. Mutea Iringo to use his experience in security to calm down this country from bloodletting.

We are at a loss as a country why even when there is no politics going on people are killing and slaughtering innocent Kenyans. I think this House must take interest in this, and we are lucky that the nominee for this docket has been there. We know the Minister is new and he came from a different discipline. However, we could not have done better given what is happening. We need to know what is happening in the northern part of Kenya. We also need to know what is happening in Bungoma.

Just two months ago, people were being hacked in Bungoma and they were being shot this week. It means that the war is escalating. What is happening with the security forces? There is this attempt to blame it on the wrangles of Kavuludi and the Inspector-General (IG), but how does this affect the policemen in Bondo? It just means that somebody is busy trying to sabotage peace and the work of the Government. We need to know, as a House, because we have a responsibility. I want to plead with the Chair that the Committee summons these people.

Hon. Speaker, Sir, before I finish, I would like to say that the created perception that there is a problem between the Commission and the IG is one you must kill. This House passed a law to create this Commission only last year and it has no business to begin to blame it now. We wanted a civilian commission to run the Police Force because this country wanted to inject civilian input in the Police Force and how they are run.

Hon. Speaker, Sir, the people Kenyans fear most are the policemen. That was the logic of a civilian commission and the IG is a member. Instead of talking about a law to chase an individual whose community is already saying that it is marginalized, we should be looking at a way of harmonizing the law so that the two individuals can work together for the sake of the security of this country.

I support.

Hon. Mbiuki: Thank you, hon. Speaker, Sir. Under Standing Order No.95, will I be in order to request you to put the Question since the Committee has spoken on this Motion?

(Question, that the Mover be now called upon to

reply, put and agreed to)

Hon. Abongotum: Hon. Speaker, Sir, I want to thank all the Members of this House for approving these names. I also wish to say that the two dockets are very serious in the management of security in this country. Once appointed by the President, we expect the two to deliver on their mandate and nothing short of that. As the Chair, I want to promise that on the issue of reforms in the Police Force and the entire security sector, we will not let Kenyans down. We will make sure that the Police Force and other security agents will deliver on their mandate.

With those few remarks, I beg to move.

(Question put and agreed to)

ADOPTION OF REPORT ON VETTING OF
PRINCIPAL SECRETARY NOMINEES

Hon. Gethenji: Hon. Speaker, Sir, I beg to move the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of the Standing Order No.45, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the Vetting of Principal Secretary Nominees, laid on the Table of the House on Tuesday, 25th June, 2013; and approves the appointment of the following persons as Principal Secretaries:

1. Eng. Karanja Kibicho - Foreign Affairs
2. Amb. Monica Kathina Juma - Defence
3. Mwanamaka Amani Mabruki - East African Community.

Our Committee had the pleasure of vetting three exceptional candidates for the position of Principal Secretary. The Committee on Defence and Foreign Relations was constituted on 16th May, 2013, during the First Session of the 11th Parliament pursuant to the provisions of Standing Order No.216. The Committee executes its mandate in accordance with provisions of Standing Order 216(5) (a) from which it draws its mandate to *inter alia* (a) investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments and (f) to vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order No.204.

Article 155(1) of the Constitution of Kenya provides that there is established the Office of the Principal Secretary which is an office in the public service. Further Article 155(3) provides that the President shall nominate a person for appointment as Principal Secretary from among persons recommended by the Public Service Commission and with approval of the National Assembly appoint the Principal Secretaries. The duties of the Principal Secretaries shall be the administration of a State Department.

Hon. Speaker, Sir, on 11th June, 2013, in your Communication, you informed the House that in a Message from His Excellency the President by way of a letter dated 10th June, 2013, he submitted nominees for the Office of Principal Secretary to the respective

State departments for approval by the House pursuant to Article 155(3)(b). Further and subsequently, you referred the Message from His Excellency the President containing the names of 26 nominees together with their curriculum vitae to the relevant Departmental Committees of the House to conduct the vetting of the nominees. Further, you directed that the Committees deliberate on the nominees and table their reports. The three nominees were referred to the Departmental Committee on Defence and Foreign Relations.

The Committee held its sitting on Thursday, 20th June, 2013, during which the nominees appeared and were vetted. In conducting the vetting exercise, the Committee made reference to the Constitution, the Public Appointments (Parliamentary Approval) Act, No.33 of 2011 and the Standing Orders. During the exercise, the nominees made submissions on why they should be appointed to the positions of the respective Ministries. The Committee, in compliance with the Constitution and other legal requirements and established procedures for vetting, ensured its meetings were open to the public and covered by the media. The Committee also placed notifications in the mainstream print media on Wednesday, 12th June, 2013, inviting the public to submit memoranda in tandem with the law.

The Committee takes this opportunity to thank the offices of the Speaker and the Clerk of the National Assembly for the logistical support accorded to it during the vetting exercise. It is also grateful to the media for their coverage of the proceedings of the Committee, thus enhancing accountability and transparency of the vetting exercise. On 12th June, 2013, the Committee, through the Clerk, placed notifications in the print media informing the general public of the intention of the National Assembly to conduct an approval hearing pursuant to Article 118(1)(a)(b) and (2) of the Constitution, the Standing Order No.198(1) and Section 6(4) of the Public Appointments (Parliamentary Approval) Act of 2011, which allows public participation in Committee proceedings. The Committee carried out the vetting exercise, as I said earlier on Thursday, 21st June, 2013 and a total of five sittings were held. Its first business was to formulate questions on the vetting in line with the Public Appointments (Parliamentary Approval) Act, No.33 of 2011 and in line with memoranda so far received.

By Wednesday, 20th June, 2013, the Committee had not received any memoranda from the public. Further, the Committee received letters from the Kenya Revenue Authority indicating that the nominees were tax compliant and the Higher Education Loans Board (HELB) stating that the Board was not owed any loans by the nominees. The nominees also presented before the Committee their certificates of good conduct. On vetting nominees for appointment for the position, the Committee examined the nominees using the guidelines provided in the Public Appointments (Parliamentary Approval) Act, No.33 of 2011. It also followed the following criteria in vetting the nominees: Academic qualifications, employment record and work experience, professional affiliations, public office, political activity affiliations, potential conflict of interest, suitability to the position, tax compliance and integrity.

Moving to the first nominee, Amb. Monica Kathina Juma, the Principal Secretary nominee for the Ministry of Defence, our Committee was unanimous in its accolades for this nominee. Her qualifications, training and background were exemplary. Amb. Monica Kathina Juma appeared before the Committee. Having heard her submissions during the

meeting, the Committee made the following observations on her nomination to the position of Principal Secretary: Amb. Juma holds a PhD in Philosophy from the University of Oxford, 2002; a postgraduate certificate in Refugee Studies from the University of Oxford; a Master of Arts Degree in Political Science and Government from the University of Nairobi and a Bachelor of Arts Degree from the University of Nairobi. She attended Chogoria Girls High School. On professional experience, she is currently the Kenyan Ambassador to Ethiopia and Djibouti; and Kenya's Permanent Representative to the African Union (AU), the Intergovernmental Authority on Development (IGAD) and the United Nations Commission for Africa (UNACA). She has held those positions since 2010.

Ambassador Juma has also held other positions, including that of Executive Director, Africa Research Institute, South Africa; Executive Director, African Policy Institute from October, 2006 to 2008; Resource Person, African Programme, UN-affiliated University of Peace; and Senior Research Policy Analyst in Peace and Security, Safer Africa, Pretoria, from July, 2002 to September, 2006. This nominee has several achievements to her name. She has made immense input in many conferences and workshops as presenter, facilitator, chair or resource person and participant. So, we established that this nominee has a very strong background.

We moved to the second candidate, Dr. (Eng.) Karanja Kibicho, who is the nominee for the position of Principal Secretary, Ministry of Foreign Affairs.

Hon. Speaker, Dr. (Eng.) Karanja Kibicho appeared before the Committee on Thursday, 20th June, 2013, at 11.00 a.m. During the vetting exercise, the Committee observed that he holds a PhD in Philosophy from the University of Cape Town, South Africa; a Master of Science Degree in Engineering, specialising in Thermal fluids from the University of Nairobi, Kenya; and a Bachelor of Science Degree in Mechanical Engineering from the University of Nairobi (First Class Honours). He also holds a certificate in Advanced Management Programme from the Business School, Strathmore University. On personal experience, he is currently the Permanent Secretary in the Ministry of Transport; a position he has held since December, 2013. Prior to his current position, he was the Permanent Secretary, Ministry of Industrialisation, between June, 2010 and December, 2012.

Other positions he previously held include Chairman, Department of Mechanical Engineering, Jomo Kenyatta University of Agriculture and Technology (JKUAT), from 2007 to June, 2010; Senior Lecturer, JKUAT; Lecturer, JKUAT; Assistant Lecturer, JKUAT; Tutorial Assistant, JKUAT; Management Trainee, Kenya Tea Development Authority (KTDA) and Trainee, Production Engineer, Auto Spans Manufacturers, from August, 1991 to March, 1992. This nominee has several achievements to his name. He has a Bachelor of Science (Mining and Mineral Processing Engineering) Degree; a Bachelor of Science (Materials and Metallurgical Engineering) Degree; a Bachelor of Science (Marine Engineering) Degree; a Bachelor of Science (Sustainable Energy Engineering) Degree from JKUAT; a Bachelor of Science (Mechanical Engineering) Degree from JKUAT; a Bachelor of Science (Mechatronics Engineering) Degree from JKUAT; and Design Production and Maintenance of UID Machinery from Third World country training programmes.

