

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 15<sup>th</sup> October, 2014

The House met at 9.30 a.m.

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

### PRAYERS

### QUORUM

**Hon. Deputy Speaker:** We cannot transact business because we do not have quorum. Ring the Division Bell.

*(The Division Bell was rung)*

We have quorum now. We may begin our business of today.

### NOTICE OF MOTION

#### ALLOCATION OF FUNDS FOR FREE SECONDARY EDUCATION

**Hon. Wandayi:** Hon. Deputy Speaker, I beg to give notice of the following Motion:-

THAT, aware that Article 53(1)(b) of the Constitution provides for the right of every child to free and compulsory basic education; further aware that the current national transition rate of children from primary to secondary schools is slightly above 50 per cent; noting that this is much lower than the international average of 85 per cent; further noting that this low transition rate is attributable to the exorbitant cost of secondary education, this House resolves that the Government allocates adequate funds for infrastructure development and employment of teachers in order to guarantee free and compulsory quality secondary education to every Kenyan child in compliance with the Constitution.

Thank you.

### MOTION

#### GOVERNMENT POLICY ON COMMERCIAL MOTORCYCLE OPERATORS

THAT, aware that there is increased use of commercial motorcycles as a means of transport all over the country, which in turn has led to concomitant increase in the number of commercial motorcycles, commonly known as *boda bodas*; acknowledging the role played by the *boda bodas* in enhancing access to transport, communication and commercial activity, especially in the rural Kenya, which is characterized by poor road networks; deeply concerned that most of the *boda boda* operators are not properly trained and licensed to operate the motorcycles, leading to frequent motorcycle accidents and loss of lives; noting the prohibitively high costs of acquiring training and motorcycle riding licences; deeply disturbed that most *boda boda* operators face incessant harassment from law enforcement officers; taking into account the invaluable contribution of the *boda boda* operators to the Kenyan economy, this House resolves that the Government immediately develops a policy on operations of commercial motorcycles (*boda boda*), subsidizes the costs of acquisition of training and commercial riding licences, establishes regional motorcycle riding licensing units and develops public awareness campaigns to ensure safety in commercial motorcycle transport in Kenya.

*(Hon. Ochieng on 20.8.2014)*

*(Resumption of Debate interrupted on 20.8.2014)*

**Hon. Deputy Speaker:** Hon. Makenga, this is an on-going Motion. You had two minutes to go.

Hon. Members, just for your information, the balance of time for this Motion is two hours 15 minutes.

**Hon. Makenga:** Thank you, hon. Deputy Speaker for giving me this opportunity to contribute to this Motion. While I was contributing to this Motion last time, I supported it. I said that *boda boda* industry is a very fast-growing industry in Kenya. Between 2005 and 2011, motorcycle registrations increased by almost fourfold. In 2011, motorcycles made up 70 per cent of newly registered vehicles. That means that most of the *boda bodas* have become a source of income and livelihood for many families in both rural and urban areas.

You will find that most of our school leavers, for example Form Four leavers end up first getting into this industry. They eke their livelihood out of the *boda boda* industry. However, the operations take place in unregulated environment. Sometimes they result in high road carnage.

Road accidents that lead to injuries and deaths involving motorcycles have increased noticeably. This is putting a heavy burden on families, communities and our health system in general. It is important that the Government comes up with a policy to regulate this industry, so that operators can operate in a conducive environment.

Hon. Deputy Speaker, the police are fond of harassing *boda boda* operators because some of them do not have riding licences. They, therefore, end up spending the

little money which they get to bribe the police. So, I urge the Government to regulate this industry, so that the *boda boda* operators can operate and earn their livelihood meaningfully instead of spending a lot of money bribing the police.

I also urge the Government to come up with subsidies, so that operators can acquire the licences without spending a lot of money. This will enhance---

**Hon. Deputy Speaker:** Hon. Member, your time is up.

**Hon. Makenga:** Hon. Deputy Speaker, I support the Motion.

**Hon. Murungi:** Thank you, hon. Deputy Speaker. I would like to contribute to this Motion by hon. Ochieng about the *boda boda* business in this country. It is worth noting that many of our young men are currently in this business. There is unemployment in Kenya. At the moment, we are finding even graduates buying *boda bodas* for survival. Therefore, this Motion by hon. Ochieng is timely because it will help the young men who are in this business to get training and licences.

On training, the Mover of the Motion has said that it will be subsidized training. Most of these young men just buy *boda bodas*, jump onto them the following day and start riding in towns and cities without proper training. I really sympathise with the situation and it is necessary for the Government to come in at this time so that it can offer training and minimize training costs. At the moment one licence costs around Kshs6,000 where I come from and it has been very hard for the *boda boda* businessmen to get licences, so that they can avoid harassment by the traffic law enforcers.

So, hon. Deputy Speaker, I think this Motion is timely; through the Constituencies Development Fund (CDF) I have tried to see how we can train these people through institutions which are recognized by the Government, but it has become impossible even after subsidizing the cost of the licences to the tune of Kshs3,000. Those businessmen have been unable to raise Kshs3,000 to pay for the licences; so, this Government, which I know is helping young men through Uwezo Fund and other funds, should subsidize the licences.

Another problem is that when the youth are ready to be trained, they get problems because the licensing units are not centralized. The units have not been devolved in the spirit of the new Constitution. In the county I come from, there is only one licensing unit in Meru Town, which covers the whole county. When we organize them for licensing, it becomes a problem for officers to move from the county headquarters to sub-counties. These licensing units should be decentralized to the sub-county level, and our youth will benefit. Another issue that needs to be addressed according to this Motion, which I strongly support, is the public awareness campaigns. Besides the owners of the *boda boda*, citizens who use this mode of transport also need to be made aware of the requirements for adequate protective gear like helmets. They should also be aware that overloading is dangerous. If one of the riders is charged Kshs100, four people jump onto the *boda boda*, so that they can share the cost and pay Kshs20 each. Therefore, it is important to make the public aware of the dangers in this sector.

Unless the Government comes up with strong policies, this business will affect many Kenyans. Since the Government has come up with the Uwezo Fund, it is high time this business was streamlined, so that our youth can benefit by buying more *boda bodas*. It is unfortunate that two years down the line, this money has not been made available to our youth, so that they can do businesses. Uwezo Fund was established to improve the

lives of our youth, but to date, there are questions from our constituents and I do not know when the Ministry of Devolution will release the money. They are still bringing in new regulations day in, day out and it has been a nightmare for young men and women to benefit from this Fund.

I strongly support this Motion by my good friend, hon. Ochieng, and the House should adopt it, so that we can help our young men.

**Hon. Maanzo:** Hon. Deputy Speaker, thank you for giving me an opportunity to contribute to this very important Motion. The *boda boda* has now become a very important informal mode of transport not only in Kenya but in East and Central Africa and many parts of the world. *Boda boda* transport has challenges and that is why I support this Motion by hon. Ochieng; we should develop a policy as a Government which will help us solve the problems and the safety issues surrounding *boda boda* transport.

Recently - I want to give an analogy - a very important Kenyan going for an important appointment and stuck in traffic jam noticed a *boda boda* rider and, without knowing whether he was licenced or the motor cycle was licenced, asked him if he could help him get to the office he was going to. Unfortunately, he was never to get there because the *boda boda* man while trying to maneuver his way between cars crashed and his hand was broken. He never made it to the appointment but spent the day in hospital. There are many such cases where people are finding themselves in accidents involving *boda bodas*: The *boda boda* is not licensed; it does not have insurance and the *boda boda* person has no driving licence. I had a similar situation in my constituency. A young man who crashed and killed a school teacher had to disappear from the constituency for fear of arrest. Later on, the matter was settled through Kamba customs because there was no law applicable. Therefore, it is important that as a House we come up with a policy to address lack of road safety and make sure that all safety mechanisms and regulations are followed, so that *boda bodas* do not overload and protective gear is used.

Hon. Deputy Speaker, there is a rising problem among *boda boda* riders; after some time if they do not have proper protective gear, they will be exposed to infections and chest problems. Therefore, we should make sure that they are safe. It is estimated that those who do not observe any of these regulations may not live long owing to diseases arising out of lack of safety and protection gear; we also have many cases of accidents, and many broken limbs almost in every hospital due to use of *boda bodas*.

*(Hon. Alfred Keter consulted loudly)*

**Hon. Deputy Speaker:** Order, hon. Alfred Keter and team! Can we have some order?

**Hon. Maanzo:** Hon. Deputy Speaker, on the issue of licences, what I did in my constituency, because the police were harassing those people quite often, was to set aside some funds from the CDF and we trained in each ward a few *boda boda* members who had no licences at all. However, the CDF is not enough and if the Government can come up with a policy to ensure that every *boda boda* rider is accorded an opportunity to be trained and have a licence; this will save more lives. We should also have designs on the roads and reserves for *boda boda* people to use. That will go a long way in enabling this policy to make the operations of motor cycles better and safer in the country.

I support and say that this is a very important Motion. We should debate it and help our country.

**Hon. Deputy Speaker:** Yes, hon. Joseph Limo.

**Hon. Limo:** Hon. Deputy Speaker, this Motion is very important. Motorcyclists play a very important role in this country. There are quite a number of opportunities brought about by the *boda boda* business. One of them is passenger transport. It has enabled the rural population to move about with ease. *Boda boda* operators take people from one market place to another. They even take people to hospital, given that we still have a lot of challenges in the rural areas in terms of motorable roads. The *boda boda* is one of the most convenient means of transport because riders access every part of the rural areas, given that they can even pass through very narrow pathways.

The *boda boda* subsector is a key contributor to business development because it ensures that farm produce reaches the market very fast. In the rural areas, farmers use *boda boda* operators to transport cabbages, chicken and milk to the market. Therefore, this is a very important service. Other than these key roles that it plays, we have to accept that it is one of the very important contributors to youth employment in this country. Therefore, the Government should take this subsector very seriously.

Having said so, there are quite a number of challenges faced by *boda boda* operators, one of them being the high cost of motorcycles and motorcycle spares. Initially, the Government exempted motorcycles from Value Added Tax (VAT). Following the re-introduction of VAT on motorcycles, the prices of two-wheeled vehicles went up. That is one of the key challenges being faced by stakeholders in this subsector. Another challenge is the cost of fuel, which is high in this country. We hope that the Government will continually apply various measures to reduce the cost of fuel.

If you move from one village to another, you will hear a common complaint: that the police always harass *boda boda* operators. The police take advantage of the weaknesses that our youth have. Most of them are not trained or licensed operators. Therefore, they fall prey to police mischief. A policy on training and licensing will, other than enabling operators of *boda bodas* to comply with the law, also enable them to operate in a humane and safe manner. Most of them are not well versed in safety regulations. They are not trained in defensive driving. They are not even able to assess the risks they face. Quite a number of people have been caught up in serious accidents because most of the *boda boda* riders are not well trained.

We are supposed to support this Motion, so that the Government can come up with a policy and set up a fund to ensure that *boda boda* operators are trained. The cost of training should be borne by the Government. Most of our staff at the constituency level have tried, in a way, to look for funding for the operators, especially for acquiring driving licences. Most of our staff are in the process of ensuring that we come together to ensure that they acquire licences at subsidised cost. It will be good if the Government comes up with a clear policy to ensure sustainability of this subsector.

Therefore, I urge this House to support the Motion, so that motorcycles can be operated in a regulated environment. We should ensure that operators form savings and credit co-operative societies and operate in a manner similar to that of *matatu* business. That way, they will be able to take care of their own welfare and their motorcycles. They can even operate spare parts shops as businesses now that the Government is giving them

money through the Uwezo Fund. They can sell motorcycles and spares parts as they operate their own Saccos to help them improve their welfare. Consequently, the Government will be left with a few youths to sort out. One of the biggest problems in this country is unemployment, and the motorcycle transport is playing a key role in addressing it.

With those many remarks, I beg to support.

**Hon. Deputy Speaker:** Hon. Members, before we continue, I want to recognise the presence of pupils of Fountain Junior Academy from Ruiru Constituency. You are welcome to the National Assembly.

Hon. Members, I now want to give an opportunity to hon. John Mbadi.

**Hon. Ng'ongo:** Thank you, hon. Deputy Speaker.

Hon. Deputy Speaker, let me, first of all, congratulate hon. Ochieng for bringing a Motion that touches on a significant population of his constituency. While supporting the Motion, I want to share with you an experience I had in 2007. You remember the chaos that followed party nominations and the subsequent confusion regarding presentation of papers to the electoral body.

In 2007, I was supposed to present my nomination papers before the Electoral Commission of Kenya (ECK), as the electoral body was known then. At around midday, I got wind that although I had a valid certificate certifying my nomination as the ODM candidate for Gwassu parliamentary seat, there was another person who also had an ODM certificate. I did not know how he had managed to also get a certificate then, but we have since learned how such certificates are acquired. Therefore, I was forced to make a quick move to catch a Nairobi-bound flight at Kisumu to be able to present my papers to the ECK the following day. I was very late, having been caught up in traffic jam. The flight was almost taking off. I had to look for alternative means. I took a *boda boda* to the airport. Had I not taken the *boda boda* transport, I would probably not have been a Member of the Tenth Parliament.

The point I am trying to emphasise is how the *boda boda* subsector has become important in our lives. I realise that a good percentage of my constituents depend, either directly or indirectly, on the *boda boda* industry. The industry has become so important that the Government cannot afford to ignore it any further. As I was going through an Uwezo Fund application and approval forms after my committee was done with the approvals, I realised that one group that had managed to get the highest allocation, based on its bank statement, was actually one of the *boda boda* groups – Sindo Ragwe *Boda Boda* Group. This group is being awarded a good allocation from Uwezo Fund not for anything else, but because they have been able to save a significant amount of money. As a matter of fact, they have saved Kshs200,000 in their bank account. To me, that is not a mean achievement.

In my constituency, I have taken stock of the people who have registered as members of *boda boda* groups – those who own motorcycles and those who are operating motorcycles on behalf of others. They are about 500. This is an industry you cannot ignore. We know the problems that we face in this country with regard to unemployment. The moment we get a sector that is able to absorb a significant part of our population, especially the youth, we need to encourage its growth, so that it can employ more people. I am talking about direct employment. There is indirect employment associated with the

*boda boda* subsector. Hon. David Ochieng felt that the Government needed to show commitment by making sure that those who are involved in this industry are properly trained; that is where the problem lies. We have lost a lot of people and so many have been injured; some have even died. Actually, I have a friend whose name I will not mention here. He lost his mother because she boarded a *boda boda* and before it moved 100 meters, it got involved in an accident and she lost her life.

Hon. Deputy Speaker, we need to train these *boda boda* riders because it is very important. Once they are trained they need to be licensed. I organized training for *boda boda* riders in my constituency and only a third of them have been given driving licences because of the bureaucracy in Government. The Government needs to start devolving and decentralizing some of its functions, including licensing. There is no reason to organize to get licences from Nairobi, yet training is done down in Suba Sub-County.

