

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 22nd October, 2014

The House met at 9.00 a.m.

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

PRAYERS

QUORUM

Hon. Deputy Speaker: Can the Division Bell be rung, please?

(The Division Bell was rung)

Order hon. Members, we now have a quorum. We may begin the business for today.

Hon. Injendi, you have a notice of Motion.

NOTICES OF MOTIONS

CREATION OF JOMO KENYATTA NATIONAL MEMORIAL

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

THAT, aware that His Excellency the late Jomo Kenyatta was the founding President of the Republic of Kenya and as such was an important historical figure; also aware that upon his death, he was interned in a stone, glass and marble mausoleum on the grounds of Parliament; noting that unlike the mausoleums of many other deceased Heads of State, the late President Kenyatta's tomb, though situated in the most public place, has been off limits to the citizens for 36 years and is only open to the public during the anniversaries of his death and on rare occasions when visiting Heads of State pay their respects; concerned that despite the clamour for years for the mausoleum to be open to the public, and possibly be a tourist attraction, no steps have been taken in this regard; further concerned that 70 per cent of the Kenyan population is below the age of 40 years, to whom Jomo Kenyatta remains a distant historical figure with whom they have little or no connection despite his importance in the Kenya's history, this House resolves that the Government creates Jomo

Kenyatta National Memorial at the current mausoleum similar to the one of the founding President of the United States of America, where archival information of his life and remains will be open to public viewing.

Hon. Deputy Speaker: Okay. We have another notice of Motion from hon. Kilonzo Mwangangi.

NEW POLICY ON HIRING OF TEACHERS

Hon. Kilonzo: Hon. Deputy Speaker, I beg to give a Notice of the following Motion:-

THAT, aware that the Government has been undertaking recruitment and deployment of teachers countrywide in a bid to address the current insufficient student-teacher ratio; disturbed by the fact that most of the new teachers are either fresh graduates and teachers who qualified a few years ago; deeply concerned that this development is not fair to teachers who studied, qualified and got accredited much earlier; further aware that this recruitment policy is discriminative against older yet jobless teachers, this House urges the Government to institute a policy of hiring teachers who qualified first before undertaking the recruitment of recently qualified teacher.

Thank you.

MOTIONS

Hon. Deputy Speaker: Hon. Members we had two Motions which were just awaiting the putting of the Question; I believe we are properly constituted. Is that confirmed?

Hon. Members: Yes.

ISSUANCE OF IDENTITY CARDS TO ELIGIBLE KENYANS

THAT, aware every Kenyan having attained the age of 18 years is entitled to be issued with national identity card (ID) upon registration; further aware that a national identity card represents 'proof' of citizenship without which an individual may not have access to basic services, including exercising the right to vote; cognizant that the number of persons who are yet to be issued with the national identity cards has risen over the years and was recently estimated at 12,000 persons in Wajir, Garissa and Mandera counties alone; this House urges the Government to urgently put in place measures that will ensure that all eligible Kenyans are duly registered and issued with national identity cards.

(Hon. Mohamed Diriye on 6.8.2014)

(Resumption of Debate interrupted on 27.8.2014)

(Question of the Motion as amended put and agreed to)

Resolved accordingly:

THAT, aware every Kenyan having attained the age of 18 years is entitled to be issued with national identity card (ID) upon registration; further aware that a national identity card represents 'proof' of citizenship without which an individual may not have access to basic services, including exercising the right to vote; cognizant that the number of persons who are yet to be issued with the national identity cards has risen over the years and was recently estimated at 12,000 persons in Wajir, Garissa and Mandera counties alone; this House urges the Government to urgently put in place measures that will ensure that all eligible Kenyans are duly registered and issued with national identity cards.

Hon. Deputy Speaker: Can the Members, please, settle down. This is another one for just putting the Question.