Hon. Speaker, the nominee has also participated in preparation of the following Bills, policy documents and reports: The National Industrialisation Policy Framework for Kenya, 2012 – 2018; the National Industrialisation Bill, 2012; the National Sub-contracting Policy; the National Business and Technology Incubation Policy; the Scrap Metal Bill, 2012, and many Cabinet memos and reports. He has fully complied with his tax obligations to the State and has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution, which deals with the conduct of State officers. He has never been adversely mentioned in any investigatory report of Parliament or any Commission of inquiry. He has never been charged in a court of law for any offence. The Committee was, therefore, satisfied with his background and performance.

The third candidate is Miss Mwanamaka Amani Mabruki, the Principal Secretary nominee for East African Community. Miss Mabruki appeared before the Committee on Thursday, 20th June, 2013, at 1.00 p.m. Having heard her submissions during the meeting, the Committee observed that her academic background is quite exemplary. She holds a Masters Degree in Economics and a Bachelor of Arts Degree in Economics, both from the University of Nairobi. She is an alumni of Kenya High School, where she sat for her Kenya Advanced Certificate of Education (KACE) Examination. On professional experience, she is currently the Managing Director, Kenya National Shipping Line, a position she has held since October, 2012. Prior to this position, she was the Head of Corporate Development at the Kenya Ports of Authority, between June, 2004 and September, 2012.

Hon. Speaker, other positions she previously held include Principal Planning Officer, Research and Planning Division, Investments Department in the Industrial and Commercial Development Corporation (ICDC) from July, 1998 to May, 2004; Senior Planning Officer, Research, Corporate Planning Department, Kenya Revenue Authority (KRA) from January to June, 1998; and Planning Officer 11, Fiscal and Monetary Affairs Department, Treasury, Ministry of Finance, from June, 1995 to December, 1997.

This nominee has several achievements to her name. She was part of the team that prepared the Lamu Port and South Sudan Ethiopia Transport (LAPSSET) Corridor Consultancy Report. She has fully complied with her tax obligations to the State. She has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution, which deals with conduct of State officers. She has never been adversely mentioned in any investigatory report of Parliament or any Commission of inquiry. She has been involved in charity work in her community, currently being a member of the Mombasa Central Rotary Club. She has never been charged before any court of law for any offence.

Hon. Speaker, therefore, the Committee recommends the approval of the nomination of Amb. (Dr.) Monica Kathina Juma for appointment as the Principal Secretary for the Ministry of Defence; the nomination of Dr. (Eng.) Karanja Kibicho for appointment as the Principal Secretary for the Ministry of Foreign Affairs; and the nomination of Mwanamaka Amani Mabruki for appointment as the Principal Secretary for East African Community in the Ministry of East African Affairs, Commerce and Tourism.

With those remarks, I beg to move and invite my colleague, Hon. Adan Keynan, to second the Motion.

Hon. Speaker: Yes, Hon. Keynan.

Hon. Keynan: Thank you, hon. Speaker. I rise to second the Motion.

In addition to what the Chairman of the Committee has said, the three nominees will play critical roles in the management of the affairs of the respective Ministries in which they are going to serve. Looking at the nominees' CVs, starting with Miss Monica, you will appreciate that she is our immediate Ambassador to Ethiopia. As an Ambassador, she has played a critical role in promoting and protecting the image of Kenya not only as a key security hub, but also as a key regional power. Addis Ababa is the seat of the AU. Therefore, all that happens in Addis Ababa influences the regional thinking economically, politically, socially and in all other aspects. In every aspect, Amb. Monica Juma has discharged her functions and I want to commend His Excellency the President for appointing this able academician who has also served as a distinguished ambassador. If you go by her record, in every aspect, I think we need individuals of her caliber to serve distinguished entities like the Ministry of Defence.

Hon. Speaker, Sir, you will realize that this is the time--- I want to say this without fear of contradiction that our forces have done so well and the only thing they require now is a public relations exercise. They have done so well in all assignments, local, international and regional that they have undertaken on behalf of Kenya as a very important country and premier nation. They have done well in all assignments that they have undertaken on behalf of the UN. It is because of this that right now we need to inject a bit of diplomacy and PR in their activities so that as they engage in some of these key activities, they will do it with diplomatic precision because they have achieved the military precision. What they need now is diplomatic precision. Amb. Juma will come in handy because this is an area that she has expertise in. This is an area that she has done so well in and I have no doubt in my mind that together with the generals, we will have the best ever military, not only in Kenya, East Africa or Africa but in the whole world. I, therefore, support the nomination and commend the President and urge him to look for more qualified women like Amb. Juma to serve in different parts of the Republic of Kenya.

The second nominee will also play a critical role. Going by the CV of Eng. Kibicho and this is one of the things that we had discussed as a Committee, he has a Bachelor of Science Degree in Mechanical Engineering specializing in thermal fluids. This is a distinguished engineer. One of the things that came before us is that if we were to industrialize, we required the services of Eng. Kibicho in Ministries in charge of Infrastructure and Industrialization but we never wanted to question the wisdom of His Excellency the President in nominating this particular individual because maybe there were other considerations. This is my personal view and I want to appeal to His Excellency the President, that this is a distinguished Kenyan; an A student in every level of his education. It is because of this – this is a personal appeal, it is not the Committee's recommendation – that I appeal to His Excellency the President to invoke the provisions of Article 155(4) and reassign this great mind. I am not in any way saying that the Ministry of Foreign Affairs is not a key Ministry. It is a key Ministry but we require this great mind for industrialization. When they are confirmed and appointed, I want to plead that Eng. Kibicho should oversee the issuance of laptops and modernization of the Kenya Railways and all other engineering sector because this is an area where I know he has a

lot of passion for. But I want to say that the Ministry of Foreign Affairs also requires an engineer; I would have said a political engineer but this Ministry requires a thorough image surgery. This Ministry has not done well. I want to say without fear of contradiction that the Ministry of Foreign Affairs has not done well over the last few years. It is a Ministry that requires radical surgery and maybe in the President's wisdom, we required an engineer to do thorough surgery. I hope that when Eng. Kibicho fully assumes his office, the first thing he will do is to kill the culture of nepotism, corruption and tribalism in that Ministry.

That Ministry is a haven for some of the evils that I have mentioned. I want to appeal to Amb. Amina and Eng. Kibicho that the moment Eng. Kibicho assumes office, they need to carry out radical surgery in all our 53 missions and ensure that those who are appointed are appointed purely on qualification; not on tribalism, regionalism, corruption or other considerations. That is the only way they can carry the image of this country. That is the only way they can proudly say they represent this premier nation.

I want each hon. Member to reflect on the key role we play in the economic activities of the region. Kenya as we always say is a regional economic hub but we need to measure and quantify what we have performed over the last few years. It is only the Ministry of Foreign Affairs that acts as an interface between Kenya and the outside world and that can clearly demonstrate to the outside world that we remain a critical infrastructural hub; a critical investment hub; a critical economic hub; a critical security hub and communications hub. With all these combined, I do not see why we should not catch up with the likes of the industrialized nations. We want to get out of the tag of a developing nation. We want to be called a developed nation. For us to achieve this, we must expand our horizon of thinking. The only way to do it is to work thoroughly for the welfare of this nation.

Finally, hon. Speaker, Sir, Ms. Mabruki is also highly qualified. She is a distinguished Kenyan and I see right now why the President has been kind enough to the great women of the Republic of Kenya. I see he has sourced for so many qualified women. I want to appeal to the women: You are no longer marginalized. The Constitution has clearly recognized them. The President has recognized them so they should not let down Kenyans. The only way to appreciate is to excel in their areas and ensure that for those who say that we have not reached that level of appreciating gender; that is behind us. We want to appreciate and see this from the way they are going to perform. If they fail, do not seek sympathy from their colleagues and gender activists because we will deal with them fairly as people who are qualified, people who are expected to discharge their functions like any other Kenyan. So, they should not let down the country. They should not let down Kenyans. They should not let themselves down. They should remain in the forefront in ensuring that Kenya industrializes and it meets our aspirations. We have Vision 2030 and the Millennium Development Goals (MDGs). We have a lot to achieve.

With those few remarks, I beg to second the Motion and appeal to hon. Members to pass these nominees so that they can discharge their functions as expected and as enshrined in the Constitution.

(Question proposed)

Hon. Losiakou: Hon. Speaker, Sir, I would like to say that I am a Member of that Committee. To be honest, I was perplexed by the knowledge of the ladies I saw who came before our Committee. Where I come from, ladies have not reached where some of the ladies I saw, in terms of education, have reached. I will one day call them to my constituency and county to motivate them.

This reminded me of one: That the appointing officer did his work thoroughly. He clearly identified the expertise of each nominee and applied it appropriately. Eng. Kibicho is, as my colleague said, a very qualified engineer. We were even asking: What is the relation between his engineering and foreign affairs? He was able to link the business part of it to foreign affairs and explained to us how he is going to increase business between ourselves and international countries. I was very impressed.

Having said that, I urge my colleagues to support these three individuals who impressed us as my two other colleagues said. However, there is a lacuna in our Constitution which I would like to bring to the attention of this House.

Hon. Speaker, Sir, I was trying to check the responsibilities of a Cabinet Secretary and I could not find them. If you look at the Constitution of the Republic of Kenya, you will find Ministries. I was trying to find out whether Cabinet Secretaries were assigned Ministries, but I found that was not the case. Article 132 of the Constitution talks about Ministries, but in relation to the Head of State, there is nothing on the Cabinet Secretary. I am saying that because it leaves us with some questions and that will bring me to the second idea or concept on who is the accounting officer in a Ministry? That is why I am saying that job description of a Cabinet Secretary is not clear in this Constitution. If you read it, there is a lacuna. I am urging the wisdom of this House to look into that before it brings confusion between the Cabinet Secretaries and the Principal Secretaries.