Therefore, we need training and licensing of *boda boda* riders; more importantly public awareness is needed. When I took a *boda boda* to the Airport – it is not that I am not aware - I did not put on any helmet and there was no jacket. If it was cold, I would easily have been affected by pneumonia. If I had been involved in an accident, I would not have survived because I did not have a helmet. We need to educate the public to understand that before you ride on a *boda boda*, you need, first of all, to ask if there is a helmet and a jacket as protective devices. That awareness is lacking and people risk to an extent that sometimes you say this is almost committing suicide because you find even four people riding on one *boda boda* for no reason. They leave other *boda bodas* and decide to ride on a single *boda boda* to cut on cost. What is Ksh50 or Kshs100 compared to your life? These are questions that we need to put to Kenyans and they need to be properly educated.

Hon. Deputy Speaker, I think that this Motion should be converted into a Bill. Even then, this House takes the initiative to allocate specific funds for training *boda boda* riders. I do not think it is too much for this country to allocate funds to this industry which employs our youth. That is something we need to think about because getting money from CDF is overstressing the CDF kitty; mostly, you will take it from the bursary fund meant for secondary schools and university and college students. If you squeeze in the *boda boda* industry, you will again be overstressing an already stretched fund. I think it is high time this House, being the body that approves and appropriates money in this country, thought of even allocating funds specifically to train *boda boda* riders, because we have appreciated their role in the transport sector.

Hon. Deputy Speaker, when I listened to some of my colleagues who contributed before me I realized that what I have noticed in my constituency is replicated everywhere. If you take stock of how many of your constituents are involved in this industry, then you will appreciate the significance and importance of this industry.

With those many remarks, I would like to support and allow my colleagues to make their contribution.

**Hon. Deputy Speaker:** Before you continue with debate, I also want to recognize the presence of three special schools in the galleries.

First is Joy Town School for the Physically Disabled; secondly, there is Kambui School for the Deaf, and thirdly there is Thika Primary School for the Blind.

*(Applause)*

You are all welcome to the National Assembly.

I want to give this opportunity to the representative of special interest groups, hon. Mwaura, to contribute to this debate.

**Hon. Mwaura:** Thank you, hon. Deputy Speaker. I rise to support this Motion and say that the schools that are attending Parliament today are doing it for the first time in the history of this Republic. It is important also that we make our Parliament disability sensitive because it has been very difficult to come on board.

Hon. Deputy Speaker, it is also true that motorcycles are causing a lot of disabilities. If you go to many places and hospitals, you will find even wards now dedicated to take care of people injured in motorcycle accident. That is very bad because these are people who were going on with their normal lives and they happened to have been driven by people who did not take long before they qualified, if at all they ever did, to be motorcycle drivers.

Hon. Deputy Speaker, as it has been said by many hon. Members, the burden of care that results from injuries is enormous. Most hon. Member will agree that *boda boda* operators are critical even in political mobilization. The burden of medical bills is usually directed to hon. Members. I am sure many of my colleagues will attest to the fact that this is among the demands we face on a daily basis.

Hon. Deputy Speaker, in that regard, you find that as a country we do not have a proper medical scheme that would, otherwise, actually enable such victims to be taken care of. The majority of Kenyans do not have National Hospital Insurance Fund (NHIF) cards and they even have a problem of accessing beds in hospitals, which are actually scarce. If you look also at the duration of training--- I do not know whether in this country we have guidelines on how motorcycle drivers, or cyclists for that matter, are supposed to be trained. Therefore, because of the high levels of unemployment, and because the transport sector is being liberalized, our people are taking to this industry because our young men and, indeed, women can get employment. It is, therefore, incumbent upon us, as a policy organ, to support this Motion, and commit it to the relevant Departmental Committee, so that they can come up with proposals which we can all support.

There is also the question of insecurity. Recently you heard of a case of a young person, Gabriel Kinyanjui Mandu, who was being trafficked to Tanzania because he has albinism. The people who tried to smuggle him away were actually using motorcycles. Nowadays, they become shadowy. In fact, to be sincere about what is happening, motorcycles are also being used to commit crimes. This is because they are not like Public Service Vehicles (PSV) where you can say you know who is the driver or the conductor. Therefore, we need a situation where we have a Government registration arrangement, which will enable us to know how these *boda boda* riders operate, so that in cases where people are attacked, or even in case like that of little Gabriel, we will have some form of recourse.

Hon. Deputy Speaker, we have gone ahead to register mobile phones and SIM cards. Motorcycles, which are a quick means of transport, and which can access various

localities to which vehicles cannot go, are useful. Therefore, they can be misused for any purpose.

Hon. Deputy Speaker, Africa is taking after Asia. If you go to Asia you will find that in many countries motorcycles have been properly institutionalized, although they too are complaining. They call it trafficking, for example in Cambodia, where I was some time back. I am not sure whether our traffic laws, for example, actually are amenable to offences such as those caused by motorcyclists, or drivers for that matter.

Hon. Deputy Speaker, you will agree with me that because of poor training these drivers actually move around streets and highways as if they are pedestrians. Sometimes when you are driving they will come on the wrong side, yet you tend to be the one who will be accused of lack of vigilance as a driver.

So, hon. Deputy Speaker, I think it is time, without belabouring, the point, indeed, we had a proper policy and, in fact, even amend the relevant laws to provide for proper policy guidelines and mechanisms for ensuring that the motorcycle industry is regulated.

Hon. Deputy Speaker, recently I was reading about the 15 most habitable cities in Africa and Nairobi was one of them; it was described in very glorious terms. However, there was a disclaimer that you need to own your personal vehicle. Those who may not actually own vehicles are taking to motorbikes, yet we have not regulated this subsector. So, I would implore upon my fellow Members of Parliament that we act with speed and ensure that, indeed, we take action to ensure that we save the lives of Kenyans. We, who represent special interest groups like persons with disabilities, do not want to end up with more disabilities, which otherwise may actually be averted by simply avoiding careless driving or cycling.

Hon. Deputy Speaker, I support.

**Hon. Deputy Speaker:** Hon. Charles Njagagua.

**Hon. Njagagua:** Thank you, hon. Deputy Speaker. I do not know when hon. Tongi, the Member from Kisii became Njagagua, the Member from Mbeere.

Thank you, hon. Deputy Speaker for giving me this chance to contribute to this Motion. Indeed, I rise at this moment to support this Motion by my good colleague David Ochieng, and say that it is high time that the Government stepped in to subsidise the *boda boda* owners in acquiring licences.

As my colleagues have said, many of us have had a chance to use *boda bodas*, one for mobilization, and two, to transport our supporters, and even for sending urgent messages. On the flip side of this issue is that you go to many hospitals in Kenya today and you will find so many people on hospital beds with broken limbs caused by use of *boda bodas*.

Hon. Deputy Speaker, it is high time the Government subsidised the training of *boda boda* operators. We know that getting a licence by a *boda boda* operator costs about Kshs7,000. Many of these young Kenyans who are now new owners of motorcycles do not have the ability to pay this Kshs7,000 to get a licence.

Hon. Deputy Speaker, now I come to the other small issue. When they do not have licences they are continually harassed by policemen. Hardly a day passes by without me getting two or three phone calls from my constituents that they have been arrested,

and are being harassed by policemen because they do not have a reflective jacket or a helmet. It may still be that they do not have a licence.

So, hon. Deputy Speaker, now that we are saying that the *boda boda* industry is an avenue for employment for the youth - it alleviates youth unemployment - we must encourage the youth to own motorcycles and operate them; we must also assist them in owning and operating them.

Hon. Deputy Speaker, if you look at the pillars of Vision 2030, I believe transport is a key cog to attaining it. I want to imagine that the use of motorcycles is a means of transport. It is taking us longer to attain our goals of Vision 2030. So, we must support the users of this means of transport but we must again emphasise, and even re-emphasise, the safety. We must have a public policy. Let us not over-harass our young men and women.

Hon. Deputy Speaker, I saw the other day Kisumu County Assembly trying to legislate on how women should sit on *boda bodas*. I do not imagine that is the best way to go about it. This is a free country and if anybody wants to ride the way he or she wants it is their choice, but let us not try to legislate on everything we do in this country.

So, hon. Deputy Speaker, I support this Motion, that the Government of the day should do something to assist owners of *boda bodas*. It should subsidise spare parts and the cost of *boda bodas*, so that young men get a means of livelihood. Thank you, hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Shidiye.

**Hon. Shidiye:** Thank you, hon. Deputy Speaker for giving me this opportunity to contribute to this Motion. From the very outset I want to congratulate David Ochieng for bringing such a good Motion; it touches on the youth of this country.

Hon. Deputy Speaker, *boda boda* is a big industry that gives employment to our people, particularly---

**Hon. Deputy Speaker:** Your voice is too low. We cannot hear you, hon. Shidiye.

**Hon. Shidiye:** Thank you, hon. Deputy Speaker. The *boda boda* industry is a huge employer. It has employed many youths, who used to be idle before. You will realise that it might very soon overtake the *matatu* industry.

Hon. Deputy Speaker, I want to say very clearly and from the very outset, that unless and until we regulate this industry we will not go far. The Government and the *boda boda* operators have roles to play. For the *boda boda* industry to operate very efficiently the Government must provide a special road for the *boda boda* operators. In this day and age if you allow *boda bodas* and vehicles to operate on the same road, you will realise that now and then they are involved in accidents.

Hon. Deputy Speaker, recently we were in Holland and we saw how bicycles are used properly; they have their special roads. *Boda bodas* there also have special roads and that has really helped the people. *Boda bodas* are efficient, cheaper and environmentally friendly, and they can really help grow the economy.

Hon. Deputy Speaker, one thing that hon. Ochieng should have mentioned here is that one of the subsidies the Government should provide is comprehensive insurance for *boda boda* operators. This is because most of the time you realise that we have people in wards and they have injuries as a result of accidents by *boda bodas*. If we have comprehensive insurance for them most likely they will have a good cover and their bills

will easily be paid by their insurance. However, now they are all suffering and some of the fractures they cause are very difficult to mend or repair. So, it is getting very hectic for them.

Hon. Deputy Speaker, the other issue which I would like to touch on is regulation. This is an industry that needs to be regulated. Regulation means discipline. Like the *matatu* industry, it has been so much abused. Why am I talking about discipline? This industry has been infiltrated by people who have criminal intents. Some criminals have been using *boda bodas*.

It is very important that from the outset *boda boda* operators are given a certificate of good conduct; due diligence should be done about somebody's conduct and history, so that people know exactly who is operating in a certain locality; they know that you are not a criminal. Also, the people you carry must be known. You might, without knowing it, carry criminals and that way become a criminal too.

The other issue is to provide subsidized training, because the *boda boda* operators do not have much money. We can help through the CDF and other initiatives. The Government should make sure that when operators get their licences and when they undergo training, they should, at least, be able to access training facilities at a very low cost, so that they can add value to their lives.

The worst thing in this country is unemployment. Kenya is facing huge unemployment. If you do not provide employment, you will realize that most of the youth hang around and engage in criminal activities, which can be dangerous. The other issue is police harassment. Members have said it and we will continue saying it; this idea of *kitu kidogo* by police has really been bothersome to *boda boda*, *matatu* and taxi operators. We have said that the police must stop harassment. Police must be agents of development and good relationship with the public. If they demand bribes every now and then; business will not be done. It will be very difficult for *boda boda* operators to do their work.

The other issue I want to discuss is about the small and medium enterprises like the *boda boda* business we have been talking about, and to which the Government should provide some special loans. I know very well that in the past buying a motorcycle used to be a big deal, but with China producing the many motorcycles--- Time has come for the Government and the Kenyan people to set up an industry to produce motorcycles here. About 500,000 youths are employed in the *boda boda* subsector, and provide a service that is really critical to this country.

With those few remarks I support this Motion, and say it is very timely and we need to support it.

**Hon. Deputy Speaker:** Minority Whip

**Hon. Mwadeghu:** Ahsante, Mhe. Naibu Spika kwa kunipatia nafasi hii nami nitoe mchango wangu kuhusu sekta hii ya *boda boda*. Kama uelewavyo, shughuli za *boda boda* zimeenea kila pembe ya nchi yetu. Huwezi kwenda pahali popote na kukosa vijana wakifanya biashara, ama shughuli za *boda boda*. Kwa hivyo tunakubaliana sote kuwa ni biashara, ni sekta ambayo inakua na inahitaji kupatiwa msaada, ama kutiwa shime ili ipate kukua zaidi. Imeongeza uchumi wa nchi, imetoa ajira; vijana wanafanya kazi wao wenyewe bila kung'ang'ana, au kuzozana, na watu wakitafuta ajira. Kitu kinachohitajika ni kuboresha sekta hii ili hao vijana wawe wanaweza kutoa huduma kwa

umma, huduma ambayo ni nzuri, huduma ambayo haitaumiza watu, huduma ambayo ni rahisi na itarahisisha usafiri.

Vijana ambao wanashughulika na kazi ya boda boda mara nyingi wana shida. Moja ya shida wanazokumbana nazo ni ukosefu wa mafunzo ya kutosha. Kama wangekuwa wamefunzwa uwajibikaji, na kujua sheria za barabarani kulingana na sheria za usafiri, bila shaka, ajali tunazoziona nchini mwetu zingekuwa zimepungua.

Jambo lingine ni kuhusu vifaa. Utakubaliana nami kuwa mara nyingi hawa vijana wanabebana bila kuvaa kofia ambazo zinaweza kuwasaidia wakati wa ajali. Abiria ambao pia wanabebwa nao hawawezi kuvaa hizo kofia. Hawana nguo ambazo zinaweza kuonyesha mtu usiku kuwa hapo mbele kuna *boda boda*. Mara nyingi ukosefu wa vifaa unachangia kuweko kwa ajali. Kuna sehemu nyingine za nchi ambapo unaweza kwenda hospitalini ukakuta pahali pametengwa pa watu ambao wamepata ajali ambazo zimetokana na boda boda. Hiyo haimanishi kuwa biashara si nzuri. Inaweza kuboreshwa na tunaomba serikali ije na shughuli mwafaka za kuweza kuboresha sekta hii ya boda boda. Mna kitu ambacho kinaendelea inchini mwetu kuhusu hawa vijana wetu wa boda boda na polisi. Polisi ambao wamejitoa badala ya kuangalia wezi huko mitaani, wamekuwa ni kuamka asubuhi na kujipanga kwa barabara ili kuwanyanyasa hawa vijana. Unaweza kuona kuwa kijana amesafirisha, na kupewa Kshs.200 ama Kshs.300 akikutana na polisi bila shaka hakuna kosa litakalo patikana katika gari lake la usafiri. Mara nyingi utakuta analazimishwa atoe hongo kwa polisi; polisi hua hawana haya kuona kijana amerauka asubuhi, amepigwa na baridi angalau ajitafutie ajira, na hizo fedha kidogo amepata, kama Kshs200 pia wanamnyanganya.