POLICY ON OPERATIONS OF COMMERCIAL MOTORCYCLES

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 a 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 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 bodas*), subsidizes the costs of acquisition of training and commercial motorcycle 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 15.10.2014)*

(Question put and agreed to)

ESTABLISHMENT OF FUND ENCOMPASSING ALL AGES/GENDER

THAT, aware that various funds have been set up to assist women and youth, namely the *Kazi Kwa Vijana* Programme, the Youth Enterprise Fund and Women Enterprise Fund; also aware of the new Uwezo Fund targeting the 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.

(Hon. H.K. Njuguna on 15.10.2014)

(Resumption of Debate interrupted on 15.10.2014)

Hon. Deputy Speaker: Hon. Members, this Motion that was moved by hon. Humphrey Njuguna has a balance of one hour and fifty four minutes, just under two hours. Hon. Bitok was on the Floor and had a balance of five minutes. Is hon. Bitok still interested in his five minutes? If not, then hon. Chris Wamalwa is the first on my list.

Hon. Wakhungu: Thank you, hon. Deputy Speaker. I rise to support this Motion. The Government has tried so much to create different funds to help different groups. Our Constitution is very clear that youth are people aged 34 years and below. We congratulate the Government for coming up with the Uwezo Fund, which is helping women and the youth. When you look at men of 35 years and above, we do not have any fund that targets them. You realize that men in this age bracket have families to take care of. This is the group which is seeking leadership in the society. It is important that we have a fund in place to assist all the people, so that we do not have any issues of discrimination.

When you go to other jurisdictions, for example Sweden, you realize that the Government has set up social funds to help this age group because they are in their active age of production. If you look at that age group, because of the experience and responsibilities that they have, whatever they get, they put into proper use. When you look at Vision 2030, which is based on three pillars, we can only achieve it if we involve the entire population. The Government should establish a fund that is going to take care of everybody irrespective of age and gender. This in line with our Constitution, as far as the Bill of Rights is concerned.

As the Government sets up this fund, it must come up with training. I am happy with what is going on with the Uwezo Fund. Unfortunately, we have a bit of delay in training. When these groups are trained, they get skills and are equipped with business planning skills, entrepreneurship, customer service and record keeping skills. Research has shown that many small and medium enterprises come into existence, but by the third year or the third birthday they die off because the entrepreneurs lack proper skills.

With this Fund in place, we are going to have many small enterprises and we are

going to create employment. I remember one of the pledges that the Jubilee Government gave was to create employment. Employment cannot just be created in the formal sector. It can also be created in the *Jua Kali* sector. The *Jua Kali* sector will do well if there is such a fund. We have the Directorate of Industrial Training, which can also be enhanced to equip young entrepreneurs with skills all over the country and help them to advance in business.

We have discussed the *boba bodas* sector, for instance. It is one of the areas that has created a lot of employment in this country. Unfortunately, when the majority of the operators get this money, it is not good for them in the long-term because of lack of training. Somebody who has only the driving licence, gets a motorbike and starts a business. Saving is crucial. Most of the income that they get goes to spending. So, if saving is there, it can also help in terms of expanding business. Training is going to be very critical when it comes to sustainability.

Another issue is about the elderly, for example. These people are very vulnerable. It is important for such a fund to be there to help those in business. For example we have *pesa kwa wazee*, which has brought a lot of excitement and problems. When I go to my constituency, for example, there are those *wazees* who have applied, but unfortunately the Government did not have enough money to cater for them. So, some were given and others were not given. If such a fund is going to be in place, it is going to help the *wazees* who did not qualify. They only provided for Kshs500,000 for the entire country. Research has shown that we have more than 2 million Kenyans aged 65 years and above. So, what will Kshs500,000, do: where will the others go? When we have this fund in place, it is going to complement the efforts that the Government is putting in place to help the elderly by providing some stipend for survival.

I want to thank hon. H. Njuguna for bringing this Motion. I wish to encourage him that after we pass the Motion, he should go further and come up with a Bill. Once a Bill comes to the House, it will help the Government when it comes to the allocation of funds, so that we can have this Fund in place.

I support the Motion.

Hon. Deputy Speaker: Hon. Savula. He is not here. What is his card doing on without him being here?

Yes, hon. Nelson Gaichuhie.