Hon. Speaker, the second lacuna is about the accounting officers. We even asked some of the Principal Secretaries this question but they were not even sure about it. Already, that is confusion. When I look at the Constitution, in terms of accounting officers, it only talks about being accountable. Article 132 talks about being accountable. Accountability here refers to the Cabinet Secretary who is accountable to the Head of State. So, the question of who is accountable will bring confusion as we approve the appointment of these able Kenyans. We do not want to approve them into confusion.

Therefore, I am asking the wisdom of this House to see that we come up with a Bill to address those things.

With those few remarks, I support.

Hon. A.B. Duale: Hon. Speaker, Sir, I did not want to speak, but I want to pick from where Hon. Keynan left.

On Ambassador Monica Juma, she is in the right place. She is supposed to go and work with the generals. There is too much domination of men in the Ministry of Defence. We want to break that culture and have ladies there; Amb. Raychelle Omamo and Amb. Monica Juma are both diplomats; they can take the diplomacy to the generals or to the procurement section in the Ministry of Defence.

Hon. Speaker, Sir, with regard to Eng. Kibicho, we need him there. If there is a Ministry which is rotten and I have to say it here, even as the Leader of the Majority Party, it is that Ministry. We are happy today that we have a serious diplomat as a

Cabinet Secretary in that Ministry. During the last Parliament, the reports that were brought to this House by the Committee on Defence and Foreign Relations, touching on the fabric of our foreign policy were shocking. Ministers, Government diplomats, the whole Ministry of Foreign Affairs' assets were being disposed of. Cars were being transferred from Japan to Lagos and from Lagos to Pakistan. It was very shameful! That is according to the reports brought to this House.

Hon. Speaker, Sir, we want Eng. Karanja Kibicho to take his engineering knowledge to that Ministry and clear the issues which are there. We are urging the President, in the next reshuffle which is coming after the appointment of the Principal Secretaries, to put men and women who will bring honour and good image to our country. We do not want political appointees or brokers to be made ambassadors. It has happened before! Relatives were appointed to very key positions as diplomats. When you become a diplomat, you represent Kenya. So, the Ministry of Foreign Affairs should be delinked from the tribal stigma. The Ministry of Foreign Affairs should be delinked from nepotism and corruption.

Hon. Speaker, Sir, the nominee, Mwanamaka Amina Mabruki is a lady who has worked well at Kenya Ports Authority as a Senior Manager. Before she got this job, she was a Chief Executive Officer of the Kenya Shipping Line.

We saw Madam Mukobe being nominated as a Principal Secretary. This is the first Government since Independence that has appreciated disability in the Cabinet. I think in the first two months of President Uhuru's Government, he has shown that this country belongs to all of us; the disabled inclusive. I was shocked when Hon. Kaluma, the Member of Parliament for Homa Bay constituency said that since Independence, this is the first time Principal Secretary Nominee is coming from Homa Bay. I thought the last Grand Coalition Government should have done better.

Hon. Speaker, Sir, I am telling the likes of Hon. Kaluma that you are yet to see. For those who have been marginalized by all Governments including the Grand Coalition Government, watch the space of Hon. Uhuru Kenyatta. He will reach the hearts of each and everybody.

Hon. Speaker: There is an intervention by Hon. Francis Chachu Ganya.

Hon. Ganya: Thank you, hon. Speaker, Sir. While I appreciate the position and the statement made by the Leader of Majority Party, is it in order for him to state that politicians or people who have chosen to be politicians should not be diplomats when today Dr. Kituyi is going to head a global body and he is a politician like me and you? Is the hon. Member in order to criminalize that legal profession?

Hon. Members: That is marginalization.

Hon. A.B. Duale: Hon. Speaker, Sir, I am not the appointing authority. I am only expressing my opinions as per the Constitution on the Floor of this House. It is President Uhuru and his Government who will appoint. If they feel like appointing all the 53 diplomats from politicians, so be it. Mine is an opinion.

Hon. Speaker, Sir, a diplomat is a diplomat. A politician like me cannot be the ambassador for Kenya in Washington.

Hon. Members: Why?

Hon. A.B. Duale: Let us be very honest. The same hon. Members here could not allow Hon. Balala and Hon. Ngilu to take up the appointments when their names were brought here as Cabinet Secretary nominees. Let us not have double-speak.

Hon. Speaker, Sir, I want to say it very clearly that the people we have at the helm of the Ministry of Foreign Affairs are people who know that they can brand Kenya. They are people we know that when we walk into airports and into other countries, we will walk with our heads high.

We do not want Cabinet Secretaries and Principal Secretaries in the Ministry of Foreign Affairs who visit rich oil countries like South Arabia and instead of selling Kenya, they ask for money. It has happened. We know there are Cabinet Ministers, instead of selling Kenya as a country with good wildlife--- The reports are there. There were Ministers who used to say, let us sit across the corner. They asked for money.

We have passed the Political Parties Bill and it came to this House; the funding mechanisms. Political parties are very rich. That is why under the new Constitution, a Cabinet Secretary is not a politician. So, we expect Eng. Karanja Kibicho, please go with your tools and make sure every door in the Ministry of Foreign Affairs is compliant.

Ms. Amina Abdalla, we have confidence in you, you are a diplomat. Make sure you read the riot act to the diplomats and return all the relatives of the big people back and make sure you replace them with Kenyans who are qualified.

Thank you.

Hon. Speaker: You will appreciate that the hon. Member needs to be head like everyone else.

Hon. Abdi: Thank you, hon. Speaker, Sir. As a member of the Departmental Committee on Defence and Foreign Relations, I support the Motion. I think that our country has suffered quite enormously because as a regional economic and political force we are punching below our weight. We are not recognised because of the poor foreign relations that we have. We are also not recognised because of the poor security relations that we have as well as the poor relations we have in the East African Community (EAC). What we want to do with these changes and with this new Government is to have a credible foreign policy; credible foreign service. We need to put our security forces up in terms of projecting our soft power. We use our foreign affairs in terms of projecting our soft power. In terms of projecting our security power or hard power, we use our security and defence forces effectively. We play a critical role in the EAC to make sure that we reach a monetary union very quickly and we play a key role as a country. I think that the men and women who had come before us for the Foreign Affairs, Defence and EAC jobs are able people. They are people who are highly qualified and can do that job. We have a young and dynamic Government and we believe that Kenya can turn a corner and become a regional power that is recognised in our region, the African Union (AU) level as well as at the global level. However, these three people need to play their role and clean the houses that they are going into with new brooms and make sure that we excel and our agenda is known at global level. Then we would have a credible security, foreign and regional policy.

With those few words, I would like to support their nomination.

Hon. Speaker: The Hon. Stephen Muriuki Ngare.

Hon. Ngare: Thank you very much, hon. Speaker, Sir. I rise to support the Motion. Principal Secretaries are the accounting officers and we are coming to the end of the financial year, starting next week. It is very important that these nominees are in place. So, I am urging my fellow hon. Members that we pass this Motion.

Hon. Speaker, having said that, Dr. Eng. Karanja Kibicho has got very good academic records. He has been a Permanent Secretary in the Ministry of Industrialisation and also in the Ministry of Transport. He also happens to be my constituent. He is a fellow engineer and I know that he can do good political engineering in this Ministry of Foreign Affairs.

When we come to Ambassador Monica Juma, she has very good academic credentials with a lot of studies in peace and she is going to the Defence portfolio. I think she will be able to advise the generals very well that we need to remain peaceful in this country.

When we come to Amani Mabruki, she has very good credentials in Economics and coming to the EAC, we really need to expand the trade within East Africa. Having had experience in the shipping industry, this kind of experience will help us to expand trade in East Africa and especially with Uganda which is one of our major trading partners.

With these few remarks, I support the Motion. Thank you very much.

Hon. Speaker: Hon. Jimmy Nuru Ondieki Angwenyi, you are not even looking at your microphone. I can see your hand but I was wondering why you are not looking at the redness on your microphone. I know you left this in the Ninth Parliament.

Hon. Angwenyi: No. I went to train for five years.

(Laughter)

Hon. Speaker, Sir, I rise to support although initially I wanted to boycott these discussions on the account that I have not seen a name from Kisii County nor from Kericho County, some of the two biggest counties in this country. However, be it as it may, I hope our views will be taken up by the appointing authorities and they consider at least those two counties.

Hon. Speaker, Sir, Eng. Kibicho is a very qualified person. So, I would want to support him. I know you can find the people of the same calibre from where I come from but maybe that is for another day. Ambassador Monica has demonstrated that she can be very effective and she can deliver on her mandate. So, we support her for that purpose. As you know, we are surrounded by countries that are potential security threats to us and who can cause insecurity in this country.

Hon. Dido: On a point of order, hon. Speaker, Sir. I rise under Standing Order No.95. I interviewed the three nominees as I was also a member of that committee. All the speakers have actually talked very well on the three. I think for the sake of time, the Mover should be called to respond. Thank you.

Hon. Speaker: Hon. Jimmy Nuru Ondieki, you have two minutes to conclude and then I can put the Question.

Hon. Angwenyi: Hon. Speaker, Sir, I believe it should not be the work of the committee concerned to gag us. That point of order should have been raised by a non-member of that committee. You had time to discuss these issues---

Hon. Speaker: Now you are taking your two minutes.

(Laughter)

Also to advise Hon. Jimmy Angwenyi is that part of the reason why committees are there is also to be able to guide the rest of the House. So, he is perfectly in order but you have your two minutes.

Hon. Angwenyi: Hon. Speaker, Sir, Ms. Amani as her name connotes, we want *amani* in East Africa. I hope we will even use her to get *amani* in Somalia and South Sudan so that this country can be the hub of industrial and economic development in this region.

With those few remarks, I beg to support.