Kuna mambo mengi tumeyashuhudia hata katika sehemu ambayo nawakilisha, Wundanyi. Utakuta boda boda zinazotoka Mgange kwenda Mgange-Dawida, polisi wamejipanga njiani kuwanyang'anya hawa vijana pesa. Wundanyi kwenda Wesu ni hivo hivo; Viruga kwenda Wesu, hivo hivo, Viruga kwenda Mgambonyi ni hivo hivo. Kwa hivyo, tunawaomba polisi nao watusaidie kuboresha sekta hii badala ya kuwa tayari kila wakati kuwanyanyasa hawa vijana. Serikali pia ingetoa hundi kuwasaidia hawa vijana. Hawa vijana mara nyingi wanaendesha magari njiani ambayo mara nyingi si yao; hua kuna watu ambao wameyanunua na wakawaajiri vijana ili jioni angalau wajipatie riziki zao. Sasa hawa vijana wataendesha hizi boda boda mpaka lini? Tunatarajia nao pia watapata nafasi ya kuweza kuinuka kimaisha, na kutoka katika hiyo sekta ya boda boda, na kununua magari kama *matatu*; lakini wanaanza chini na boda boda. Litakuwa ni jambo la busara kwamba kwa vile Serikali ilitenga hela ama fedha za akina mama na vijana sasa ifikirie kama inaweza kutenga hela za vijana wa boda boda. Bunge hili lina mamlaka ya kuweza kutoa pesa ambazo zinaweza kutumiwa kuwafadhili vijana ambao wanashughulika katika sekta hii ya boda boda ili iweze kuboreshwa. Hizi pesa za CDF ambazo tunazitumia, wengine wetu tumezitumia kuhakikisha kuwa vijana wamepata mafunzo, wameelimishwa kuhusu uendeshaji magari na boda boda. Lakini haitoshi. Mara nyingi fedha tulizo nazo ni chache na hazitoshi.

Litakuwa jambo la busara Bunge lifikirie kukaa chini na kuona kama tunaweza kuweka kiwango fulani katika kila eneo bunge ambacho kitatumiwa kuwafadhili hao vijana; fedha hizo zitatoshwa kuwapatia mafunzo na hata mikopo ya kunua pikipiki ili wazitumie kufanya biashara yao.

Kwa haya machache, naunga mkono Hoja hii ili ipate kuwasaidie vijana wetu huko mashinani.

**Hon. (Ms) Korere:** Nakushukuru Mhe. Spika. Mjadala uliopo mbele yetu, kwa maoni yangu, ungekuwa imefanyika mwaka jana. Hata hivyo, ni shukrani maanake leo tumepata kuujadili.

Hoja hii ni muhimu sana. Sekta ya boda boda ni sekta ambayo imechangia pakubwa kuinua uchumi wa nchi yetu. Imechangia pakubwa pia kuimarisha uchumi wa jamii, na pia imetoa ajira kwa vijana ambao wamekuwa wakitangatanga mitaani bila ajira, na imeinua pia mapato ya jamii. Cha kusikitisha ni kwamba vijana hawa, wakiwa ni wasichana na wavulana ambao wanaendesha boda boda, ni watu ambao hata kupata leseni imekuwa ni shida. Kwa kusema kweli, maeneo mengi ambayo sisi wengine tumetoka, ni maeneo ambako barabara ni mbovu; ni maeneo ambako hata sisi tukiwa katika Bunge hii--- Ni mahali ambako inakubidi uache gari lako na kuchukua boda boda ndio uweze kuwafikia wananchi.

Kwa hivyo, hizi boda boda haziwabebi tu wale watu wa chini. Wabunge watakubaliana nami haswa wale wa kutoka sehemu kavu, kwamba mara nyingi sisi tumelazimika kutumia boda boda ili kuwafikia wananchi wetu. Kwa hivyo, hizi boda boda zinapofanya ajali, hata sisi tukiwa Wabunge mara kwa mara tunapatikana katika hizo ajali. Cha kusitikisha ni kwamba hakuna mipango kabambe ya kutoa mafunzo na leseni kwa waendeshaji boda boda. Iwapo tunawataka hawa vijana wachangie uchumi wa nchi hii, ni lazima pia tuangalia maslahi yao. Ni lazima pia tuhakikishe kwamba wana usalama katika uendeshaji wa boda boda.

Kwa hivyo, ombi langu ni kwamba Wabunge katika Bunge hili la Kitaifa la Kenya, na Serikali yetu, ambayo imechaguliwa na wananchi, waweke mipango kabambe kuhakikisha kwamba haswa utoaji leseni umepelekwa hadi vijijini. Kwa mfano, waendeshaji boda boda katika mji maarufu ambao nimetoka unaoitwa Doldol, inawabidi kwenda Nyeri ambayo iko katika Mkoa wa Kati kutafuta leseni. Labda ni kijana mmoja au wawili ambao watapata hizo leseni. Vijana wanapokosa hizi leseni, inakuwa ni kama kuwapatia polisi fursa ya kupata mapato yao ya kila siku kutoka kwa hawa vijana. Polisi wanapoishiwa na fedha mifukoni mwao, wanakumbuka kuna vijana ambao hawana leseni. Wanamwagika kwenya barabara na kuwadhulumu vijana wetu. Iwapo polisi atachukua Kshs500 au Kshs1,000 kutoka kwa mwendeshaji boda boda, siku hiyo, familia ya huyo mwendeshaji boda boda haitapata chakula chake cha kila siku.

Ni ombi langu kwamba hili swala tuliitilie maanani, tulipitishie na tufuatilie kuona kwamba mafunzo kwa wendeshaji boda boda yametolewa. Pia, labda Serikali ilipe kitu kidogo ili gharama ya kupata leseni iwe ni ile ambayo hawa vijana wanaweza kuimudu na kupata leseni.

Kwa haya machache, naomba kuunga mkono mjadala huu.

**Hon. Kobado:** Thank you, hon. Deputy Speaker, for giving me the opportunity to add my voice to debate on this very important Motion. *Boda boda* is a kind of informal mode of transport. *Boda boda* transport has evolved over the years. It started off with the manual bicycle and to date, it is motorized. It plays a very important role because it fills a gap in the transport sector. This sub-sector has grown exponentially over time, because of their competitive advantage.

One competitive advantage that the *boda boda* informal sector has over the

mainstream transport sector is its flexibility. You can use that transport any time during the day or night. It is flexible in terms of place. It can access anywhere even areas which have hitherto been considered inaccessible. It is flexible in terms of price because you can negotiate how much to pay. Therefore, it serves the poor well. Indeed, it is also flexible in terms of volume. These days, *boda bodas* are even used for transporting livestock like cows, although that is beyond what it is designed to do. The rise of *boda boda* taxis is a bottom up response to transport challenges, in the sense that it has come up because of shortage of urban transport. It is also because of the strong demand in the public transport and the poor road network.

However, the subsector is not gender sensitive. It is dominated by the male gender. As much as there are several social benefits of *boda bodas*, there are also socio-economic costs of *boda bodas*. The benefits are numerous because it is one subsector that is creating a lot of employment opportunities, and it is likely to continue creating employment opportunities.

However, if you look at the social cost in terms of safety and health risks, then a lot needs to be done to reform the subsector, so that as we consider expanding it, we ensure that it serves our people without risking their lives. If you visit some hospitals, there are even wards dedicated to *boda boda* accident victims. Research indicates that use of protective gear, the helmet and vests, is at only about 20 per cent. This means that 80 per cent of those who are in this business are not using the safety gear. We need to think outside the box.

This is one sector that can create many employment opportunities for the youth in this country, but for a long time we are only looking at the supply side of the service. We are not looking at the demand side. The supply side is about transport and it is purely a service; but if you look at the *boda boda* motorcycle as a product, these motorbikes are sub-standard in terms of quality. They are more or less disposable goods. They do not last. If you look at the money the youths use to procure them, you will see that the cost of it is not justified.

So, it is possible that we can create a whole manufacturing industry on the demand side of this particular service. A number of these motorbikes are not serviceable. They are more or less disposable. After using them for a short while, you simply dispose of them. But there is a possibility that if the Government were to provide incentives and subsidies for the micro enterprise, then we could set up industries to manufacture certain parts of the motorbikes or even do the assembling. Assembling is normally done by the Chinese. With the support of the Government, I want to believe that we can assemble these *boda bodas* in the informal sector and even produce certain parts locally. That would create many employment opportunities.

Hon. Deputy Speaker, this country is turning out to be a consumer society and a dumping ground for sub-standard products. We have the anti-counterfeit agency which is mandated to combat counterfeiting. They do not seem to be doing their work well. If they were to do their work well, then, there would be a possibility that we would create many employment opportunities in the informal sector and in small and micro enterprise sector. Today, if you look at the streets of Nairobi, you will see that the cutlery that we use in our houses is imported from China. Spoons, cups, *jembes* and shovels are all imported from China. If you look at them critically, you will realize that they are heavily sub-

standard. A number of them are sub-standard and really counterfeit. So, if that was to be stopped by proper surveillance so that those things do not come in, there is a possibility that this country would be a major supplier in this region, but increasingly continue to be a consumer society. That includes the food products that you see in the supermarkets. A number of those things can be grown locally, but most of them are imported. Indeed, even today, I am told that with regard to fish which we farm and produce locally, the Chinese are already importing the fish in large quantities and selling them very cheaply. With Kshs100, you can get a *ngege* fish from China and yet, it should cost about Kshs500 locally.

Hon. Deputy Speaker, we need serious reforms particularly in the small and micro enterprise sector. The Government should focus more on transfer of technology and imparting skills in the youth so that they can become more or less producers in their own rights. We are aware that today, 92 per cent of unemployed youth have no vocational or entrepreneurial skills. Already, the implementation of the Uwezo Fund leaves a lot to be desired. Those people are on the ground training already and yet, they have not done any needs assessment study. I want to imagine that they should have started by looking at the needs so that as they can start the training to empower the youth and women they know the gaps that they should be filling. If that is not done, the Uwezo Fund will be more or less like the ESP Programme that was there during the Tenth Parliament.

With those many remarks, I support the Motion.

**Hon. (Ms.) Nyamai:** Hon. Deputy Speaker, I thank you for giving me this opportunity. I would like to support this Motion. The *boda boda* industry is very important for the local youths who have missed employment for a very long time. I would like to agree with my colleagues that this is an industry that requires a lot of support from Government and, indeed, Parliament. That industry touches on several Ministries, for example, the Ministry of Health, the Ministry of Transport and Infrastructure and the Ministry of Labour, Social Security and Services. It is not a matter that can be addressed by one Ministry. I would like to focus on the issue of the Ministry of Health, especially now that we have not been able to roll out universal health care. The *boda boda* riders are unable to take care of themselves after the many accidents that they are involved in. This House can spearhead an initiative where we can have an innovative approach and provide insurance which is essential for that high risk group; that is, the *boda boda* and, perhaps, three other subsectors.

That innovative approach to insurance has been supported by donors before. It is, therefore, an approach that can be adopted by this House. I would also like to relate this to the good report that was presented by the Departmental Committee on Health about the use of National Hospital Insurance Fund (NHIF). We need to encourage the *boda boda* riders to register with NHIF. This is an approach that we can use.

Talking about the Ministry of Transport and Infrastructure, we realize that the roads as they are do not have a provision where *boda boda* riders can ride safely. We can ensure that this is provided for during the designing of roads. That way, the riders will not be riding next to vehicles.

As I support this Motion I would like to address the area of social impact of *boda bodas* on young girls. This is a very good industry but, looking at the health and social side, within the rural constituencies, we already have a problem where the *boda boda*

riders are getting involved in sexual activities with school girls. It is important that we leaders support them in terms of ensuring that they are properly trained and that they have an insurance cover. We encourage the police to be patient with Members of Parliament, especially those who are assisting the *boda boda* riders. Again, we need to sensitize them on the fact that there are diseases like HIV/AIDS. Having a *boda boda* in a rural community elevates the rider to a higher level and some of them may be misusing that privilege. I support my colleagues who have said that there is a lot of harassment of those young men by the police. This is a source of income to the women who rely on their relatives or, perhaps, husbands who might be *boda boda* riders. Those people are care givers who pay school fees through that business. It is important that the police exercise patience as we try to support them.

I would like to support my colleagues by saying that it is important that we have a comprehensive law, perhaps, by encouraging the sponsor of this Motion, hon. Ochieng, to go beyond this and make it a Bill. We will support it and ensure that we have proper regulations in place.

The *boda boda* riders are being used in crime. In my constituency, where most of the areas can only be accessed through the use of *boda bodas*, the *boda bodas* are a source of insecurity. In particular, I am talking about the South Kitui Game Reserve where we are aware that criminals are transported using *boda bodas*. So, it is important that, that matter is taken into consideration.

I appreciate the fact that CDF has been highly used. As a Member of Parliament, I have used CDF personally to support that. As we make rules, let us realize that CDF is one of the devolved funds whose impact can be seen. Within the regulations, CDF can be used as a way of channeling funds so that they can reach the *boda boda* riders on the ground.

This is a matter that needs to be taken up by this House. We need to encourage each other on this issue of *boda boda* people. They need support from this House and, indeed, the Jubilee Government. I thank you for this opportunity.

**Hon. Nakara:** Thank you, hon. Deputy Speaker. The importance of *boda bodas* cannot be emphasized more. Many Members have spoken and I only want to add my voice on a few things that they have said.

Now that the mood of the House is such that all of us should support the *boda boda* industry, we need to challenge the Government to come up with policies. For instance, every county should have a training institution for the *boda boda* people. They should be going there for a month's training. That way, the *boda boda* operators will get skills on how to operate their *boda boda* and how to repair them when they break down. Some of the *boda boda* operators purchase the motorbike and by the following morning, they are riding it. They cause a lot of accidents. We challenge the county governments to have training institutions for the *boda boda* operators so that we save the lives of our youth.

Another policy is on the importation of *boda bodas*. As my colleagues have said, some of the motorcycles are fake! You buy one today and after one month, it is worn out. So, we should encourage the Government to put a policy that states that you cannot import a motorcycle that is fake. That way, we can control some accidents that are caused by motorcycles.

Hon. Deputy Speaker, another policy should be about the SACCOs. The Government can come up with a policy to state that every *boda boda* must register with a savings society, so that we can bring the culture of saving amongst our youth. We should tell them that it is not only working that can make them save. They can save even when they are operating the *boda bodas*. We should encourage our youth to learn the culture of saving. That is because some of them have not gone to school and they cannot get white collar jobs. So, we need to encourage them to form SACCOs so that they can save, take loans and undertake development projects for themselves.