Hon. Gaichuhie: Thank you, hon. Deputy Speaker, for giving me a chance to contribute to this very important Motion by Humphrey Njuguna. When you look at the funds that have been created in this country, they only cater for the women and the youth, discriminating against men who are already past 35 years. Out there, there are people who are still energetic and still need money, but this Government has decided to discriminate them in these funds.

It is high time we gave out money to men between the ages of 35 and 50. This is prime age. People in this age have ideas and are innovative, but they lack funds. A fund that will cater for everybody will be very useful to grow this economy. Most of the people in that age bracket are very energetic and can work, but they lack funds. When the Government issues funds to certain categories without considering others, that becomes very unconstitutional. The Constitution of Kenya provides that nobody should be discriminated based on gender, race or age. The Fund, if created, will cater for this group.

We have seen the Uwezo Fund, the Youth Enterprise Development Fund, the Women Enterprise Development Fund. It is quite a lot of money and has helped quite a lot of people. Unfortunately, the youth Fund is not well utilized. The youths are not taking up money, and I believe it is because they lack ideas. The age group of 35 to 50 years can utilize this money. If the Government does not have enough funds, then it can take portions of the Uwezo Fund, the Women Enterprise Development Fund or the Youth Enterprise Development Fund and put them into the proposed fund, which will cater for this group that has been very much neglected.

In our constituencies, every time you attend a *baraza*, you find men of between 35 and 50 years of age asking when this Government will create a fund for them. So, if we create a fund for this group, it will bridge the gap that has been created by these other funds.

With those few remarks, I wish to support this Motion and urge hon. Humphrey Njuguna, as hon. Wakhungu has said, to go ahead and come up with a Bill which we shall pass into an Act of Parliament to create this Fund.

Hon. King'ola: Thank you, hon. Deputy Speaker. From the outset, I want to support this Motion. I also want to congratulate the Government for introducing the Youth Enterprise Development Fund, the Women Enterprise Development Fund, Uwezo Fund, the Equalisation Fund and the Fund for the aged. They say that life begins at 40. Most people nowadays are marrying at the age of 35. This is the time when most people are serious. If we introduce a fund that will take care of the people between the ages of 35 and 50 years, I can assure you that it will be utilized. As it is now, most of the youths do not even know how to use funds. When they get funds, they are not well trained. In the whole country, there is lack of civic education. In most constituencies and districts, the Youth Enterprise Development Fund and the Women Enterprise Development Fund are not utilized. As a nation, we need to educate our people and train them on how to apply for and utilize funds. This Motion seeks to have the Government address discrimination against this group. It is high time the nation gave equal opportunities to all Kenyans, regardless of the age and sex. If we do this, we will realize Vision 2030 by 2020, as the President was saying.

The most developed nations have their populace between the ages of 35 and 50. This is when human beings start to realize their potential and capabilities. So, if we discriminate this group, we will not be doing justice. As other speakers have said, the Mover must bring a Bill after this, so that we can support and pass it, so as to have a fund to be utilised by this age group.

I support the Motion.

Hon. (Ms.) Kajuju: Thank you, hon. Deputy Speaker. I stand to support this Motion. In Kenya, we have a wide gap between the different age groups. The Government has brought about various programmes that cater for people of different age groups. We are being accused that we are over-concentrating on issues of the girl-child and are not looking into issues of the boy-child. I am particularly saddened by an incident that I read in the newspapers, which happened in Kakamega County. A certain organization went to distribute sanitary towels to girls and put them in a separate place. When they gave the sanitary towels to the girls, the boys picked the sanitary towels from the girls and thought that they were some food that had been packaged. They tore the

sanitary towels apart to see what exactly it was. From that incident, I learnt that time has come for us as leaders to look into issues of the boy-child and get to know what we can do for him. We need to set up mentorship programmes to cater for the boy-child from early stages, so that by the time they get to the age of 35, as per this Motion, they are well established and have the skills to face life. We also need to train our people in vocational skills that are required in this life.