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

Hon. Speaker: Mover.

Hon. Gethenji: Hon. Speaker, I thank you and all the hon. Members who have risen to support the Motion. I wish to thank the erstwhile Chairman of the Defence and Foreign Relations Committee, my compatriot, Hon. Keynan, for seconding the Motion. These three positions are critical to the diplomatic defensive and economic agenda of this country. I wish also to thank the members of the Committee for a most robust vetting exercise and also for taking their time to participate.

With that, hon. Speaker, Sir, I beg to move.

(Question put and agreed to)

Hon. Speaker: Yes, the Chairperson, Departmental Committee on Education, Research and Technology!

ADOPTION OF REPORT ON VETTING
OF PRINCIPAL SECRETARY NOMINEES

Hon. (Ms.) S.W. Chege: Hon. Speaker, Sir, I beg to move the following Motion the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of Standing Order 45, this House adopts the Report of the Departmental Committee on Education, Research and Technology on the Vetting of Principal Secretary Nominees, laid on the Table of the House on Tuesday, 25th June, 2013, and approves the appointment of the following persons as Principal Secretaries:

1. Prof. Colletta Akoth Suda -Science and Technology

2. Dr. Belio Kipsang - Education

Hon. Speaker, Sir, on behalf of the Members of the Departmental Committee on Education, Research and Technology and pursuant to the provisions of Standing Order No.199, it is my pleasure and duty to present to the House the Committee Report on vetting of the Principal Secretary nominees.

The Departmental Committee on Education, Research and Technology is established by Standing Order No.216 of the National Assembly. It is mandated to do several things among them investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments.

Article 155(3) says:

“The President shall-

- (a) nominate a person for appointment as Principal Secretary from among persons recommended by the Public Service Commission; and
- (b) with the approval of the National Assembly, appoint Principal Secretaries.”

It was within the premise of this Article that His Excellency the President forwarded to the Speaker of the National Assembly the names of the nominees to the position of Principal Secretary vide a letter dated 10th June, 2013 for vetting by the Departmental Committee on Education, Research and Technology for consideration and approval by the National Assembly. The names were Dr. Richard Belio Kipsang, Principal Secretary, Education and Prof. Colletta Akoth Suda as the Principal Secretary, Science and Technology.

On Tuesday, 11th June, 2013, we got communication from you, hon. Speaker and the names of the said Principal Secretaries were tabled for vetting in this Parliament. The Committee held two sittings during which the nominees appeared and were vetted in accordance with Public Appointments (Parliamentary Approval) Act No.33 of 2011 for appointment as Principal Secretaries.

Hon. Speaker, Sir, on behalf of the Committee, I have the honour and pleasure to present the Committee’s Report on the vetting of the nominees. I would like to take this opportunity to thank all Members of my Committee for their input and valuable contribution during the deliberations and vetting of the nominees.

When the Committee met the Principal Secretary nominee, Dr. Richard Belio Kipsang, the Chair had already received communication from the Ethics and Anti-Corruption Commission clearing him of any integrity issue. There was also clearance from the Higher Education Loans Board and the Kenya Revenue Authority. Dr. Belio Kipsang took the Members through his educational and professional background.

Dr. Belio Kipsang holds a PhD in Education where he has specialized in Education, Administration and Planning. He has a PhD from the Catholic University of Eastern Africa. He has a Master of Arts Degree in Economics. He also has a Bachelors Degree in Education majoring in Business and Economics. They are both from the University of Nairobi.

He has undertaken training in strategic decision making for management, corporate finance and strategic management of higher education institutions among

others. He has also undertaken research in the field of education mainly in financing higher education in Kenya.

Dr. Belio Kipsang is currently the Managing Trustee or Chief Executive Officer of Coffee Development Fund which is a State corporation in the Ministry of Agriculture. He is also a council member of Co-operative University College and Mount Kenya University. He is also a board member of the Finance Alliance for Sustainable Trade which is a Canadian based international think tank organization.

Prior to the appointment as the Managing Trustee, Dr. Belio Kipsang was the Deputy Chief Executive Officer and the head of operation at the HELB. He was also the Chairman, Operations Committee and Association of Africa Education Financing Agencies. He has undertaken various consultancies both locally and internationally on leadership and management of higher education.

The Committee also verified that he has never been charged in court of law and he has no potential conflict of interest. He has fully complied with statutes obligation. I will also confirm that he has never been dismissed from office for contravention of the provision of Article 75 of the Constitution which deal with the conduct of State officers. He has not been mentioned in any investigatory report of Parliament or Commission of Inquiry.

We took Dr. Richard Belio Kipsang through several questions to validate his suitability for the position. One of the main interests of the Members was about the industrial unrest we have seen in the Ministry of Education.

On the demand for salary increment and the pending allowances that have never been resolved for the teachers, Dr. Belio Kipsang said that if appointed the Principal Secretary, he will ensure that dialogue channels between the employer and the workers will be kept open so as to facilitate engagement in respect of the salaries and emoluments with a view to maintaining stability in the economy by avoiding strikes or labour unrest.

There were several other issues that he quite impressed the Committee on. There is the issue of the quality of education in Kenya, leadership and good governance in the education sector, the linkage between the Executive and the Legislature. Dr. Kipsang noted that the Constitution of Kenya, 2010 changed the dynamics, in that there is definite and clear separation of power between the Executive and the Legislature. On one hand, he stated that the Executive formulates and implements policy while the Legislature plays an important role in terms of ensuring necessary legislations are put in place.

On the implementation of the new Constitution and the issues of devolution, it is good to note that Dr. Belio Kipsang noted that the transfer of functions to county government should be done in a proper and a structured way and in a progressive manner. In the sector of education, especially in Early Childhood Development Education, this function has been devolved to the county governments. He noted that there is need for the Teachers Service Commission (TSC) to be allowed to recruit, manage, train and deploy teachers for the purposes of quality assurance and standardization of teaching content. Further, he stated that there is need for the national and county governments to work together to ensure that there is no inconsistency between the Constitution and the TSC Act.

He answered several issues about university education funding very well. There was the issue of the free primary education and free day secondary education funding

which he noted he will ensure are implemented for all. He also said that he will also address quality of education in order to ensure that the goals of Vision 20130 are realized.

On the issue about the integration of ICT, he said that it is a key issue in ensuring that the quality of education is enhanced. He added that some free programmes increase retention of pupils in school. On the proper management of free primary education and free secondary education, he said that he will put in place mechanisms to deal with any person who misappropriates these funds.

Hon. Speaker, Sir, Dr. Kipsang really impressed the Committee given his background, where he is now and his qualification. The Committee found the candidate suitable for that position.

Hon. Speaker, Sir, after Dr. Kipsang, the Committee met Prof. Colleta Akinyi Suda. As to her academic background, the nominee informed the Committee that she holds a PhD in Rural Sociology from the University of Missouri, Columbia, USA, and an MSC in Rural Sociology, an MSC in Community Development and a Bachelor of Arts Degree in Sociology from the University of Nairobi. She worked as a lecturer in the University of Nairobi from 1986, rising through the ranks to become a full professor in 2007, when she gave her inaugural lecture. Prof. Colleta Akinyi Suda has also conducted several researches, including supervising masters as well as PhD students. She has also produced several publications in sociology. Until last year when she resigned to vie for the Senate seat in Migori County, she had worked as a Secretary for Gender and Social Development in the former Ministry of Gender, Children and Youth Affairs. She has also worked as a Commissioner on the National Commission on Gender and Development. She resigned as the Secretary to the Commission to vie for the Senate seat in Migori, but she withdrew her candidature before the nominations were conducted.

Prof. Colleta Akinyi Suda has never been charged in a court of law. She has no potential conflict of interest and has fully complied with tax obligations. It is also good for this House to know that she was also cleared by the Higher Education Loans Board and also by the Ethics and Anti-Corruption Commission. She has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution, which deals with the conduct of State officers who are adversely mentioned in any investigatory report of Parliament or of any commission of inquiry.

On the issues that we took Prof. Colleta Akinyi Suda through, she impressed the Committee. She answered questions very well. The question about corruption, Prof. Suda stated that corruption is a vice that has defiled this country for a very long time, and there is need to hold accountable those engaging in the vice. She also said that it is important to hold people who engage in corruption accountable. She noted that corruption requires change of attitude at all levels of governance in order to curb the vice.

About the value of the university education, she said that there was need to come up with innovations and creative enterprises in order to generate revenue at the universities and colleges. She noted that this must be done without compromising the quality of education.

Questions also came up about the elevation of the middle level colleges to universities, and she noted that middle level colleges must continue offering technical modules, so as to achieve the aspirations in Kenya's Vision 2030, even if they are elevated to university level.

There was also a question about the funding of research and the integration of the Information and Communication Technology (ICT) in learning institutions. She said that the introduction of ICT in learning institutions is key if Kenya is to become an industrialized nation by 2030. She also added that there is need to embrace ICT right from the start of learning. However, she noted that the laptop project is competing with other projects in the education sector; she said that dialogue should be engaged with stakeholders in order to decide how best this can be achieved.

On the implementation of the Science, Technology and Innovation Act, 2013 and the TVET Act, 2013 she said that if appointed Principal Secretary she will ensure that the Science, Technology and Innovation Act, 2013 and TVET Act 2013 are operationalised. She noted that there was need to operationalise the TVET Authority in order to regulate science, technology and innovation. She further added that she will ensure that the technical curriculum is modernized to respond to the changing times and market needs.

When it went through the interview of the two candidates, the Committee was impressed and very happy that the President chose these two candidates to be Principal Secretaries in the Ministry of Education. We are hoping that the two are going to do a good job and reward the President by performing to their best and to bring change that is required now in the education sector.