Another issue I want to raise is adding a separate lane along the roads. This is because the *boda boda* riders maneuver their way and sometimes cause accidents. It is good to have a separate lane along the highways which the motorcycles can use.

Hon. Deputy Speaker, I did not go to The Hague when our President went there, but I saw on television some big guys riding bicycles in separate lanes. So, we want to encourage the Government to establish a separate lane along the roads so that the *boda boda* people can ride safely. We cannot over-emphasize very much about the *boda boda* industry. Members of Parliament have spoken about transportation. In Turkana Central Constituency which I represent, *boda bodas* have become ambulances. Whenever we have a sick person, we send a *boda boda* to carry him or her. If a snake has bitten someone, we also send a *boda boda*. We also send *boda bodas* wherever there is an emergency.

We want the Government to make the *boda boda* business a commercial industry by giving licences so that when you are involved in an accident on a *boda boda*, the insurance companies will compensate you. We need to encourage the Government to come up with a policy that gives a comprehensive insurance cover to *boda boda* so that in case of accidents, those riding them can be compensated. That is because many accidents occur involving *boda boda* operators. Lives are lost without any compensation. So, we want the Government to come up with a comprehensive insurance that the *boda boda* people can afford. Alternatively, they can be assisted by the Government and be paid when they are involved in accidents.

Hon. Deputy Speaker, the *boda boda* business is one of the ways of raising revenues in this county. However, we want the Government to also give back to the *boda boda* industry. They pay a parking fee of Kshs50 per day and that is a lot of money. The Government gets good revenue when that money is collected. So, we want the Government to give back to the *boda boda* people.

Finally, we want to encourage the county governments to use *boda boda* as a means of taking information to the people. For example, some people in Turkana do not read newspapers because they get them after two days. We want to encourage the county governments to use *boda bodas* as a means of advertising issues to do with the county, so that even the local people down there who do not have access to newspapers can get information. By doing so, we will pay *boda boda* people some money and their business will be booming. That will assist them to move on with their lives.

Hon. Deputy Speaker, with those few remarks, I support this Motion.

**Hon. Wangwe:** Thank you, hon. Deputy Speaker, for giving me this opportunity to add my voice to this very good Motion by hon. David Ochieng.

Hon. Ochieng has taken cognizance of what is happening on the ground. In my constituency, for instance, many people earn their income using *boda boda*. Boys at the age of between 18 and 35 years earn their income on a daily basis as a result of being *boda boda* riders. A situation that prevails on the ground is that many a times, those boys do not really understand whether to go left by indicating using their hand or using the indicators on the motorcycles. Whenever they ride motorcycles, they do not want to know which side of the road they will use. It is not that they do not want to use the right signage, but it is just because they are not well trained to understand the usage of the road.

On the various approaches on the road as it is supposed to be, they seem not to understand. So, this Motion should be built into a Bill and brought to the Floor of this House. I feel that hon. Ochieng would have done Kenyans proud. That way, we can remedy the situation that is happening on the ground. We will make it a better way of living by our people.

Hon. Deputy Speaker, this is one way of engaging the youth. If you look at the current situation on employment, you will find that it is not everyone who can be accommodated in white collar jobs. Based on the situation that is on the ground, should this Motion be transformed into a Bill which is enforced by the Government, we will have a situation where repairs and maintenance garages will be built and most of those people working there will be trained. They will understand the engineering part of repairs and maintenance of those motorcycles. That is because not only do we witness a situation where they do not understand the road signage, but also the mechanical parts of the motorcycles are not well maintained. So, we will have a situation where we will build good garages and centres where those motorcycles will be repaired.

Another thing that the Government should do as we enforce this issue on the motorcycles is to reduce the levies and taxes on the spare parts of those motorcycles. Should this come into force, our boys and girls who enjoy riding motorcycles will acquire it at a cheaper cost. You will find that the cost of acquiring a motorcycle is lower than the cost of maintaining it in the long run. Therefore, it is important that we look into this matter and lower the levies and taxes so that we help our boys and girls in various centres.

Hon. Deputy Speaker, you will find that those motorcycles have made the logistic work between the rural areas and the nearby market centres very affordable. By virtue of using the motorcycles, most of the local farmers are able to deliver their commodities to the nearby markets. With the introduction of a Bill, the boys and girls will now understand the usage of motorcycles. That means that the delivery of various commodities from the farms to the nearest markets will really be faster.

Unemployment basically results into insecurity. Should we engage the *boda boda* riders positively, it means that our boys and girls who are idle shall be engaged in various assignments and the rate at which they commit crime will also come down. That is because an idle mind is a devil's workshop. That will not be the position and, instead, security will be improved. That way, we will reduce insecurity in the country.

Hon. Deputy Speaker, with those few remarks, I beg to support the Motion.  
Thank you.

**Hon. Mulu:** Thank you, hon. Deputy Speaker, for giving me this chance to also add my voice to this important Motion. From the outset, I support this Motion because the contribution of the *boda boda* industry in this country cannot be underrated.

Many things have been said by my colleagues, but I just want to summarize very quickly some of the areas that I think are very important in terms of what the *boda boda* industry has done to this country. If you look at the unemployment rate in this country, it is very high. But if you also look at what the *boda bodas* have done in terms of creating employment to our youth, this is something we must appreciate as a country. At the same time, because of engaging the young people, issues to do with insecurity or crime have actually reduced.

Hon. Deputy Speaker, the most important bit is that because of the *boda bodas*, those Kenyans who live in areas where the road network is quite poor are able now to access their homes. They are able to visit their relatives. That is because the *boda bodas* can maneuver the small *panya* routes to reach the homes.

I am aware that a number of factories have been opened. For example, Honda, which is a motorcycle manufacturing company, has opened a local chapter to assemble motor cycles. That is very important because it creates work for our people and, at the same time, the company is paying taxes to our Government. Therefore, it helps in the economic growth.

Hon. Deputy Speaker, despite all those good things, you will realize that any time you visit our local hospitals in the counties; one or two wards have been set aside for people who are involved in *boda boda* accidents. This is contributing heavily in terms of budgetary allocations. Many hon. Members are contributing a lot to assist people who have been involved in accidents. You will find that in most cases, we are either giving Kshs10,000 or Kshs20,000 to support the medical bills. That means that if that sector is not properly regulated, then we will have a big problem. That is why I want to support this Motion because it is proposing three important things. The first thing is subsidizing training of the riders so that they can get licences. This is a very important aspect of this Motion because what is going to happen is that those young people will have licences and, as a result of that, they will reduce the number of accidents.

It is quite expensive to get a licence. I have trained my youth in Kitui Central. I trained about 200 and spent over Kshs1 million because of the high expenses. So, I imagine that if it was subsidized to Kshs2,000 or Kshs1,500, then we can train a majority of those people and everybody will have a licence. At the end of the day, we can make sure that we minimize the accidents.

At the same time, one of the challenges I faced as I did this is the fact that I had to ferry the young people from wherever they were to Nairobi for the licences. That is why I like the second point in this Motion, where we are saying that we should decentralize the licencing units so that we can have them at the county level. That way, if you are training them in Kitui County, they can get their licences at that level. They can get tested in Kitui County and get their licences in Kitui County. That way, we will be making it easier for the young people to get licences.

The third point in this Motion - which is also quite important - is the creation of public awareness. Public awareness in that sector is very important and there are a number of points which we need to focus on when it comes to the area of creating public

awareness. The first point is creating awareness on the use of protective gear. They must use reflectors, helmets and make sure that their passengers are also protected in case of an accident. This is the area where we need to create awareness because most of the accidents are becoming fatal as a result of not using protective gear.

The other thing we need to educate the public on is the need to have an insurance cover. If they do not have an insurance cover, then it becomes very tricky when a life is lost. This is an area we need to make sure that the riders and passengers are educated about.

The other point is that they should ensure they carry the right number of passengers. As you drive around, you will see some of them carrying even five passengers. In addition to those five passengers, there are small babies and bags. So you will find one motor cycle carrying about seven people. By design, the way it is manufactured, I do not think the capacity of that motor is supposed to carry seven people. So, automatically, when you have seven on board, it means that there is a high chance of being involved in an accident. We need to educate them so that they carry one or two passengers despite the fact that they are making money, so that we can also protect Kenyans.

The other point is the issue of saving. Most of those *boda boda* riders are living from hand to mouth on a daily basis. All the money that they make during the day is spent in the evening in local bars or wherever they go and, in the morning, they have nothing. So, we need to train them in the art of saving; that they are making some money and so they need to save. The issue of forming some cooperative societies for them is very important, so that they can save. With time, they can graduate from being riders to drivers of cars and that can help them.

The last point which I think is important in terms of creating awareness is the issue of HIV/AIDS. Most of those *boda boda* riders have become the “bulls” of the rural areas. Wherever you go, you will find young girls running after them and so are the newly married ladies. The old ones are also doing the same and what is happening is that if we do not educate them on HIV/AIDS, we are likely to have a very dangerous situation as we move into the future.

Hon. Deputy Speaker, with those few remarks, I want to support this Motion.

**Hon. (Ms.) Chidzunga:** Mhe. Naibu Spika, nachukua nafasi hii kwanza kukushukuru kwa kunipa nafasi hii niweze kuchangia mjadala huu. Mjadala huu, kusema ukweli, ni mjadala ambao unagusa roho ya uchumi kule nyanjani.

*[Hon. Deputy Speaker left the Chair]*

*[The Temporary Deputy Speaker  
(Hon. Cheboi) took the Chair]*

Mhe. Naibu Spika wa Muda, vijana wa *boda boda* ni fungu ambalo tunaweza kusema linasaidia katika ajira mashinani lakini ni sehemu ya uchumi ambayo haijaitiliwa maanani kuboreshwa. Ninampongeza Mheshimiwa kwa kuuleta huu mjadala na ningeomba badala ya Hoja hii, alete Mswada wa sheria ili tuweke sheria mwaafaka ambazo zitaweza kusimamia sekta hii.

Kama walivyozungumza wenzangu, vijana wa *boda boda* wana mengi ambayo wanastahili kufanyiwa. Utapata Waheshimiwa mara nyingi ndio ambao wamesimamia yale matatizo ambayo yanawakumba hao vijana; kwamba mtu akiumia na ile pikipiki, Mheshimiwa ndiye anampeleka hospitali. Kama ni leseni, ni Mheshimiwa anashughulikia. Lakini kuna njia ambazo Serikali kupitia kwa hili Bunge inaweza kuboresha biashara hii iwe ya manufaa zaidi.

Kwanza, utakuta kwa mfano kama kule kwetu Kaunti ya Kwale, hao vijana kupata leseni ni lazima waende Mombasa. Ingekuwa bora ikiwa kupitia kwa wizara inayohusika na usafiri, kungekuwa na shule maalum ya kuwapatia watoto hao mafunzo. Wakimaliza mafunzo yao, wapewe vifaa viwili au vitatu kama vile kofia ambayo ni lazima wawe nayo wakati wa kuendesha pikipiki. Pia abiria lazima awe nayo. Kwa nini ninapendekeza hivyo? Ukiangalia yule kijana wa *boda boda* kwanza, yeye hana ajira. Kwa hivyo, hana pesa za kununua vifaa vinavyohitajika. Wakipatiwa yale mafunzo na wakimaliza, wapatiwe zile kofia. Itakuwa pia tumewapunguzia ule mzungu ambao wako nao wa kuendesha pikipiki wakiwa na usalama wa miili yao na abiria wao.

Lingine wizara hii inapaswa kushughulikia ni barabara zetu. Kusema kweli, barabara zetu zimechangia yale matatizo ambayo tuko nayo kutokana na uendeshaji wa pikipiki. Barabara zetu ni nyembamba na kwa hivyo, inamlazimu mwenye pikipiki aingiliane katikati na magari. Barabara zingine hasa kule mashinani ukiangalia vile zilitengenezwa, ni nyembamba na ni kama zina milima katikati. Kwa hivyo, yule mwenye pikipiki inamlazimu apitie katikati ya barabara na kama kuna magari pande zote za barabara, kuzihepa inakuwa ni shida na mwishowe pikipiki inapinduka na kuleta hatari ya mtu kuumia ama kufariki. Kwenye hospitali nyingi kuna vyumba vya malazi vinavyoitwa “*Boda Boda Ward*”. Hiyo ni kwa sababu watu wote wanaolazwa kwenye vyumba hivyo wanaathirika kwenye ajali za pikipiki.

Tukiangazia usalama, pikipiki zinafaa kuwekewa kifaa aina ya “Track It”, kama magari kwa sababu baadhi ya pikipiki zinatumiwa na wahalifu. Juma lililopita kule kwetu Kwale, kuna mzee aliyeuawa na majambazi waliokuwa kwenye pikipiki. Hiyo siyo mara ya kwanza kisa kama hicho kutokea. Visa kama hivyo vimekuwa vikitokea mara kwa mara katika sehemu hiyo. Kukiwa na kifaa cha “Track It” kwenye pikipiki, itakuwa rahisi kujua pikipiki hiyo iko wapi, ni ya nani na ilikuwa na nani wakati uhalifu ulipotekelwa. Mwendu wa pikipiki hiyo utafuatiwa kupitia mahali maalum pa kuangalia pikipiki zinatembea katika sehemu gani.

Kama walivyosema wenzangu, inafaa tuwe na hazina itakayotengwa na Bunge hili ili vijana waweze kuwa na pesa zao. Pesa zilizotengewa vijana kupitia Uwezo Fund ni ndogo mno na hazitawafikia watu wote. Kukiwa na fedha maalumu zitakazoelekezwa upande wa matatu na pikipiki, hazitaweza kuchukuliwa na watu wengine isipokuwa washikadau kwenye sekta hizo. Watapewa mikopo nafuu itakayowawezesha kufaidika na kujisimamia. Wataweza kununua vipuri vyao ama kuwa na maduka ambayo yatakuwa yakiuza vipuri vyao badala ya kufanya safari ndefu. Kwa mfano, kule kwetu Kwale, kununua vipuri ni lazima mwenye pikipiki atoke aende Mombasa kutafuta vipuri vya pikipiki.

Pia watakuwa wanaweza kujifundisha mambo ya biashara na kuzipanua zile biashara zao. Naunga mkono mjadala huu na ni mjadala ambao una manufaa kwa vijana wetu na pia ukipanuliwa zaidi kulingana na mipangilio ambayo ipo ya Serikali, utaweza

kuwa wa manufaa na kuinua uchumi wa nchi hii ama kwa kaunti zetu kwa jumla. Tutaweza kuondoa ule upungufu wa ajira miongoni mwa vijana wetu.

Shukrani, Mhe. Naibu Spika wa Muda. Naunga mkono Hoja hii.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. Let us have the Member for Nyaribari Chache.

**Hon. Tong’i:** Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this very important Motion, which impacts on all of us.