I would like to stop there. My recommendation is that pursuant to Article 155(3) of the Constitution and Standing Order No.45, this House supports these two nominees of His Excellency the President. I beg to move and ask my colleague, Hon. Simba, to support this Motion. I urge the House to approve Dr. Kipsang and Prof. Colleta Suda as Principal Secretaries in the Ministry of Education.

Hon. Simba: Hon. Speaker, Sir, I wish to second this Motion for the appointment of the candidates who appeared before our Committee. It is my first time to support a cause that is worthy in terms of the nominees who appeared before us.

I urge the Leader of the Majority Party to return this report to His Excellency the President because he is our agent; indeed, the President did good work in nominating the two. Dr. Richard Belio Kipsang stood strong even in terms of priority. He said that we need not have milk as a priority in the education sector. Indeed, he is one of the persons who had come up with the recovery of the HELB loans that were offered to students. Despite the fact that there were corruption allegations from the Ethics and Anti-Corruption Commission, we found that Dr. Belio Kipsang had a clean record.

Prof. Suda happens to be one of the best ladies that we found - ladies this is your time - who understands the education sector given the fact that she is a professor in Sociology. She understood very well diversity in education. She withdrew from contesting a senatorial position, and this country would have lost great brains to the retirees' House. I want to commend the President for his good work of nominating Prof. Suda to be appointed as a Principal Secretary in the Ministry of Education, Science and Technology. She is a great lady.

I second the Motion and ask my colleagues to pass it.

(Hon. Ganya stood in the passage)

Hon. Speaker: Hon. Ganya, I am sure you know about standing on gangways and passages. It is your Standing Order No.104.

(Question proposed)

Hon. Members, it looks like that is the mood of the House.

Hon. Members: Yes.

Mr. Speaker: Then it means that the Mover has nothing to reply to, is it not so?

Hon. Members: Yes.

Hon. Speaker: Mover of the Motion, do you have anything to say?

Hon. (Ms.) S.W. Chege: Hon. Speaker, all I wish to do is thank hon. Members for their quick approval of both nominees. I would also like to assure this House that immediately the two nominees get to the Ministry of Education, they will sort out the mess that is already there.

With those remarks, I beg to reply.

(Question put and agreed to)

ADOPTION OF REPORT ON VETTING OF
PRINCIPAL SECRETARY NOMINEES

Hon. Angatia: Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to Article 155(3)(b) of the Constitution of Kenya and the provisions of Standing Order No.45, this House adopts the Report of the Departmental Committee on Agriculture, Livestock and Cooperatives on the Vetting of Principal Secretary Nominees, laid on the Table of the House on Tuesday, 25th June, 2013, and approves the appointment of the following persons as Principal Secretaries:

- (i) Dr. Khadijah Kassachom – Livestock
- (ii) Prof. Japheth Micheni Ntiba – Fisheries
- (iii) Sicily Kanini Kariuki – Agriculture.

Hon. Speaker, pursuant to Article 152(3) of the Constitution of Kenya, His Excellency the President is required to nominate a person for appointment as Principal Secretary from amongst persons recommended by the Public Service Commission. On 11th June, 2013, you informed the House of the nominees by His Excellency the President and directed that the relevant Committee takes up the matter for the vetting process.

Starting with Sicily Kanini Kariuki, using the superlative rating, the Committee was unanimous that she is fit for the position. Sicily holds a Masters Degree in Business Administration. She also has a first degree. She is a reformist. She is currently the Managing Director (MD) of the Tea Board of Kenya (TBK). In her contribution during the vetting exercise, we found out that she fits the integrity bill. She has no court case. She has never been charged before a court of law. There was no public complaint against her. She informed the Committee that she will use her experience as an outgoing MD of the TBK to expand extension services. In particular, she said that she will ensure that we have an extension officer for every 200 farmers in the country. The Committee was unanimous that she is fit for the public office that the President has recommended she

holds, subject to approval by this House. It took less than 20 minutes for the Committee to approve her name.

Hon. Speaker, Khadijah Kassachom, the nominee for the position of Principal Secretary, Livestock, has a degree in Veterinary Sciences and a Masters Degree in Business Administration. She is a trainer and consultant. She has worked for the Kenya Bureau of Standards (KEBS) as Manager in charge of leather and textile standards. She has passion for the job. She said that she will ensure that there is zero-corruption in her Department. She also said that she will co-ordinate activities geared towards the revival of the Kenya Meat Commission (KMC), and ensure availability of veterinary services across the country. She recognised the need for having skilled and competent management at the Kenya National Trading Corporation (KNTC), so that we can sort out the problem facing the institution, which is currently on the verge of collapse. The Committee had no issues with her integrity because she does not have any pending court case. The Ethics and Anti-Corruption Commission is not investigating her. She has also been cleared by the Higher Education Loans Board.

The third candidate is Japheth Micheni Ntiba, who is the nominee for appointment as the Principal Secretary for Fisheries. In this case, there were issues of integrity touching on an institution in which Prof. Ntiba serves, but not on him as an individual. Out of the 17 Members of the Committee, four Members, including Hon. Opiyo Wandayi, dissented from the Committee's resolution. One of the issues is that Prof. Ntiba has continued to hold the position of Chairman of the Council of Presbyterian University of East Africa (PUEA) alongside that of the Permanent Secretary in the Government of the Republic of Kenya, which is in contravention of the provisions of Article 77 of the Constitution of Kenya. In a sworn affidavit, the nominee says that the position he was holding at PUEA does not affect his job, because it is not a public institution, but rather one run by the church. On the same note, we have since received information indicating that Prof. Ntiba has since resigned from that position, effective from today, 25th June, 2013.

I hereby table the letter.

(Hon. Angatia laid the document on the Table)

Hon. Speaker, the dissenting Member also indicated that Prof. Ntiba, in his own admission during the vetting process, has continued to benefit directly from his position as Chairman of the University Council by channelling or causing allowances due to him to be channelled to what he referred to as "needy cases in the society". In his replying affidavit to the accusation that the Constitution does not allow a public servant to earn from another institution at the same time because the working hours are the same, Prof. Ntiba said that he was giving a service to the church, and that he was channelling whatever he was earning from the church to needy students in the society. He was not benefitting directly.

The last accusation relates to an affidavit from a Dr. Mungai to the effect that the university was offering unaccredited degree courses. In his reply, Prof. Ntiba indicated that the courses were under the accreditation programme of the Commission for University Education (CUE).

The Committee observed that, as an individual, the nominee has been a performer in the Ministry of Agriculture. There is no Member of the Committee who raised any question about Prof. Ntiba's performance as a Permanent Secretary (PS). All the issues that were raised concerned the Presbyterian University where he was the chairman of the Council, but from which he has since resigned. As a Committee, we are also seeking the leave of the House, so that we can find out if the Constitution says anything for a situation where one earns from a private institution and a public institution at the same time. We are saying that, maybe, the National Assembly can give us a go ahead, as a Committee, to seek the interpretation of the Supreme Court on this matter.

Hon. Speaker, lastly, a report from the CUE contradicted the earlier position from the first page to the last page. In conclusion, the CUE exonerated Prof. Ntiba. Therefore, my Committee recommends that the National Assembly approves the nominee, subject to his resignation from the chairmanship of the said university council as holding onto the position will cause a conflict of interest, considering the new responsibilities being assigned to him by the President, subject to the approval of this House. The dissenting Members of the Committee are:

- (i) Hon. James Opiyo Wandayi, MP;
- (ii) Hon. Ferdinand Wanyonyi, MP;
- (iii) Hon. Kabando wa Kabando, MP;
- (iv) Hon. Kimani Ichung'wa, MP; and,
- (v) Hon. (Ms.) Odhiambo-Mabona.

Hon. Speaker, I have been informed that Hon. Kabando wa Kabando has since rescinded his decision to dissent from the Committee's resolution to approve the nomination of Prof. Ntiba. However, since he is in the House, he can speak for himself.

Hon. Speaker, Sir, out of the 17 Members who attended yesterday's meeting on the vetting process of the three nominees, four dissented, one abstained, and so the majority carried the day.

Lastly, I will request Hon. Outa, who praises himself as a fish farmer from the lake region of Luo Nyanza to second this Motion.

Hon. Outa: Hon. Speaker, Sir, I rise to second this Motion. I want to begin by saying that the three areas, that is agriculture, livestock and fisheries are the pillars of economic growth in our country, and they need people like Ms. Kanini Kariuki, who is the nominee for agriculture. Ms. Kariuki is a strong lady, and from her background, she is qualified to be nominated as a Principal Secretary. She has not only shown the support to improve agriculture sector in this country but has also been working with the Kenya Tea Board; if we consider what she did when she was there, that will warrant her to be the only woman nominee for the Principal Secretary for Agriculture and so is Dr. Kassachom. Two years back, we saw this country wasting a lot of money in the Ministry of Livestock because there was no visionary leader in that area. But with the appointment of Dr. Kassachom, I truly believe that we will move forward in our livestock subsector, and we will transform it. Kenya will meet the international standards, and we will see our farmers exporting meat to foreign countries.

Last is Prof. Ntiba. This is a Kenyan who is well educated and if you see his credentials, you will agree that he is one of the nominees whom I want to thank the President for seeing it fit that he should go back for a second term to complete the work

he had started. This Kenyan has taught other Kenyans how to fish and how to eat fish. If you go to Central Kenya today, it is competing with the people of the lake because of Prof. Ntiba. Personally, I would want him to be considered by this House so that he will complete all the aqua cultures he introduced in this country.

He introduced fish ponds in almost all constituencies in this Republic of Kenya. The fish industry is not the same as it used to be, and I believe that this House will consider Prof. Ntiba. I truly believe that all the dissenting voices from our Committee will have no reason to reject Prof. Ntiba. As a Christian I know that church and State are separable. We cannot bring the two together. The allegations that came against Prof. Ntiba, if you ask me, are things that we need to leave to the church. The work that he did there, to me, of supporting the needy people, is something to be considered; this guy never did anything wrong.

As I conclude, the three nominees will transform these sectors in Kenya. Kenya needs these people. They are trained and are trustworthy. Above all, there is no evidence of corruption against them. Therefore, I would like to plead with this House to approve these three nominees for Kenya to go places.

(Question proposed)

Hon. Kilonzo: Hon. Speaker, Sir, I rise to support this Motion. Generally, agriculture in this country will be in safe hands considering that we would wish to put over one million hectares under irrigation. Considering that we wish, as a country, to be food sufficient and secure, these three nominees are better placed to push livestock, fisheries and agriculture to the next level. I urge this House to approve these three nominees because it is clear that Vision 2030 will be better realized if this House approves them. I would wish to thank the President for nominating these highly qualified nominees. When you keenly look at their history as far as their previous employment engagements are concerned and their academic qualifications--- Generally these individuals fully fit in what they have been nominated to do.

Hon. Speaker, I urge this House to approve these nominees.

Thank you.

Hon. Speaker: Hon. Members, there is an approved proposal from Hon. Gladys Atieno Nyasuna to amend the Motion.

Hon. (Ms.) Nyasuna: I am Gladys Nyasuna Wanga, hon. Speaker, Sir.

Hon. Speaker: You are Gladys Atieno Wanga. I think the machine has omitted one of your other names.

Hon. (Ms.) Nyasuna: Yes, hon. Speaker, Sir.

Hon. Speaker: I think it is important at this point for you to move the amendment.

Hon. (Ms.) Nyasuna: Hon. Speaker, Sir, I would like to move an amendment whose copy has been misplaced. But the gist of my amendment is to remove from the list of nominees Prof. Japheth Micheni Ntiba. It is very clear from the dissenting voices in the Committee that this nominee has some soul searching to do.

This House is the eye of Kenyans, as far as those we are putting to the public service are concerned. Earlier this morning, I stood up to support nominees to the dockets

of Labour and Social Welfare, as well as to the docket of Sports, Culture and Arts, because I believed that those nominees had the qualifications and clear track record to serve this nation.

Hon. Speaker, Sir, right now I rise to move an amendment which, I believe, is for the good of this nation and the Jubilee Government in implementing its mandate and manifesto for the benefit of the Kenyan people. I have gone through the report and I have also gone through the report provided by the Commission for Higher Education, which indicates that PUEA whose council Prof. Ntiba was chairing---

Hon. Speaker, Sir, they evaded the verification exercise of the courses that they offered. It is very clear that evading this exercise must have been for a reason. Where there is smoke, there is fire.

We cannot approve the nomination of a manager, a person who held two positions from which he derived some gain, while the Constitution at Article 77 is very clear that you shall not participate in any other gainful employment when you are a State officer. I have been a member of the Council of Kenyatta University and I know that when you are a member, you actually have allowances that are given to you. I do not think PUEA is different in this sense.

Hon. Speaker, Sir, I beg this House to retain our teeth to show this country that we are actually not a rubber stamp. We must say no to appointment of nominees who, even in the eyes of the public, do not fit the category we put them. Several allegations have been made and they are allegations because I do not know whether they are true in this sense.

Hon. Speaker, Sir, during his tenure as Chair of the Council, the Presbyterian University--- In fact, an investor suffered a heart attack when he was informed that the University could not pay him. I do not know whether that investor died, but he suffered a heart attack. Lecturers are not paid and cases are in court. The Vice-Chancellor was fired for hiring a Muslim woman. We have moved away from time when we had religious discrimination. We cannot be hiring somebody who discriminates on the basis of religion. I feel very sad.

With those many remarks, I beg to move this amendment and call upon Hon. Wandayi to second it

Hon. Member: There is no need.

Hon. (Ms.) Nyasuna: Is there no seconding?

Hon. Speaker: Obviously, you require it to be seconded.

Hon. James Opiyo Wandayi, the Floor is yours.

Hon. Wandayi: Thank you, hon. Speaker. This is a defining moment in the short history for this Parliament. Unless we are careful as a House, we stand the risk of being judged very harshly by history. Before I proceed to second the amendment of the Motion---

Hon. Speaker: Are you seconding or you want to give some history?

Hon. Wandayi: I am contributing to the amendment, hon. Speaker, Sir.

Hon. Speaker: No! Are you seconding the amendment?

Hon. Wandayi: Yes, hon. Speaker, Sir.

Hon. Speaker: Okay. We were waiting to hear whether you are doing so.

Hon. Wandayi: I have risen to second the amendment, hon. Speaker.

Hon. Speaker: I see.

Hon. Wandayi: Hon. Speaker, Sir, it is important to get some guidance from you. Earlier on when the Chair of my Committee, Hon. Ayub Savula Angatia, was making his remarks he made a very serious allegation to the effect that Committees---

Hon. Speaker: Let us deal with this, so that we can come to deal with the Motion as amended or, if the amendment is defeated, give you a chance to contribute to the original Motion.

Hon. Wandayi: I stand guided, hon. Speaker. I will for now comply, but I will ask you to allow me to give some contribution thereafter.

Hon. Speaker, I stand to second the amendment for the reason that I have been a member of this Committee and it is manifestly clear - it is clear beyond any reasonable doubt - that one Prof. Japheth Micheni Ntiba does not qualify to be appointed as a Principal Secretary in the Republic of Kenya on account---

Hon. Member: *(inaudible)*

Hon. Wandayi: Hon. Speaker, that remark is unwarranted and basically shows how low we have sunk as a House. I know sometimes this House can amaze you because of the calibre or the kind of people you come across.

Hon. Speaker, Sir, Prof. Ntiba does not meet the basic requirements of the Constitution, in so far as the appointment of State officers is concerned. Therefore, I second this amendment and will give further contribution later.

Hon. Speaker: Very well. You can see the time at which we are. I will propose the Question which is that the Motion be amended by inserting the following words after the words "Principal Secretaries" "subject to deletion of Item 2, Prof. Japhet Micheni Ntiba". That is the amendment.

*(Question, that the words to be inserted
be inserted, proposed)*

Hon. Members: Put the Question.

Hon. Speaker: I will put the Question so that we can dispose of it. You have heard what the amendment is. It is not that you must speak, Hon. Kaluma. This is plain English. It is very simple and you, who is a lawyer, must know this. Are you a lawyer?

Hon. Kaluma: Hon. Speaker, I wanted to oppose the amendment.

Hon. Speaker: No, because you have heard the amendment and it is important--- I want to repeat it so that as you vote and apply your energy to making the decisions, you know what it is. Item number two on the original Motion is the name of Prof. Japhet Micheni Ntiba. Therefore, the proposal is to amend the Motion by inserting the following words after the words "Principal Secretaries", "subject to deletion of Item No. 2, Professor Japhet Micheni Ntiba"

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

Hon. Speaker: So, the amendment proposed is defeated. We will go back to the original Motion.

(Debate on the original Motion resumed)

Hon. Members: Put the Question.

Hon. Speaker: The Question is different. Let us hear Hon. Millie Grace Akoth Odhiambo.

Hon. (Ms.) Odhiambo-Mabona: I am Odhiambo Mabona *Nyar Suba*.

Hon. Speaker: And all others.

Hon. (Ms.) Odhiambo-Mabona: Yes; *geza geza mrembo wa Suba*.

(Laughter)

Thank you hon. Speaker, Sir, for giving me this opportunity. First of all, I want to encourage the House that it is good practice that we let hon. Members speak, whether they are opposing or supporting us. I have been sitting here the whole afternoon and I am dismayed---

Hon. Speaker: Hon. (Ms.) Odhiambo-Mabona, I will shut you out. You have been sitting there but you came and found other people sitting here. You have formed that habit of always complaining. Resume your seat, Hon. Odhiambo-Mabona. Who says that if you come here whatever time you come, you must speak? You found other hon. Members sitting here. Please, when you get the chance remember the Chair has also to balance between parties, the independent candidates, persons with disabilities, gender, regions and so on. I am sure you know what I mean when I talk about regions and gender. I am sure you know hon. Members who have spoken. Surely, Hon. (Ms.) Odhiambo-Mabona do not always complain.

Hon. (Ms.) Odhiambo-Mabona: Thank you, hon. Speaker. I think the Leader of the Majority Party distracted you. I was not actually talking about you. If you listen to me, what you are speaking to is not what I am saying. So, I will still repeat it for the hon. Members of the House.

Hon. Speaker, I want to also congratulate the hon. Members of the House because for the first time this afternoon I have seen several women hon. Members as chairs of committees; I want to thank the 11th Parliament because for the first time we have the highest number of women who are chairs of committees. Indeed, I was very very impressed. I do not mind even if they are in Jubilee Coalition or whatever; I sit with Hon. Ichung'wah in his committee and they did not elect a woman. So, credit is not to you.

(Laughter)

So, hon. Speaker, I want to congratulate the various committees for selecting women as chairs of their committees, especially in this 11th Parliament. Nonetheless, I want to say that we have not yet reached the one-third mark, and I would want to encourage the House that we hit the mark.

Again, I want to say that I am very happy with the number of women who have been appointed Principal Secretaries. I want to say that because we have done so badly as a country, it may look as something very good. It is not. We have not yet reached the one-third mark. I would want to say that if I were a teacher who was marking for the

country I would give it 20 per cent. We were at 0 per cent. So, I would want to encourage the Government to continue. It might just hit 50 per cent.