From the outset, I appreciate the effort made by hon. David Ochieng to ensure that this Motion comes before this House so that we can contribute to it and, hopefully, some day, make it a Bill so that we can address the concerns of our people.

I do not want to repeat what has been said by my colleagues. But I must mention that we need to learn from the best practices. One of the best practices, in my view, is found in the western countries. In those countries, their roads have special lanes spared for motorcycle riders. We can copy that practice and introduce it in Kenya. That is because it has worked well for those countries in terms of managing traffic and avoiding road carnage – which has been a manace in our country. If we can provide for *boda boda* and bicycle lanes on the road that we are doing currently, we will go a long way in addressing that concern.

We all appreciate that the *boda boda* subsector is a source of employment for our youth. We also have had cases where the police have taken advantage of the challenges of the youth and harrassed them, which is very unfair. We need to condemn that harrassment in the strongest terms possible and ensure that it does not happen. The police must stop harassing the youth so that they can do their job more professionally without fear. If there are documents that they need to possess in order to do their job without being harrassed, then we need to support them to get those documents.

It is also important that we subsidise the cost of training motorcycle riders. The training has been out of reach for most of the youth because they cannot raise the training fees. Therefore, we need to spare some money from Uwezo Fund and Constituencies Development Fund for training of our youth. That way, we will mitigate against the concerns and the challenges they are going to have in terms of accidents, which have been causing a lot of injuries to our people.

The insurance sector, which is very important, needs to be empowered or encouraged to insure motorcycles, the riders and passengers. One may have sold a family piece of land and bought a motorcycle. If such motorcycle is not insured, in the event of an accident happening, he will lose it. If the motorcycle is insured, he will have a fall-back plan. They will be compensated and go back to business, as opposed to a scenario where they lose their motorcycles, suffer permanent injuries, lose passengers and when they recover, they have nothing to fall back to. Therefore, we need to encourage insurance companies to insure *boda boda* motorcycles. If possible, we should pass a law in this House to compel insurance companies to come up with a good and affordable policy that our youth can take advantage of and purchase.

My colleagues have talked about the purchase price of motorcycles. It is important that we get out of our way to ensure affordable prices. We know the prices of motorcycles. I was in Bangladesh not long ago. I was shocked that the price of a motorcycle in that part of the world is actually one-tenth of the price at which we buy it in

Kenya. Therefore, we need to encourage motorcycle sellers to be friendly because the higher the number of motorcycles that they will sell, the more profit they will make from the big numbers rather than make a lot of money from the sale of a single motorcycle and make it impossible for our unemployed youth to own motorcycles – a source of employment and income.

Hon. Temporary Deputy Speaker, I must also mention, as the Member for Nyaribari Chache and Kisii Town - which is located in my constituency - that the motorcycle subsector has not been managed very well. There are times when you cannot move in that town because of traffic jam caused by motorcycles. We are encouraging the county governments to come up with laws that will enable motorcycles to operate freely without being a nuisance or a hindrance to other road users. If such laws are put in place, we will be able to address the concerns that we have as a community.

It is also important for me to mention that we have seen an increase in the number of accidents over time. We are now fundraising for my former teacher, Mr. Kopa – and may God keep him healthy – who was injured during an accident involving a motorcycle. He is one of the best school principals that we have in Kenya today. He is hospitalised and the bill is in excess of Kshs2.4 million. That is all due to the negligence on the part of the motorcycle rider. It is not enough for one to just know how to balance on a motorcycle. One needs to have gone through proper training, which should be facilitated by the Government and all of us, as leaders; to ensure that one is competent enough to ride a motorcycle and ensure the safety of the passenger and other road users.

Hon. Speaker, allow me to mention something which shocked me yesterday. I was astonished by the level of debate in this House. Yesterday, we had a moment when we talked of Cabinet Secretaries coming to Parliament to make policy statements. Instead of us addressing national issues, the whole debate turned into a personality issue, with Mr. Charles Nyachae becoming the subject of the day. It is not fair to mention somebody's name in a negative way when that person has no chance of defending himself on the Floor of this House. We were dealing with a national issue, which needed to be addressed as such. Mr. Charles Nyachae is not the advisor of the Government. He is not an advisor to the President. The directive to Cabinet Secretaries not to appear before Parliament was issued by the President. The Cabinet Secretaries are not answerable to Mr. Nyachae.

Finally, it was made to appear that Mr. Charles Nyachae is the one who asked the Cabinet Secretaries not to attend the Committee proceedings. With all due respect to the hon. Members here, we need to take the debate in Parliament to the next level and stop personalizing issues.

**The Temporary Deputy Speaker** (Hon. Cheboi): Order, hon. Tong'i! Hon. Member for North Imenti, what is it?

**Hon. Dawood:** Thank you, hon. Temporary Deputy Speaker. I am on a point of order. Is the hon. Member in order to talk about something else that is not on the Order Paper? He is talking about Mr. Charles Nyachae and the CIC. I do not think he is in order. He should withdraw and stick to the Motion before the House.

**The Temporary Deputy Speaker** (Hon. Cheboi): I agree with you, hon. Dawood. He does not need to withdraw, but he should desist from bringing irrelevancies.

Now, really, I am sure there is nothing that ties the CIC and the motorcycles that we are dealing with now. But proceed anyway! You were about to finalize. You have made your point, anyway.

**Hon. Tong'i:** Thank you, hon. Temporary Deputy Speaker, for giving that guidance. I am ably guided. But all I am saying is that it is only fair that when we have a chance such as the one we are having now, we direct our energies and efforts to address national issues which concern all or of us. We might be having different opinions with our leaders, but we do not need to bring them to the House. That way, it becomes a bit personal and it is not reflecting well, especially when the entire country is watching. They are seeing us personalizing issues.

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Tong'i, that has nothing to do with the Motion before the House. Therefore, stick to the subject!

**Hon. Tong'i:** Thank you, hon. Temporary Deputy Speaker. As I wind up---

**The Temporary Deputy Speaker** (Hon. Cheboi): What is it, hon. Momanyi? Do you have something on this?

**Hon. Momanyi:** Thank you, hon. Temporary Deputy Speaker, for giving me this chance.

**The Temporary Deputy Speaker** (Hon. Cheboi): No! I have not given you any chance. You had pressed the intervention button. Therefore, you have lost the chance to hon. Muluvi.

**Hon. Muluvi:** On a point of order, hon. Temporary Deputy Speaker. I want to intervene that any Kenyan holding a public office cannot be protected in his office if he is not doing what he is supposed to do.

*(Applause)*

I do not think it is fair for my colleague here to come and say that Mr. Nyachae's name should not have been mentioned yesterday.

**The Temporary Deputy Speaker** (Hon. Cheboi): But you are also out of order hon. Muluvi because I had ruled the hon. Member out of order. Actually, I am not going to allow you the leeway anymore, hon. Tong'i. You should actually be finalizing now.

**Hon. Tong'i:** Thank you, hon. Temporary Deputy Speaker. I am guided accordingly. As I wind up on the policy on the operations of motorcycles, I am grateful to hon. David Ochieng for having come up with such a wonderful Motion that is addressing the affairs of the youth, where I believe I still belong. I know the challenges the youth are going through.

In my constituency we have come up with a policy where we are starting a co-operative movement for the youth involving motorcycle riders which can enable them to borrow money and invest in that industry. That way, they would be able to do---

**The Temporary Deputy Speaker** (Hon. Cheboi): Your time is over. Let us hear from the hon. Member for Igembe Central.

**Hon. Iringo:** Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this Motion. From the outset, I support the Motion on motorcycles as tabled in this House by hon. David Ochieng.

Hon. Temporary Deputy Speaker, the *boda boda* industry has come to this country as a storm. If you may allow me, I would say that it has caught the leadership of this country and citizens off-guard because the speed at which it is growing has outlived the measures by the Government and leaders to have it running smoothly so that we can benefit and maximize its use.

The *boda boda* industry came at a time when transport systems were problematic. Given that most of our roads in the rural areas are in a dilapidated state, the motor vehicles could not access areas in the interior parts of the country. The *boda boda* came in to ease that transport problem and access many corners of this country where vehicles cannot access. People were taking a lot of time and using heavy labour force to carry even simple things.

Hon. Temporary Deputy Speaker, as this industry has escalated, it has come with its own teething problems which need to be addressed with better policies in mind. Measures should be put in place for citizens to benefit or maximize the effects of that industry.

First, it has created employment for our youths who are riding the motorcycles. It has also brought employment to those who have invested in the industry. We have also seen in the rural areas several shops selling motorcycles and spare parts. Those spare parts are in very high demand because of the number of motorcycles operating in the rural areas. The dealers are now spreading across the country.

Hon. Temporary Deputy Speaker, I would like to urge the Government to come up with a policy to assemble those motorbikes in our country, instead of importing those machines from China and other countries. We can start a subsidized industry by the Government. I understand those machines are not complicated to manufacture. We can get those parts before they are assembled and assemble them here. In the process, we can create jobs for our young people. We can start training them in our training institutions so that they can gain skills of assembling motorbikes and, in the course of time, get more and more people employed in that industry.

Hon. Temporary Deputy Speaker, there is an issue of licensing. Driving licences and insurance of the same machines has been assumed. I do not know if the Traffic Department has this in mind. Those motorcycles are taken to be more of bicycles. When they appear in the market, those who buy them are not directed to know exactly what is supposed to be done. Most of them end up buying and failing to register them. Others just exchange them, sell them and other people buy them. Sometimes, it becomes like buying a shirt from the shop and, at the end of the day, motorbikes are stolen from one part of the country to another. When they are stolen, it becomes very difficult to trace them because they are not registered.

Those motorbikes are now being used by people who are not good citizens of this country to commit crimes. Of late, we have had incidents where motorbikes have been used to steal. They have even been used in killings because they can always maneuver and disappear very easily. I have got several incidents in my own constituency where people ride on those motorbikes, kill somebody or steal from an *Mpesa* agent and vanish. But if those motorbikes are properly licensed and documented, it can be easy to trace them wherever they are.

Hon. Temporary Deputy Speaker, the young people who ride those motorbikes just go to a school field and get trained for an hour or so and the following day, they ride the motorcycles. That is very dangerous for the pedestrians and passengers. That is why we have got each and every county in this country with a ward somewhere in the hospital with so many victims of motorbike accidents. Those who survive the accidents are now languishing in hospitals with broken ribs. We need proper training for motorbike riders.

Hon. Temporary Deputy Speaker, in my constituency, I have decided to train as many motorcycle riders as possible. But the problem is getting the licences. It is very tricky. Therefore, I would like the issuance of licences for motorbikes to be decentralized - even for motor vehicles. Those services should be brought closer to the people in the counties or even constituencies, so that those people can get those services as fast as possible.

Hon. Temporary Deputy Speaker, since Independence, our roads have been designed for vehicles and other machines. We do not have lanes designed for motorbikes and it has become a very big problem especially in market places and shopping centres. They just ride very slowly either in the middle of the road or at the side of the road where people are walking. In the process, they cause confusion and many accidents occur on our roads.

Finally, we have our good disciplined forces called the policemen. When they go out there, they do not look for motorcycles which have no licences, are carrying passengers without helmets or are carrying excess passengers. They just stand there as if they are in a *kiosk* and ask for money from those young people. Those young people get very little money from the *boda boda* business and, at the end of the day, those policemen end up taking that money. They do that each and every day and, therefore, there has been hue and cry everywhere.

They put up roadblocks not for the security of the riders or passengers, but just for them to earn money in the process. Therefore, they need to change that attitude and know that, if they remove the youth out of the roads, then they will end up in the criminal world. They will then have more difficulties in tracing and getting them out of crime. That is worse than carrying more people or overloading, or riding unlicensed motorbikes. Therefore, we need some sanity within the police. People know that our youth need employment which must be nurtured from the word go, so that we can alleviate the unemployment problem in Kenya.

Thank you, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. That is fine. Now let us have the hon. Member for Bomet East.

**Hon. B.K. Bett:** Thank you, hon. Temporary Deputy Speaker for giving me this opportunity. I want to say that the *boda boda* industry has really played a critical role in creating employment for many Kenyans. I want to say that the sector has provided many households with income. They are also able to provide family and community support from that sector. The contribution by *boda boda* operators to our communities has been felt. There are so many positive contributions like payment of fees and medical bills.

It is unfortunate that the cost of training and acquisition of driving licences is still a challenge to those youths. Remember this is a small-scale business and the profit

margins from it are still very low, especially considering that most of those *boda boda* operators are servicing loans from the acquisition of their motorcycles.

We are also supposed to look at ways of dealing with the lending rates from financial institutions in our country. That is because those *boda boda* people are really having problems servicing their loans. That means that for them to make profits from that business is a problem. *Boda boda* operators are law abiding citizens and they are struggling to make their ends meet. We have a duty as a nation to support them. We have those funds from the Uwezo Fund. I want to say that, that Fund is not enough. It is a positive step towards supporting small businesses across the country. But we are supposed to look at ways of having additional funds specifically meant for such businesses like *boda boda* within our country, so that they can really be supported.

As we look at this issue of *boda boda*, we are also supposed to, at the same time, look at the state of our roads. As we discuss this Motion, we should also be making follow-ups especially on the 20 kilometre tarmac roads so that those people can really do their work in a good enabling environment.

We all know that those *boda boda* operators are being harassed by law enforcement officers. The Government is supposed to come up with a policy to regulate that sector, so that those people can have a good enabling environment to do their businesses. We are also supposed to critically look at the development of public awareness campaigns so that we reduce the accidents from the *boda boda* people and, generally, the transport sector across our country.

Those *boda boda* operators are also supposed to be assisted in terms of meeting medical insurance covers like the National Hospital Insurance Fund (NHIF) in order to have affordable comprehensive policies so that, each time they are involved in an accident, they are able to meet the hospital bills.

So, hon. Temporary Deputy Speaker, I want to say that we all support this Motion. We appeal to the Government to really look at this sector because those people are really struggling to make their ends meet.

Hon. Temporary Deputy Speaker, I support.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. Let us have the Member for Samburu East.

**Hon. Letimalo:** Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this Motion - which I support wholeheartedly.

Hon. Temporary Deputy Speaker, I want to start my contribution with a very sad incident which I experienced.

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Letimalo, I want you to be aware that you have about five minutes only, before your time is over.

**Hon. Letimalo:** Thank you, hon. Temporary Deputy Speaker. I think I will try to be brief.

Hon. Temporary Deputy Speaker, I will start with a very sad incident that I experienced in March. I was a victim of armed thuggery. I was confronted by three armed thugs. One shot at me and after he disabled me, they then frisked me and took all the money I had, including my cell phones and the rest of the items. The good thing they did is that they left my vehicle intact. They did not hurt my driver. They never interfered with my family. That is a confirmation that those are ordinary thugs and they could do

anything to earn a living, even including killing people. So, that confirms that there is still a high rate of unemployment in Kenya and also the poverty levels are very high. Therefore, we should support those youths who get involved in creating self employment, like *boda boda* operators.

Hon. Temporary Deputy Speaker, as it has been said, those of us who come from rural constituencies and most specifically arid and semi-arid areas face more challenges. It has been noted - and it is true - that the road network is very poor and some areas are inaccessible. The use of *pikipikis* is the mode of transport that is being enjoyed by many of those people. We know of situations where people and, particularly, expectant women, who are supposed to go for clinics, the only mode of transport to those health facilities is by *boda bodas*. Even for civil servants who are working far away from district headquarters, they only manage to go to the district headquarters by use of *pikipikis*. So, this is a very important business venture.

Hon. Temporary Deputy Speaker, we note that even though we get a lot of contributions from *boda bodas*, we believe that the Government should also play a very crucial role by coming up with policies to regulate the operations of *boda boda* riders. One, there should be provision of training. Training somebody is providing that trainee with the necessary knowledge. There should be the provision of licences to be compliant with the legal requirements.

Hon. Temporary Deputy Speaker, it is important that for those *boda boda* operators to work in a good environment, they should get the training. They should know their rights. They should also have the necessary protective gear like the helmets. I had an experience of attending a conference in Rwanda and while interacting with participants in that conference, I learned that it is a requirement - just as it is here in Kenya - that for any *pikipiki* rider or cyclist and passenger, they must have helmets. This is a requirement in Kenya, but it has never been enforced. It is important that this is institutionalized. Motorbike cyclists and their passengers should wear helmets so that, in the event of an accident, at least, one is protected.

**The Temporary Deputy Speaker** (Hon. Cheboi): Now, your time is over hon. Letimalo.

**Hon. Letimalo:** I thank you, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Cheboi): So, very well. It is now time for the Mover to respond. You have ten minutes.

**Hon. Ochieng:** Hon. Temporary Deputy Speaker, before I take my ten minutes, I would like to donate two minutes each to the following Members: The hon. Member of Igembe North, hon. M'uthari, hon. Bishop R. Mutua, hon. Onyura and hon. Ogolla.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. Let us start with hon---

**Hon. Ochieng':** I cannot give to everybody! I am not the Speaker.

**The Temporary Deputy Speaker** (Hon. Cheboi): Kindly keep time.

**Hon. M'uthari:** Thank you, hon. Temporary Deputy Speaker. Thank you, hon. Ochieng, for giving me those two minutes. This is a very important Motion and we thank you for bringing it to the House. It is important because of the *boda boda* sector. It is a high time that when we have important issues like this, it should be supported with funds, for example from the Uwezo Fund. When it is directed to a function in an organized

group then, that way we can move. That is because there is employment creation by that subsector. We can regularize that sector, have people trained and allow them access to services like insurance. In that way, we can enable those operating the business to do it with dignity in a more regularized way. It is high time we learned from the wisdom of the situation. Given that those people have created that opportunity, they can be enhanced to move ahead. That should be done considering the contribution of the *boda boda* sector in terms of accessing the areas of this country which are not accessible. That is very important.

In my place, that is one of the means of transport for *miraa* from the rural areas and remote villages to market centres. By regularizing that kind of trade in terms of policy and coming up with mechanisms for supporting this sector, it will go a long to improve the transport sector and improving employment among the youth who have cleared school.

Thank you.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. Hon. Onyura, you have two minutes.

**Hon. Onyura:** Thank you, hon. Temporary Deputy Speaker. Thank you, hon. Ochieng. This is a very important Motion as it touches on an increasingly important sector in our society. I want to suggest that, that matter should be taken seriously by the Government. The Government should consider setting up a taskforce, a serious multi-sectoral and multi-departmental taskforce that will include all the relevant departments; transport, health, security. That is all the relevant departments. The taskforce should then go round the country and gather ideas, get information and do as much research as possible so that this sector can be streamlined. That can be done now rather than wait until it becomes chaotic, unyielding and impossible to streamline. I would like just to appeal to the counties, particularly those which are levying some taxes on *boda boda* operators that it is okay to do this. But let it be done with as much consultations as possible. I noticed recently that there is a lot of grumbling. They feel aggrieved because of the Kshs300 that is being levied. It is not even that they are not willing to pay that amount; it is just that they have not sat down, talked and agreed on the best way forward.

Thank you.

**The Temporary Deputy Speaker** (Hon. Cheboi): Your two minutes are over, hon. Onyura. Let us have hon. (Bishop) R. Mutua.

**Hon. (Bishop) R. Mutua:** Thank you, hon. Temporary Deputy Speaker. I would like to thank hon. Ochieng for donating the two minutes to me. I want to raise three points on this particular Motion, which I sincerely support.

One, I think it is high time we created a friendly environment for the *boda boda* operators to operate in a regulated manner. Secondly, that particular sector has caused a lot of accidents and, as we talk about the accidents, I am quite disappointed that even now we have a container in Mombasa containing items on disability that is going to be auctioned. We need to really work hard and make sure that, that sector is not connected to disability issues. That way, we will have a sector that is not going to increase disability in this country. It will give services that are beneficial.

Lastly, I would like to say something very important on this sector. I think we need to redesign our road network in such a way that it can accommodate the *boda boda*

transportation system. As it is now, the *boda boda* have nowhere to operate. We need to have a commission that is going to come up with a comprehensive document on how we are going to make the *boda boda* business in Kenya the best model in Africa. If we do that, we are going to make our *boda boda* industry a very important industry. That is because we cannot do without it. It is very important and it is a sector that contributes a lot to the transport sector in this country.

Thank you, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Cheboi): Lastly, before the Mover responds, let us have hon. Ochanda. Did you remove your card?

**Hon. Ogolla:** Thank you, hon. Temporary Deputy Speaker. I thank you, hon. Ochieng for giving me this short chance. One thing that is important is that many of us have supported this Motion. I really do support it. I only want to bring out one or two areas. When the Government is working on the details of either regulation or some kind of control mechanisms, certain things need to be considered.

One is that many a times, training and regulations do not change behaviour; not even the attitude. The best thing we can have is where the industry regulates itself. We are seeing the kind of changes that are happening in the *matatu* sector because of the SACCOs and all that. I think when we will be looking at the policy of *boda bodas*, we will look at how they can regulate themselves. How can they come up with a policy to discipline themselves? A lot of issues are bordering on discipline. On the side of the Government, I think one thing that the Government must look at is - in the face of us - that the *boda boda* is a big industry now. Beyond that, it cannot be a good solution to public transport. It can be a good alternative to job creation among the youth. I think the Government needs to look at this in a very serious manner. The future of public transport must be looked at in a different way because I want to believe that the temporary nature of the solution that the *boda boda* is offering might not be one of the best directions to go. When we are looking at the issue of job creation, the Government must work very hard. We must be very creative and innovative in terms of looking at the alternative centers and ways of generating jobs for the youth. Everybody who has finished Class VIII or Form IV are all running to *boda boda*. The returns on investments are getting narrow and, in the end, many youths are not going to get anything out of it. It is not going to be employing anybody in the future.

Thank you.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. Let us now have the Member for Ugenya to finalize.

**Hon. Ochieng:** Thank you so much hon. Temporary Deputy Speaker. I want to thank all the Members of this House who have spoken and who have not spoken. There are those who would have wished to speak on this particular Motion, and those that have supported the Motion. I want to start by saying that I am happy. All the Members of this National Assembly have the *boda bodas* at heart and they would like to have that industry run in a smooth, peaceable and beneficial manner for the people who engage in it. I want to note that not all our problems can be solved through law-making. Not all our issues can be sorted out through legislating. We could take very drastic administrative measures that if all of us agree upon, they can help this industry to move and move for the better. We hope that by adopting this Motion, the Government is listening. It should

work on a modest policy; a policy that, if it is implemented well, can better the folks that participate and their lives are dependent on the motorcycles. I have noted a few things from the contributions, which I wish to implore upon the Government to look through.

One, is how to ensure that the people who participate in that industry are able to access cheap insurance policies to make travelling through those motorcycles cheaper and preferable. I have noted the fact that we may need, as a country, to ensure that those *boda bodas* are organized into SACCOs. As you may have noted, sometimes self regulation helps more. If all the Members are required to join SACCOs and those SACCOs are the ones that help them join the market and grow in it, it would be very good for the growth of the industry. Let the Government devolve licensing to the sub-counties, so that our *boda boda* riders do not have to travel long distances.

I want to finalise by just reading the very last part of this Motion, so that the Cabinet Secretary and the Principal Secretary wherever they are, note what we have resolved today: "This House resolves that the Government immediately develops a policy on operations of commercial motorcycles (*boda boda*), subsidizes the costs of acquisition of training and commercial motorcycle riding licenses, establishes regional motorcycle riding licensing units and develop public awareness campaigns to ensure safety in commercial motorcycle transport in Kenya."

With those so many remarks, I also want to remind anybody who thinks that *Harambees* are bad, that this industry will benefit so much through *harambees* to enable their SACCOs grow into serious saving machinery that can help this industry grow the way you want it to grow.

With those many remarks, I thank the Members and beg to reply and move.

**The Temporary Deputy Speaker** (Hon. Cheboi): For obvious reasons, we will not put the Question at this point in time. We will defer it to another date. Therefore, we will move to the next Order.

#### ESTABLISHMENT OF FUND ENCOMPASSING ALL AGES/GENDER

This is a Motion by hon. Humphrey Njuguna. I can see that he is there. The only thing is that I cannot trace your card. You put it at the intervention slot.

**Hon. H.K. Njuguna:** Thank you, hon. Temporary Deputy Speaker. I want to move this Motion, but I have a slight amendment to make where instead of---

**The Temporary Deputy Speaker** (Hon. Cheboi): Move the Motion as it is first, because that is what has been approved and there will be a process later, which you can be able to handle any changes to the Motion. You just move it as it is. You are the owner of the Motion, so you will be able to amend it. Proceed and we will see what to do.

**Hon. H.K. Njuguna:** Hon. Temporary Deputy Speaker, I beg to move the following Motion:-

THAT, aware that various funds have been set up to assist women and youth, namely, the Kazi Kwa Vijana Programme, Youth Enterprise Fund, and Women Enterprise Fund; also aware of the new Uwezo Fund targeting youth below 35 years and women of all ages; concerned that there is an apparent neglect of men aged 35 years and above, given that entrepreneurship is crucial in the 35 to 50 year age bracket; cognizant of

the fact that Kenya is targeted to be an entrepreneurial nation by the year 2030; this House urges the Government to create a Fund encompassing people of all ages and genders for development of entrepreneurial skills and abilities to wholly address issues of creativity and innovation which are necessary pillars for stimulating economic growth and development.

While coming up with this Motion, it is well informed by the fact that out there in the constituencies, this has been a question that has been coming up from men above 35 years of age, particularly in my course of the promotion of the Uwezo Fund. Having gone to other constituencies and interacted with the Members, I am also aware that this is a very nagging question that has been coming up in the various fora with the Members in the entire country.

As a way of introduction, this Motion is informed by policies whether legal, social or economic, that this country has formulated in the past by way of perhaps complying with international treaties and regional concerns, so that we are at par with some of these universal declarations and to conform with issues that we need to conform with globally. I would like to give an example of what I am talking about as a way of introduction before I go to the nitty-gritty of my Motion, so that we can, at least, be at par. I will give a very good example of a recent constitutional enactment of the 2010 Constitution of Kenya. We now have a requirement of one-third gender rule in all the formal appointments, even in elective positions. This rule is being implemented but in a way, perhaps, which brings absurdity particularly in issues of elective positions. For instance, in the 2013 elections, we ended up electing about 1,200 members of the county assemblies or thereabout, but because we did not meet the one-third gender rule, we ended up nominating about 800 women as members of the county assemblies. This brings a kind of absurdity. While the intentions are okay, you end up arousing some quiet murmurs which in one way or the other, must be addressed.

Take the issue of the push for the welfare of girl-child in this country. It has been such that the boy-child is feeling neglected. While the intentions were okay for the push of the girl-child, the boy-child is now asking: “where am I?” So is the issue of regional balancing and marginalization where now we are saying, “as much as we are talking about ethnic and regional balancing, this policy might be working against the big tribes because their numbers are not being taken into account in appointments”. This Motion is addressing such concerns.

The issue of youth and women has been addressed in this country. For example, in the recent two decades or thereabout, we have come up with funds like the Kazi kwa Vijana Fund to address the issue of unemployment of the youth. We have come up with the Youth Enterprise Development Fund, again to address the concern for youth. We have the Women Enterprise Fund, again, to address affirmative action on the issue of women. We have the recent one, the Uwezo Fund, which we are currently implementing across the country.

The concern has been that we want to correct certain historical injustices, either social or economic. We want to harmonize growth in the entire economy. I would want to applaud these initiatives, but it is time to audit them. A time comes when the same should be audited. They are well intentioned, but in the course of selling them like the Uwezo Fund, we are meeting challenges. This is because men above 35 years old are asking us:

“Where are we? Are we not part of this country? Are we not taxpayers? Have you forgotten that we form the back-bone even in the family unit? Have you forgotten where we are coming in terms of traditions?” Such and other criticisms out there have informed this Motion. I have also looked at the Bill of Rights in our Constitution which talks about fairness, no discrimination in terms of colour or gender. Basically, the focus is fairness. Everybody should be treated fairly, socially and economically.

I know there are exemptions, but in terms of these funds, men above the age of 35 are feeling discriminated in matters of national building and entrepreneurship. There has been justification in the past for these funds, just like there has been justification in the past for the push for the girl-child and those other initiatives, but men who are above 35 years old are becoming increasingly uneasy. There are complaints. The question is: Are the complaints justified? In this Motion, I am saying that the complaints are justified.

Recently, in one of the budget public participation forums in Murang’a County and in which I participated, hon. Mutava Musyimi – I wish he was here - was confronted with the question of Uwezo Fund. He was asked whether it was necessary to cater for men above 35 years old. Our Chairman told them to form organizations, but ensure that the majority are the youth and that they could include a few old men there. I wish he was here because we were confronted with that question and it was very hard for us. So, many people have been saying that those of us who are above 35 years old are not only taxpayers, but we also pay the highest amount of tax. Tax without representation, therefore, is not good tax at all. So, we need to be part and parcel of these funds. Others have been saying that they also require recognition because they are Kenyan citizens. They also say that the age of 35 years and above is the age of responsibility and this is seen even in the family unit. They say that it is a critical stage in the formation and development of a family as a unit.