Hon. Speaker, Sir, I would want to say that you notice I am a member of that committee and I abstained, especially in relation to Professor Ntiba. I abstained because one, under Article 77(1) of the Constitution, it is very clear that you cannot be in any gainful employment. So, this afternoon I am very happy that Prof. Ntiba has resigned from the position. I would be very happy to support him if he has resigned, because we do not want to support people who violate the Constitution. If you look at his technical expertise, he is one of the very few people in this country who have expertise in the area which is of concern to me, namely fishing. Even though he appears fishy, he is very fishy in his area of expertise.

(Laughter)

He is very good in fishing. He is one of the few people who have both masters and doctorate degrees in that field. For that I will be very happy to support him.

I do not even know why he would want to sit in such a university. That university has a lot of problems as attested by the hon. Member in whose constituency the university is. For a person who has such a good record to want to want to be involved with such a university it beats me.

Hon. Speaker, Sir, on the other hand I would want to say that what the Commission for University Education has done is very shameful. Actually, the body that I would want to say needs to be interrogated is CUE. This is because the body of the letter that Hon. Nyasuna has read speaks very badly of the university, but its conclusion gives flying colours and tells us to approve it based on--- They say these people have done excellent work. As a Committee, we were not able to, within the short time we had, actually find on the basis of that issue that the professor was at fault, as the chairman, or not. The information we got from the university was not helpful at all. Usually, I am very decisive and clear about my position, but I was not able to make my position clear on this matter. Therefore, because he has let go of that position - the Constitution is clear on this - I will go home a very happy person for endorsing Prof. Ntiba; he has done an excellent job. I am sure he will continue to do an excellent job in the fisheries industry. I know the two women we have endorsed have excellent credentials. Therefore, I encourage those who want to make further appointments to remember women. We are always excellent in everything we do, both in private and public.

(Laughter)

With those few remarks, I support.

Hon. Speaker: Hon. (Ms.) Odhiambo-Mabona, you will always amuse.

Hon. (Ms.) Mbarire: On a point of order, hon. Speaker, Sir. In view of the fact that there seems to be consensus on Prof. Ntiba, who was the only subject of issue that came out on the Floor of the House, am I in order to ask that the Mover be now called upon to reply?

Hon. Speaker: Does that appear to be the mood in the House?

Hon. Members: No.

(Several hon. Members stood up in their places)

Hon. Speaker: You will sit while I do my business, which I know best!

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

Hon. Angatia: Hon. Speaker, Sir, in view of time, I would like to say that the nominees are exemplary members of the society; using superfluous remarks, I will say that they will do an excellent job. Give them time.

Thank you, hon. Speaker, Sir.

(Question put and agreed to)

PROCEDURAL MOTIONS

EXTENSION OF HOUSE SITTING UNDER S.O. 30

Hon. A.B. Duale: Hon. Speaker, Sir, I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order 30(3)(a), this House resolves to extend the sitting for today until the conclusion of business appearing under Order No.18 on today's Order Paper.

We have the Supplementary Appropriations Bill before us and it will go to the Committee of the whole House. Because we have the Appropriations Bill for 2013/2014 coming tomorrow among many other issues that the House Business Committee, in its wisdom, will line up, I urge my colleagues to support the extension of the House sitting until Order No.18 on the Committee of the whole House is concluded. We want to dispose of this very important Supplementary Appropriation Bill (Bill No.2 of 2013).

I will request Hon. (Dr.) Joyce Laboso to second this Motion.

Hon. (Dr.) Laboso: Hon. Speaker, Sir, I second the Motion.

(Question proposed)

(Question put and agreed to)

REDUCTION OF PUBLICATION PERIOD FOR SUPPLEMENTARY APPROPRIATION BILL

Hon. Katoo: Hon. Speaker, Sir, I beg to move the following Procedural Motion:

THAT notwithstanding the provisions of Standing Order 120, this House resolves to reduce the publication period of the Supplementary

Appropriation Bill (National Assembly Bill No. 2 of 2013) from 7 to 4 days.

It has been alluded by the Leader of the Majority Party, when seeking leave of the House to extend the sitting time, that we have the Appropriation Bill for 2013/2014 coming to the House tomorrow and it has to be passed first.

Above all, we have the constitutional deadline of 30th June. So, this House has only tomorrow and the day after to ensure that this Bill goes through. That is why I seek leave of the House that the publication time of this Bill be reduced from 7 to 4 days in order to allow Motion Nos. 16 and 17 and thereafter 18 to be handled.

I beg to move and request the Leader of the Majority Party to second this Procedural Motion.

Hon. A.B. Duale seconded.

(Question proposed)

Hon. Midiwo: Hon. Speaker, Sir, I rise to oppose this Procedural Motion. This House is not anybody's rubber stamp. These are issues of finance. I understand what the Government may be trying to do, but there is no Bill before us. As far as we know we have been sitting here all day. I am told that the Bills have been delivered at the reception, and hon. Members have not had a chance to look at them.

The reason why you need seven days is for public scrutiny. We have not even looked at the date of publication for this Bill. It may well be that the four days being requested end today or today may be the fourth day. We cannot, as a House, be in the business of being pushed to do things which this very House may later regret, like we almost regretted the passing of the Constituencies Development Fund (CDF) money last week.

Hon. Speaker, Sir, I strongly oppose this Procedural Motion and urge the House to read between the lines, so that we have enough time for public scrutiny of this Bill, so that we do not do something wrong. This is for the betterment and good of the Government.

Thank you.

Hon. A.B. Duale: On a point of order, hon. Speaker, Sir. This Bill was printed on 21st June, 2013. This Bill, among other Bills, including the VAT and the Finance Bills, has been lying at the reception since Friday. Is the hon. Member in order to raise his objection to this Procedural Motion? It seems to be very mischievous. The Bills are before the House and hon. Members of Parliament had them in their offices. The Hon. Member is not in order to say that these Bills were printed today and they have not been circulated. These Bills have been in the precincts of Parliament since Friday. This Bill was printed on 21st June, 2013.

Hon. Speaker: Maybe, the Mover can confirm whether this is the Bill that was published pursuant to the House resolution on a Motion that Hon. Washington Jakoyo Midiwo canvassed here thoroughly; he even canvassed the CDF issue he is talking about. Maybe Hon. Kato can confirm that. Perhaps, you could even direct Hon. Midiwo to the particular page. He has not been to the room where Bills are kept.

Hon. Katoo: Hon. Speaker, Sir, Hon. Midiwo is a very senior Member of this House. He knows that all Bills are kept in Room 8. So, there is no need of informing him on that, but I want to confirm that this is the Bill that was published, as stated by the Leader of the Majority Party. More importantly, this Bill has gone to the Budget and Appropriations Committee, which has thoroughly looked at it. The recommendation of reduction of the publication period is from the Committee. They are very satisfied and I request my good colleague that with that explanation, he allows the Procedural Motion to go through.

Hon. Speaker: Hon. Musyimi, you want to say something? Hon. Washington Jakoyo Midiwo is now withdrawing his objection. Is that correct, Hon. Midiwo?

Hon. Musyimi: Hon. Speaker, Sir, as he withdraws, and I thank him for doing so--

Hon. Speaker: Let him do so first.

Hon. Musyimi: He has not done so, hon. Speaker, Sir? I beg your pardon. Do I have the Floor?

Hon. Speaker: Not yet.

Hon. Midiwo: Hon. Speaker, Sir, now that an explanation has been given, I withdraw my opposition and I support. These people, whenever you give them a chance, explain things because we are dealing with issues of money. Last week, they almost messed us up and we will watch them with a sharp eye.

I support.

(Question put and agreed to)

BILL

First Reading

SUPPLEMENTARY APPROPRIATION BILL

(Order for First Reading Read – Read the First Time and ordered to be read the Second Time today by leave of the House)

Second Reading

SUPPLEMENTARY APPROPRIATION BILL

Hon. Speaker: It is shown to be by the Chairperson, Budget and Appropriations Committee, but he had given an indication that Hon. Omondi, Member for Alego Usonga, would move. Are you George Washington Malan Omondi?

Hon. G.W. Omondi: Hon. Speaker, Sir, I stand in for my Chairman who has lost his voice. He spoke too much during the Committee meetings.

Hon. Speaker, Sir, I beg to move that the Supplementary Appropriation Bill, Bill No.2 of 2013, be now read a Second Time.

The Budget and Appropriations Committee is charged with the responsibility of reviewing and making recommendations to the House on any money Bill in accordance with Standing Order No.231. After the approval of the second Supplementary Estimates for 2013/2013, by the House on Thursday, 20th June, 2013, a Supplementary Appropriation Bill is to be introduced to appropriate the money spent. The Committee has met and reviewed the Supplementary Appropriation Bill. The Supplementary Appropriation Bill, 2013 has taken into consideration the recommendations of the House on the second Supplementary Estimates. Critical input by the House was that the allocation to the Cabinet Office for the purchase of an office for the immediate retired President be reviewed and deferred for consideration in 2013/2014 Estimates of Expenditure, and that the Constituencies Development Fund amount should not be reduced.

The Supplementary Appropriation Bill, 2013 proposes to allow the Treasury to issue Kshs17,321,114,679 from the Consolidated Fund. The overall change in the Budget for the entire period 2012/2013 is a reduction of Kshs14,905,399,382. This Supplementary Budget was occasioned by the low absorption capacity of development funds, particularly funds from our development partners, underperformance of revenues due to poor performance of the economy and increased expenditure on items such as the elections and allocation to the Ministry of Agriculture for subsidy of seeds and fertilizers.

With regard to the absorption capacity, the Treasury needs to urgently review the issues surrounding low absorption and address it, so as to ensure the low absorption of funds does not become a regular feature. With respect to the performance of the economy, Parliament should also strive to ensure prudent utilization of the country's resources, so as to catapult the country to double digit economic growth as proposed under the Vision 2030.

With these few remarks, I beg to move. My Chairman will second.

Hon. Speaker: I thought you said that he had lost his voice? Your Speaker does not forget some comments.

Hon. Musyimi: Hon. Speaker, Sir, Hon. Midiwo has made sure that my voice is back. There are two critical points here, as I second, and these have to do with the CDF and also with the additional Kshs700 million meant for the office of the retired President. I wish to confirm that due to revisions made by this House in a very passionate and helpful debate last week, the reduction under Vote D106 of the Ministry of Planning and Devolution has been reversed. That is a significant point. The D106 provision has been reversed and the figure there is Kshs5.4 billion. It does not even appear. It has been reversed totally.

[The Speaker (Hon. Muturi) left the Chair]

*[The Deputy Speaker (Hon. (Dr.)
Laboso) took the Chair]*

Secondly, due to the advice and the decision of this House to defer an additional Kshs700 million which is under Vote D101, for the retired President's office--- That

additional figure is also not shown. Those two numbers have been reversed and so, they do not appear.

I beg to second.

(Question proposed)

Hon. Kimaru: Thank you, hon. Deputy Speaker. I rise to support the Bill and, pursuant to Standing Order No.95, move that the Mover be called to reply.

Hon. Members: No, not now!

Hon. Kimaru: Hon. Deputy Speaker, I may have read the mood of the House wrongly.

(Laughter)

Hon. Deputy Speaker, I think it is proper for me to do what I have done. Given the timelines that we have and the explanation that was given earlier, I think it is appropriate that we have the second---

Hon. Deputy Speaker: Hon. Kimaru, you are making a proposal and then you want to continue speaking? You cannot have both. You have to decide what you want to do. Do you want to propose or to speak on the Bill?

Hon. Kimaru: Hon. Deputy Speaker, I beg to move that pursuant to Standing Order No.95, the Mover be now called upon to reply.

Hon. Speaker: It is okay, but some hon. Members want to speak. So, let us give a chance to a few hon. Members, starting with Hon. Francis Kigo Njenga.

Hon. Njenga: Thank you, hon. Deputy Speaker. The second Supplementary Appropriation Bill had come to this House and hon. Members debated and agreed upon certain adjustments, which were made. If we work with speed and complete this process, we will be in a position to ensure full implementation of the ongoing Constituencies Development Fund (CDF) projects on the ground. Hon. Jakoyo Midiwo was actually taking precaution, but whatever business we transact in this House, especially on matters of finance and budgets, it affects all of us, irrespective of which side of the House one is on. This particular one is a matter which will make our effectiveness felt out there, especially by new Members of Parliament like me and many others. The approval of this Bill will enable services to reach the people. The people expect us to deliver, as a Government and a House, under the new Constitution.

Hon. Deputy Speaker, as a matter of fact, if you go through this Bill you will appreciate that what was contained in the current Budget has actually been harmonised. Therefore, I urge hon. Members to support it, so that we can complete this process and have it implemented. I would also like to remind hon. Members that without passing this Bill, we will not be able to even spend money or move forward. We still have the next financial year ahead of us. Hon. Members should remember that we came to this House late. Therefore, we have a short period to legislate key Bills and deliver services to Kenyans in order for us to be judged well over a time.

With those remarks, I beg to support.

Hon. Deputy Speaker: Yes, Hon. Jakoyo Midiwo.

Hon. Midiwo: Thank you, hon. Deputy Speaker. I rise to quickly support the Bill.

Hon. Deputy Speaker, I want to plead with the Chairman of the Budget and Appropriations Committee to impress upon the National Treasury to ensure that, within a few hours, and upon the passage of this Bill, they transfer our CDF money to the CDF Board, being cognisant of the fact that the Appropriation Bill will be here soon. There will be no negotiations, if our people cannot enjoy the benefits of the CDF, or if our projects cannot continue.

Lastly, I want to say that this country is at a crossroad. Having had the elections on 4th March, 2013, it seems and feels as though it was the beginning of the year. So, a lot of business is really suffering. In fact, many people who have contracts with Government Departments are saying that they have not been paid. Therefore, this House has a duty to quickly allow the Government to disburse funds, so that those who are owed money can be paid. Many people are owed money by the Government. At the end of this financial year, we will begin seeing negative figures. The economy is underperforming greatly because of postponement of the electioneering process. So, we need to hurry up, as a House, and give the responsibility of paying to the Government.

With those remarks, I beg to support.

Hon. Speaker: Yes, Hon. Moses Lessonet.

Hon. Lessonet: Thank you, hon. Deputy Speaker, for this opportunity. Of course, I rise to support the Bill. As I do so, I would like to thank hon. Members for the position they took on this matter last week. The second Supplementary Appropriation Bill is now here, and the CDF money is not part of the money being appropriated.

I also want to tell hon. Members that the CDF Board is very busy this week, remitting monies to the CDF accounts, especially to those CDF offices where the handing over has been finalised, and those which have changed their signatories. We have received letters from a few constituencies though, telling us to hold onto the funds as they sort out issues of boundaries between themselves and the constituencies they were curved off from. I am very happy today because we have a Government which, if we tell them that we do not want to spend Kshs700 million to build an office for a retired President, they agree with us. I am very happy that we have a Government which when we tell them that we do not want to appropriate Kshs5.4 billion meant for the CDF, they agree with us.

Hon. Deputy Speaker, in this era of a new constitutional dispensation, it is really this House which will determine the destiny of this country. This House will determine whether we can increase the pay for teachers by Kshs50 billion per year. It is this House which can decide which roads will be done. It is this House which will take this country to the next level. Therefore, it is exciting to have such responsible Members of Parliament, who care very much about the people they represent in this House. I truly believe that as we move to the 2013/2014 Financial Year, we will definitely be seeing great things happening in this country.

With those remarks, I beg to support.

Hon. Speaker: Yes, Hon. Mahamud Mohamed.

Hon. (Eng.) Mahamud: Hon. Deputy Speaker, thank you for giving me this chance to contribute to this important Bill. This Bill is as a result of the Motion that was passed in this House just three days ago. In fact, it is appropriate because the year is coming to an end in the next five days and this Bill cannot wait. The reason for the initial

Motion was to reduce the number of days, and so I thank the Leader of the Majority Party for moving that Motion.

The money in this Supplementary Appropriation Bill is to be withdrawn from the Consolidated Fund before the end of the year, which is only five days from today. For that reason, we should pass it today so that the functions of Government continue. This money can be withdrawn and put to the use for which it is approved.

With those few remarks, I beg to support.

Hon. (Ms.) Otucho: Hon. Deputy Speaker, I rise to support this Supplementary Appropriation Bill. As we are aware, there is already undue delay and there are services that must be rendered. There are bills that must be paid. I also want to join my colleagues by saying that even our own constituencies are feeling the delay in the release of the money. We have children from very poor families who depend on bursaries; I believe if we approve this Bill, the Constituencies Development Fund (CDF) will be disbursed as fast as possible.

So, I support the Bill and call upon all my colleagues to support it, because unless it is approved, the Government will not withdraw it from the Consolidated Fund, and the whole nation will be affected. Let us support the Bill.

Hon. Njuki: On a point of order, hon. Deputy Speaker. So far, we have not heard any dissenting voice on this matter, would I be in order to ask that you put the Question?

Hon. Deputy Speaker: Can the Mover respond before we put the Question?

Hon. G.W. Omondi: Hon. Deputy Speaker, thank you. I thank everybody who has supported this Bill, particularly those who raised pertinent issues like Hon. Midiwo, my namesake. It is important that we have realized that, as was said before, it is only the CDF that the local man sees at the grassroots level.

With those few remarks, I beg to move.

(Question put and agreed to)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

(The Deputy Speaker (Hon. (Dr.) Laboso) left the Chair)

IN THE COMMITTEE

[The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu) took the Chair]

THE SUPPLEMENTARY APPROPRIATION BILL

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Members, we are now in the Committee of the whole House to consider the Supplementary Appropriation Bill.

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(Clauses 3, 4 and 5 agreed to)

(First Schedule agreed to)

(Second Schedule agreed to)

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

Hon. Members, we are likely to finish with this Bill in the next five minutes. I request hon. Members to remain seated for us to accomplish the business.

(Clause 2 agreed to)

(Clause 1 agreed to)

(Title agreed to)

Hon. Musyimi: Hon. Temporary Deputy Speaker, I beg to move that the Committee do report to the House its consideration of the Supplementary Appropriation Bill and its approval thereof without amendment.

(Question proposed)

(Question put and agreed to)

(House resumed)

*[The Deputy Speaker (Hon. (Dr.)
Laboso) in the Chair]*

REPORT AND THIRD READING

SUPPLEMENTARY APPROPRIATION BILL

Hon. Deputy Speaker: Let us have the Chair of the Committee of the whole House reporting.

Hon. (Ms.) Mbalu: Hon. Deputy Speaker, I beg to report that the Committee of the whole has considered the Supplementary Appropriation Bill and has approved the same without amendment.

Hon. Musyimi: Hon. Deputy Speaker, I beg to move that the House do agree with the Committee in the said Report.

Hon. (Ms) Otucho: seconded.

(Question proposed)

(Question put and agreed to)

Hon. Musyimi: Hon. Deputy Speaker, I beg to move that the Supplementary Appropriations Bill be now read a Third time.

Hon. Otucho: seconded.

(Question proposed)

(Question put and agreed to)

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

ADJOURNMENT

Hon. Deputy Speaker: Hon. Members, now that we have completed Order No.18 as we had agreed, it is now time to adjourn the House.

Therefore, this House stands adjourned until tomorrow, Wednesday, 26th June, 2013 at 9.00 a.m.

The House rose at 7.05 p.m.