I am also interested in the issue of the SME sector. I am not ruling out the fact that the SME sector is also for the youth below 35 years of age. Studies have shown that concentration of the SME sector is in the age bracket of 35 years and 60 years of age. I am focusing on this sector because it contributes over 60 per cent of our GDP. It is an alternative government in terms of employment, wealth creation, development of entrepreneurial skills and so on. It is, therefore, a sector you cannot ignore. However, one of the major handicaps of the SME sector is capital injection. This sector requires support. It is the sector of creativity and innovation which are the major pillars of entrepreneurial growth or economic growth and development of any nation. This is part of the Vision 2030 of this country.

So, when you ignore the age bracket of 35 years and above amongst men then you are also neglecting development and growth of entrepreneurial skills which are very crucial in the development of a nation like this one.

What do I mean by “entrepreneurial skills”? What is “entrepreneurship”? Pillars of entrepreneurship are creativity and innovation which we need to support. This is something that men of the age bracket of 35 years and above are complaining about. I want to give an example of a concept like *M-Pesa* so that we understand what creativity is. Coming up with an idea like *M-Pesa* is what we call creativity. It is a noble idea. However, you can come up with that idea and it remains on the shelves. Perhaps, *M-Pesa* might not have been an idea by Safaricom; somebody came up with it. Innovation is

when you operationalize that idea. It is when that idea works. Safaricom are now able to make profit of over Kshs18 billion annually out of *M-Pesa*. In the SME sector, where I am advocating for support for men above 35 years of age, there is a lot of creativity and innovation. This is where you require a lot of support. I am told that the fellow who discovered Coca Cola as a beverage in 1885 died a pauper yet the guy who operationalized the idea in 1915 became a billionaire.

I am interested in the SME sector whose critical mass are people of the age between 35 years and 55 years. These people require support. Think of Nakumatt which I am told started somewhere in Lugari as a kiosk. Today, Nakumatt is a household name in the entire East African region. If you are talking about entrepreneurship and developing this country--- We were declared a middle income earning country just the other day. So, we cannot ignore entrepreneurship. It is the way to go. It is the age of knowledge. The men above 35 years of age in this country, we have ignored them. As a way of moving forward, we need to re-evaluate these funds. Are they okay? I am talking about Kazi kwa Vijana and Uwezo Fund. I realized that Uwezo Fund is about Kshs6 billion. This other fund is about Kshs4 billion but they are all targeting youth and women. Where is the man? Can we move forward and create a fund and, perhaps, give it Kshs6 billion so that we talk of a fund? We can even put the money together where women and youth get their Kshs10 billion and the men get, say, Kshs5 billion. I am talking about a fund that is all encompassing. It should be all Kenyan, in that it should not discriminate on race, colour and gender; it should only know Kenya. That way, we will be able to harness entrepreneurial skills in this country. We will also be able to develop an entrepreneurial nation and, therefore, be where we want to be in 2030.

Hon. Temporary Deputy Speaker, I know many Members would like to contribute to this Motion. I call upon hon. Kigo, the Member of Parliament for Gatundu North to second this Motion.

**The Temporary Deputy Speaker** (Hon. Cheboi): That is fine, but before he seconds there are a few housekeeping matters for future reference. When a Member has amendments to a Motion – the Motion is yours – you should approach the Chair so that you do not ambush the House. In this particular case, if there will be any amendments, you will be free to approach any Member who will move the amendment as you would have wanted. That is for purposes of early preparation on your side.

Let us have hon. Njenga now.

**Hon. Njenga:** Hon. Temporary Deputy Speaker I stand to support this Motion as it is. I am sure I will also support it when it is amended.

Entrepreneurship is value creation; it is a game of creating value. The Mover of this Motion has clearly stated that he needs all these funds, that is, the Uwezo Fund, the Women Enterprise Development Fund, the Youth Development Fund and others all merged into an account or fund for all. He has gone further to recognize that men are marginalized. So, the major reason why I agree to second this Motion is in recognition of Article 19 of our Constitution. Article 19(2) says that the purpose of recognizing and protecting human rights and fundamental freedom is to preserve the dignity of individuals and communities and to promote social justice and realization of potentials of all human beings. I would like to look at Article 20(4)(a). It says:-

“The values that underlie an open and democratic society based on human dignity, equality, equity and freedom.”

Article 21(3) says:-

“All State organs and all public officers have the duty to address the needs of vulnerable groups within society, including women, older members of the society, persons with disabilities, children, youth, members of minority or marginalized communities, and members of particular ethnic, religious or cultural communities.”

I consider men to be members of a cultural community. I also consider men to be the people who really suffered while fighting for the freedom of this country. What they were looking for was to be entrepreneurs, to own land and be able to run an economic and social livelihood that would be all inclusive.

Hon. Temporary Deputy Speaker, if you go to the social media, you will find that about 90,000 men were executed while 160,000 men were detained. Twenty thousand men were killed in that struggle while others were castrated never to be men again. Fifty or 60 years down the line, we are here enjoying a free country and economy. So, it is high time that we equated men to all other entrepreneurs of this country that create value.

I am sure you are all aware that all that you see in this country are houses and land that is tilled. All that you see in this country, men used their strength when they were strong enough to build. This includes this Parliament. This Parliament must have been built by men who have returned back home. So, when as a country, we forget the labour they gave us when they were young then we are unfair to the Constitution which we swore to uphold. We are also unfair to the common law of justice which should equate people. More importantly, we become unfair to the people who also pay taxes in their large numbers. Men are also huge taxpayers and they should be considered to also enjoy the benefit of the tax they pay.

Hon. Temporary Deputy Speaker, someone has said that we are already a second world economy and true to it, we are a second world economy. The resources, goods and services that this economy develops can be good enough for everyone if they were freely and truly well distributed. However, if you look at the resources of this country today, you will find that they are not well distributed. In fact, if you interrogate and do a research, you will find that about 43 per cent of our income as a country is enjoyed by 10 per cent of the population. This shows that our income is not well distributed or is unevenly distributed.

Therefore, creating a fund that will be for all including men will be justice to the Constitution. A true economy like we are should be putting the energy to distribute income fairly and equally to the people of Kenya.

Uwezo Fund has Kshs6 billion for men and women. We also have Kshs4 billion in the Youth Enterprise Fund and the Women Enterprise Fund. This is a total of Kshs10 billion. So, if you look at what a man who is over 35 years has, you will find that he absolutely has nothing. So, it is my request to this House to resolve this matter because I know that Prof. Nyikal, all these people and myself will soon retire, be in the villages and be entrepreneurs. The Budget and Appropriations Committee should allocate from Kshs5 billion to Kshs10 billion for men who are marginalized and are not enjoying what they fought for. As a member of the Budget and the Appropriations Committee, and I am sure I will be supported by many, we need to allocate a fund for men.

Men are dying at a very high rate. Look at your village, it is only our mothers who are alive. Our fathers died long time ago. Why is this the case? I attribute this probably to deprivation of a good economic life.

In 1969, the percentage of men who were 55 years and above was 17.7 while that of women was 19.1. Today, women who are 55 years and above are 24 per cent while men are 18.4 per cent. Why is there sudden demise of a certain strata of our community? It is probably because we have deprived them the dignity they require as men who work for this country.

**Hon. (Ms.) Tobiko:** On a point of order, hon. Temporary Deputy Speaker. Is the hon. Member in order to mislead this House by giving the impression that men who are over 35 years fought for the Independence of this country and constructed this honourable institution? I do not believe that. They may have made their contribution but not necessarily fought for the Independence of this country. Those who did are---

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Peris Tobiko, I really want you to come out clearer because I do not seem to understand you. What is really out of order with what the hon. Member has stated?

**Hon. (Ms.) Tobiko:** Hon. Temporary Deputy Speaker, it is not correct that men who are above 35 years right now who are the age mates of the hon. Member, other Members who are in this House and myself fought for the Independence of this country. Those who did are the people we are today paying some good money through the old age facility.

**The Temporary Deputy Speaker** (Hon. Cheboi): When he says “over 35 years old”, even those who are 65 years old are over 35 years old. I am just trying to think aloud.

**Hon. (Ms.) Tobiko:** Hon. Temporary Deputy Speaker, I think he needs to be specific. He has used the words “over 35 years”.

**The Temporary Deputy Speaker** (Hon. Cheboi): But what is really wrong with that?

**Hon. (Ms.) Tobiko:** He is not correct and it is not true.

**Hon. Njenga:** Hon. Temporary Deputy Speaker, I am in order to say that men fought for Independence. Probably, I will add that women also contributed in the construction of this House because I am a political entrepreneur.

However, the truth that we have funds favouring a certain sector of the community and not favouring equally another sector of the community who are men is a fact. We are saying that let there be a fund for all so that we live to the Constitution.

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Kigo, suppose hon. Tobiko says that, that is an affirmative action to bring the lady folk up to speed with the men folk?

Proceed. I was just wondering aloud.

**Hon. Njenga:** Hon. Temporary Deputy Speaker, affirmative or not, facts are facts. I believe that we have been made equal by the Constitution. Let all these funds be merged so that we can have one single fund that can be managed at the constituency level. Let men also be given priority to participate in the economic development of our country. Let men be given the dignity they deserve. Let that be done alongside the youth and the women of this country because we are all one in the eyes of our Lord and the

Constitution of Kenya which is the supreme law. We need a fund for men to be included among other funds so that we also become dignified men as we grow old as most of us are above 35 years old.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. Cheboi): I will give the first chance to hon. (Prof.) Nyikal. I know that hon. Dawood was ahead but for purposes of balancing, you will realize that the proposer and seconder were from one side of the House. I have decided to give the person who was the second on line, hon. (Prof.) Nyikal, a chance and then I will come back to hon. Dawood.

**Hon. (Prof.) Nyikal:** Hon. Temporary Deputy Speaker, thank you for giving me the opportunity to contribute to this. There is no doubt that in this country today, there is need for a fund that we can call a fund for all ages and all sexes. I think the affirmative action that brought into being the other funds that are in place now is good. It was well intended but the time has come that we must realize that unless something is done, they will look discriminatory. The Women Enterprise Development Fund (WEDF), the Youth Enterprise Development Fund (YEDF), Uwezo Fund and Kazi kwa Vijana, all these funds, if looked at carefully, would be seen to be discriminatory.

The Secunder of this Motion clearly pointed out Articles 19(2), 24 (1)(a) and 21(3) of the Constitution. There is need to look at the issue of men aged 35 years and above. Article 27 of the Constitution re-emphasizes this further. Article 27(3) indicates that women and men have the right to equal treatment including the right to equal opportunities in political, economic, cultural and social spheres. Article 27(4) says that the State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age disability, religion, conscience, belief, culture, dress, language or birth. All the funds that are in existence do not address the issue of men above 35 years of age.

I have had the opportunity to be involved in the implementation of the other funds. Every time you meet a crowd and you are talking about the YEDF, the WEDF, the Kazi kwa Vijana, the men ask you: "In this country, when you are a man and you are 35 years and above, what does the Government do for you?" At least above 65 years, there is the elderly person's cash transfer which is meant to support people who may not be able to work. What about the men between 35 years and 65 years who are still willing to work and may not have the means to start enterprises that they will want to utilize to earn a living for themselves? Only the small and medium enterprises in this country address this issue but this particular programme has not worked well and is not well known. It has also not been accessible to men. I know that the funds we have mentioned have shown success and it is for this reason that the men feel aggrieved. They are funds that are working well. You can see the women in particular have done well with the WEDF and they ask where they are. As the programme stands today, we tell them to get into the groups of women or the youth. They ask why they cannot have something directly for them as Kenyans. This is for men between 35 years and 65 years.

Many Kenyans and particularly this group are excluded from the money economy in this country. In the rural areas, many people cannot borrow money from banks. It is

too expensive. The process is too tortuous and some people are seriously just afraid of going into the banks. In my view, these are people who are hard working; you can see the work they are doing. They are enterprising and if we can look at them and develop small enterprises, cottage industries, these people can make a contribution to this country. In my mind, it is only the small enterprises and the cottage industries in the rural areas that will address the problem of unemployment and rural poverty.

In the rural areas, people are very enterprising in very many areas. If you look at the dairy production industry; if you look at the poultry production industry; if you look at the fishing industry---

**Hon. Sakaja:** On a point of order, hon. Temporary Deputy Speaker. This House does not debate in vain or legislate in vain. Are the hon. Members in order to mislead this country that it is possible to give all Kenyans money because that is what in effect they are asking for? If you divide the revenue of this country amongst all Kenyans, you are giving each Kenyan Kshs12.5. Could you direct that they tell us where this money is going to come from because they are saying we have given the youth and women money? Now they want to give old men money meaning every Kenyan should be given money. Even if we divide the entire revenue of this country, the most that each Kenyan will get is Kshs20 so that we are not debating in vain.

**The Temporary Deputy Speaker** (Hon. Cheboi): Order, hon. Sakaja! I do not think I have heard any hon. Member say that all Kenyans should be given funds. What I hear the hon. Member, particularly hon. (Prof.) Nyikal here saying is that all categories and all ages should have access to some funds. Even on the YEDF, it is not every youth who is given the money. I am not speaking on behalf of any hon. Member but I do think there is anything that is out of order there. You will have your opportunity to make a different argument.

**Hon. Sakaja:** Hon. Temporary Deputy Speaker, I am urging you. There is a provision in the Constitution.

**Hon. (Prof.) Nyikal:** Hon. Temporary Deputy Speaker, I think hon. Sakaja is executing an argument and pretending that it is a point of order. You have said correctly. What we are saying is access to all people. That is totally different from saying all people will get. Even the YEDF and the WEDF, we know that all cannot get it but it cannot be that certain people are locked out of this funding. Therefore, we know that you will not give to all people but whatever is there, there is no single group that can be told that they cannot get something because they are not something. That is the discriminatory element. You will have time to execute your argument but what I was saying is that if you look at the fishing industry, there are people who are working very hard but they cannot even buy nets that they need to improve their fishing. You have people who are livestock traders running with animals up and down the markets in the rural areas. They would need just a little money to support them and they would do much better. You have people who are trying to make production in the horticultural area.

**The Temporary Deputy Speaker** (Hon. Cheboi): Order! Some hon. Members are removing their cards when they are just at the brink of contributing and you realize that probably they have queued here for a very long time. One such hon. Member is hon. (Ms.) Munene who is just leaving when she was almost at the top. I am just saying for

purposes of the future, I saw two hon. Members who are doing very well in terms of the ranking here.

**Hon. (Prof.) Nyikal:** Hon. Temporary Deputy Speaker, I was just saying that in the agricultural industry, horticulture, dairy, poultry and even the *boda boda* not all people are between 18 and 35 years. There are some who are older than that and they keep asking where they belong. So, I support this Motion and I think we must go for either another fund or work towards a single fund that supports all people. I would call it a small enterprise support fund so that anybody who wishes to have funds, they can dip their hands into that fund.

**An hon. Member:** There is SMEP.

**Hon. (Prof. Nyikal):** SMEP is not working very well.

**The Temporary Deputy Speaker** (Hon. Cheboi): I will give this chance to hon. (Ms.) Munene. Hon. Dawood, you will wait a little longer because I think we will also need to hear our lady colleagues.

**Hon. (Ms.) Munene:** Thank you, hon. Temporary Deputy Speaker, for giving me this chance to contribute to the Motion.

We are not opposed to money being given to our men but there is something we would like to understand. The youth being given money are our children. They are children we got with men. When a woman gets money, the entire family benefits because women support everybody in the family. Saying that it is only the youth and the women who are benefiting from these funds would be misleading the country because there are very many youths who are not working. There are some people who have university degrees, but they are not getting any jobs. We know that many men are retiring because they have been serving in the mainstream Civil Service and the parastatals sector.

We want to ensure that everybody's welfare improves in this country. The youth are not going to serve their parents; they are going to get something to sustain themselves and their families. Many men aged 35 years are married. Why are hon. Members saying that it is not good for women and the youth to get the money? We are not opposing them, but we must understand that we are a family. We are the ones who brought those children to this world. Why are we complaining? We know that our Government is trying to make sure that we empower the youth and the women.

Even if you give Kshs2, 000 to a woman today, she will buy a kilogramme of sugar or meat. The balance will go elsewhere. I am happy that our Government thinks about our children and the women who are suffering out there. The women in the rural areas are not getting anything, but we are trying to empower them through Uwezo Fund, so that they can engage in businesses to help their families. Even the man of the house will benefit. If one does not have anything, we will buy suits for them in order for them to look better.

Therefore, we are not opposing but let us agree. There are lots of problems in this country. We do not have a lot of money with which to empower our people. Why do we not try and see how the women and the youth will do it, so that we can continue to prosper as a family, without having problems? As women, we are not going to be proud because we are going to get the money. We know that we have got work to do for our men and children.

Thank you very much.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. Hon. Members, you realise that it was very important for us to get the other opinion.

Let us now have hon. Dawood.

**Hon. Dawood:** Thank you, hon. Temporary Deputy Speaker.

On the outset, I want to support the Motion. I want to say categorically to our leader, hon. Member who has just spoken that Uwezo Fund money is not for buying meat and whatever she has just talked about. It is not that we are removing the money from the Women Enterprise Development Fund or the Youth Enterprise Development Fund. We are just supplementing for the older persons who are over 35 years old. Whenever we go for meetings of Uwezo Fund and others, older people always ask: “*Wapi pesa za wazee?*” We need to take into account the fact that we have a population of men aged over 35 comprising of up to 40 per cent of this country’s men.

We are not saying that all the men should get the money, unlike what hon. Sakaja has just hinted. Not all the youths get money from the Youth Enterprise Development Fund. The Uwezo Fund money is not given to all the women and the youth in the whole country. Why should we put a bar when the Constitution does not do so? The Constitution says that we should not discriminate against any person on the bases of age or race or on any other basis. Allowing women as old as 90 years to access money from Uwezo Fund and barring men who are over 35 years from accessing the same Fund is discriminatory. That is the age when men become most productive – not just productive in terms of entrepreneurship, but productive in all other ways as well.

The Secunder of Motion talked about people who fought for this country’s Independence. This Government and previous regimes have forgotten the people who fought for this country’s Independence. This is a way through which we can pay them back – giving them some money to engage in entrepreneurship. If not, we should at least give each one of them a piece of land. If the President is listening today, I hope that his Kenyatta Day Speech will make provision for this country’s freedom fighters. I would like him to give them some pieces of land because they are living in poverty. Once the proposed Fund is approved by this House, the people who fought for this country’s Independence should access some money with which to do some businesses.

The other lady colleague talked about the cash transfer programme. The cash transfers are not enough, because the beneficiaries are people who are over 65 years old. This country has more than three million people who are over 65 years old. Not all of them can get the cash transfers of Kshs2, 000. What is Kshs2, 000 a month? It cannot suffice to do anything.

This Motion talks about entrepreneurial spirit. Members of my Meru community are very entrepreneurial and so are members of the Indian community and those from Central Kenya. We would want all the communities in Kenya to be entrepreneurial. Making it possible for all the communities in this country to access the money would give them an impetus to invest and undertake some jobs that would assist us as a country. We have put too many roadblocks for people to access money from Uwezo Fund. Although the Fund has been in place for almost two years, we have not been able to lend out the money.

I wonder whether if a new Fund is created, we will have similar bottlenecks as the Uwezo Fund, or it will operate like the former Kazi kwa Vijana programme, about which

the motto “*Kazi kwa vijana, pesa kwa wazee*” was coined because of the malpractices involved in the whole programme. We would not want something like that to happen again. Once this Motion progresses into a Bill and finally into an Act of Parliament, anybody who is over 35 years old should be able to access the funds.

I would request the Government that, once the Bill is enacted into law, they create a single Fund, and not differentiate between youth fund and women fund, and an old people’s fund and *kazi kwa vijana* fund. We should have a single fund with little bureaucracy, so that people can access the money. Definitely, men aged over 35 years should access this money promptly. Those are people who can do a lot for our country.

I would like to remind my friends that this initiative will go a long way in helping hon. Members who may unsuccessfully vie for parliamentary seats in the future. Such Members, including my predecessor, can access the proposed fund in the future.

With those remarks, I beg to support the Motion.

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Members, we really need not repeat what previous speakers have said. I am not saying that there is any hon. Member who has done so. I am saying that since the ideas being propagated so far are almost similar, let hon. Members speaking from now onwards raise new issues.

Let us have the Member for Ugunja.

**Hon. Wandayi:** Thank you very much, hon. Temporary Deputy Speaker. I wish to lend my support to this Motion, with conditions. Whereas I agree in principle that we need to enable our people of all cadres to access affordable funds, there is a trend of proliferation of funds that has emerged. In my view, this trend is not sustainable. What we needed to have done is to find a mechanism of harmonising the many existing funds or creating a single mega fund to take care of the diverse interests in the country. It is also important to underscore the fact that, in an ideal situation, the Government should be playing its primary role of creating an enabling environment for businesses to thrive.

Hon. Temporary Deputy Speaker, if systems were working perfectly well the Government would have created an enabling environment for people do business and access funds and loans from financial institutions to carry out their businesses in a normal way. But that is not the situation as we speak because there is an imbalanced situation in which the Government is competing for loans with the private sector and private entrepreneurs. Therefore, the Government has contributed to this kind of situation which we find ourselves in, where everybody is clamouring for funds which may not be adequate.

Hon. Temporary Deputy Speaker, even if we succeeded in creating one mega fund to take care of all these interests, there is an issue of devolution or administration of these funds. My view is that such funds needed to have been devolved as much as possible and to the lowest level possible. Of course, the Constituencies Development Fund (CDF) is a very good model. If you look at the case of Uwezo Fund, which we are trying to implement as we speak; it is somewhat devolved to the constituencies, but in real sense you find that the bulk of the administrative work is done in Nairobi. Indeed, even funds for operation and administration of Uwezo Fund are held in Nairobi. We do not even know the process of selecting people who are going to train groups to access these funds. They are here in Nairobi and everything else is done in Nairobi. Therefore,

the essence of devolution is negated. This problem needs to be confronted by the House, for us to make meaningful progress.

Hon. Temporary Deputy Speaker, I support this Motion because if you make different categories of people to access affordable funds, you will improve money circulation in the villages and help the economy of the rural set ups. That is the only way economies of the country can grow. Therefore, what we need to ask the Government to do, subsequent to the passing of this Motion, is to come up with a legal framework to accommodate all these interests; be it the youth, women, elderly and so on and so forth. This should be done in a manner that is consistent, predictable and sustainable. We cannot overlook the fact that this country has had a history of social and economic imbalances. Whereas other parts of the country have continued to develop, other parts have continued to degenerate into poverty and hopelessness.

Hon. Temporary Deputy Speaker, this kind of mega fund will help address that kind of imbalance. More importantly, if we empower our people at the individual level, we will free them from the bondage of political manipulation which thrives, of course, in poverty. Poverty is apparently political manipulation that becomes the order of the day. Even as we speak, there is a lot of this talk about *Harambee* because of the poverty levels in the country. Therefore, our political leaders take advantage of this situation to take rounds and manipulate the electorate; the local people by dishing out money whose source is not accountable. This is an issue we need to confront again as House.

Hon. Temporary Deputy Speaker, without really belabouring the point, I wish to support this Motion. I will be liaising with the Mover so that we can make some amendments that will enable us have a harmonized fund that will help this country to move forward.

Thank you, hon. Temporary Deputy.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. Let us hear from the hon. Member for Embakasi West.

**Hon. Theuri:** Thank you, hon. Temporary Deputy Speaker. I rise to support this Motion. I think time has come for us men to stand and say that we need to be considered, especially when we look at the funds which the Government has set up. We see the Uwezo Fund, the Youth Enterprise Development Fund (YEDF) and the Women Enterprise Development Fund (WEDF) and then we ask ourselves: Where are men aged 35 years and above?

I think there is a trend where men are not considered and we should think of a way that we can have a fund that is going to cater for men. Men are left in the houses because there is nothing to cater for them, especially when it comes to the funds.

So, I rise to support this Motion. Thank you.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. I will give the next chance to hon. Yusuf Chanzu.

**Hon. Chanzu:** Thank you, hon. Temporary Deputy Speaker for the opportunity to support the Motion. I think with all the various funds that have been managed here, the only issue has been the way they have been brought about. This is because Kazi Kwa Vijana came up as some kind of political statement from the leadership. The same applies to the YEDF and the WEDF when the National Alliance Rainbow Coalition (NARC) Government came to power. The Uwezo Fund was something that was not expected.

What was expected was that we were going to have a repeat of the elections and there was a provision of Kshs6 billion in the Budget. The President in his wisdom felt that it should be given to the youth, women and those with disabilities.

In fact, the training that is going on for the Uwezo Fund for most of us who have been able to witness what is going on, has taken a lot of time. In Vihiga County, those who have gone for training have taken it very positively. In fact, the impression that I got is that if you look at the money where constituencies get between Kshs16 million and Kshs20 million and you look at the people who are benefitting; it may not make a lot of sense. In fact, I do not know how the Government is going to treat the Fund, but it is something that should be a permanent feature. It should be an annual funding. Again, I think at a later stage maybe the Budget and Appropriations Committee should consider increasing the Fund.

However, I think what this Motion is looking at is how to have all inclusiveness because I think when the pronouncements were made by the President about Uwezo Fund, he could not have talked about everybody. This is because he considered the amount involved and thought about self employment among the youth because they happen to constitute a very large proportion of the population, and when you add on women it is even much larger. So, that is why the President thought that for it to make sense, we capture that section. It is good because there is no other way unless the country is industrialised through schemes like the Uwezo Fund.

If we had proper organization, this is not treated politically and there is enough civic education, we can industrialise our economy. You will remember the *Jua Kali* initiative which was introduced many years back by the former President Moi. I know most of the Members do not know but if you go to places like Muthurwa and Gikomba, there is a lot that goes on. It is only that those who are involved in the day to day running of the Government, the so-called technocrats, have not taken interest to put this political statement into reality, so that we can have this formalized and create employment. If you look at the school boxes which are made there, first of all, they are secure. The only thing is that there is no precision because those who are charged with the responsibility of standards in the Government have not taken interest. So, the funding, so that it is all inclusive, is important.

I heard hon. Sakaja talking about each one being given some money. We are not giving this money to individuals, but to groups. It is going to be revolving funds. A group of people will use the money and when they have repaid it, it will be given to another group. So, it is not hand outs. The impression that he created in his point of order is that these are hand outs. They are not hand outs. The organization should be such that the Fund is managed transparently. The groups should be trained to know that the money they are given will be paid back. It should also be known if it is interest free but at least with some service charge. That is the purpose.

It is important that we have mechanisms of having an all inclusive fund, so that everybody is taken care of. Those who are saying that if women get the money they will take care of the men, you know what that means. How long can somebody be working and you are just sitting at home and expect to be taken care of, particularly if you are a man? This should not happen in the African society. It happens in other places but not here. You will be given food the first day, the second day, but the third day you will be

told to go and look for employment. There should be a scheme whereby at least, everybody is taken care of. This is going to eliminate discrimination which all of us have heard about. If we will have good training programmes, people will be trained to be able to invest the money.

There is no harm in creating schemes where money can be given through the small and medium enterprises. This should be done in every region, so that everybody can access the money when need arises. People do not have to be forced to take the money. Only those who are in need of the funds should access the funds. So, this Motion, together with the Motion that we discussed earlier on *boda bodas* are good initiatives which Members have brought up. For instance, *boda boda* operators behave the way they do because they are not recognised and formalized. But if there is some kind of formal structure, where they can be registered within their areas, there can be some order. For example, in my place, I want to commend the *boda boda* operators. They have formed co-operatives and they are now able to conduct *Harambees* to raise funds. They have been doing it in groups, so that they can either increase the funding within their business and some of them can also buy *boda bodas* for those who do not have on rotational basis.

With those few remarks, I support.

**Hon. Bitok:** Thank you, hon. Temporary Deputy Speaker for affording me this opportunity to contribute to this important Motion on establishment of a fund for people between 35 years and 50 years plus of age. You realize that we have many funds in this country as it has been stated. They include Kazi Kwa Vijana, the Youth Enterprise Development Fund, the Women Enterprise Development Fund and the Uwezo Fund. For purposes of creation of employment and entrepreneurs in this country we need funds, but we also need to ensure that those funds are affordable and accessible.

My thinking is that as we create these funds, we should also be thinking of how to make them economical. Those funds should be managed well. I wish there could be a way to amalgamate these funds into one. If you look at the intention of each of the funds, you will realize that it is to afford credit facilities or funding to people who cannot afford funds in the commercial banks and other financial institutions. If we continue creating these funds separately, we will reach a stage where we will have a lot of fragmentations and in the end it will not assist us to achieve the intended purpose.

I appreciate the fact that my colleague, Humphrey has actually noted that a gap exists even though we have funds that deal with youths, women of all ages, the disabled and so on. We have a group of people, especially men of 35 years and above who are aggrieved. Wherever I go in my constituency, these people wonder why the Government has forgotten them. What hon. Humphrey has done is a good gesture. My only suggestion is that we need to have experts in this country who should give us the way forward in amalgamating these funds and then we look for an authority to manage them. We need to promote entrepreneurship in Kenya for purposes of economic growth. We need to ensure that we have institutions that are sustainable and goal oriented so that they achieve the intended purposes. We need to achieve Vision 2030 and to get there we should ensure that all these resources are properly utilized.

We realize also that there are age brackets where innovations are higher than others. There are also situations where experience is required.

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Bitok, time is over. You will have your five minutes when the debate resumes.

Hon. Members, the time being 1.00 p.m. it is now time for the House to adjourn. This House, therefore, stands adjourned to this afternoon at 2.30 p.m.

The House rose at 1.00 p.m.