Hon. Deputy Speaker, I support this Motion that has been brought by hon. Njuguna. Even as we set up different funds, we have to be careful on how these funds are implemented. We have challenges with the various funds that have been set up; most probably they are not getting to the target beneficiaries. There would be no point of setting up a fund which then does not benefit the targeted group. It is a good idea, but there must be a process through which these funds are distributed to reach the actual beneficiaries. I, therefore, support this Motion. I am happy with this House because it is looking at the affirmative action groups, especially the County Members of Parliament who require to be fully empowered, so that, as a nation, we can build this Kenya together.

Hon. Mulu: Hon. Deputy Speaker, I also want to support this Motion, which is important. It is a fact that in this country, the male gender has been discriminated despite the fact that we have a very clear constitutional provision that no Kenyan should be discriminated against on the basis of, among others, sex. This is a bit historical. Maybe the policy makers are assuming a number of things. One of the things being assumed is that men get a lot of employment opportunities in this country. On that basis of them getting employment opportunities, to some extent, they are the most economically empowered and might not need these kinds of funds. The assumption is that men at the end of the day retire from employment and benefit from retirement benefits, and so they have the resources.

The other assumption, which could be cultural, is the fact that in this country, over the years men have controlled family resources. However, that is no longer happening. In the rural setting, I have seen a situation where men have virtually been reduced to a level where they must plead with their women in the morning to give them some money to go out and meet their colleagues. This Motion is quite timely and time has come for us to support men who are over 35 years.

When you look at some of the funds which have been created by the Government, and more so the devolved funds, they target the youth, both male and female and women. At the end of the day, men do not feature anywhere in this arrangement. Because of that arrangement, men who have never worked anywhere do not access any resources to empower themselves.

This Motion is important. We need to upgrade it to a Bill, so that it becomes an Act of Parliament as time goes by, and so that men will also have their targeted kind of fund to help them promote their entrepreneurial skills. That way, men will get their own income which they can use to empower their families.

There is a kind of confusion when it comes to targeting the vulnerable groups in this country, because men are part of that group. They target both women and men especially if you are over 65 years. At that level, there is no discrimination. I always wonder why this discrimination comes in especially between the ages of 35 and 60. This is something that we really need to do away with. Some of these funds, for example the

Youth Enterprise Development Fund and the Women Enterprise Development Fund are not performing very well. In some counties, they are registering very high default rates, and people are not repaying the loans. I strongly believe that this is happening because in most cases, men, as heads of families, encourage repayment. They will tell the young men to repay the money to the Government. They will also tell their wives to repay this money to the Government. Since they are not benefitting from these funds, they have developed a “do not care” attitude. That push to the youth and the women to repay the money is not there. You know that when you do not push your wife, son or daughter to repay a loan, normally there will be a bit of reluctance in repaying the money.

I think if we set up a fund for men who are between 35 and 60 years of age, we are likely to get these other funds performing well in terms of repayment. It is important that we support this Motion, so that men get this Fund. I do not want the terminology that we use that indicates that we should have a fund encompassing all people. I think the youth and women have already benefitted, and so we need to have a fund which targets men between the ages of 35 and 60 years for us to experience a positive impact.

With those remarks, I support the Motion.

Hon. Iringo: Hon. Deputy Speaker, I support this Motion. From the outset, I would like to say that the age bracket targeted by this Motion is of people who have been marginalized in a way. Since we have the YEDF, the WEDF and the Uwezo Fund, which targets youth aged between 18 and 35 years, what is the transition position? When one attains 36 years of age, does one leave the YEDF? If so, where does one go? That is why I support this Motion. Once you leave that age bracket, you will be kicked out of that particular fund and you will not benefit any longer. That transition age should be considered. When we go to meetings and *barazas*, we are asked questions like “Are we not members of this society? Should we not benefit from the services that the Government is giving?”

At 50 years of age most people are very strong. In fact, they are at a reproductive stage. They can even be working. Some institutions retire people at the age of 40 years. Others are voluntarily retired at 50 years. If you go out there and you are not a beneficiary of a fund, or you do not have savings to sustain you and your family, then you are likely to turn vulnerable to poverty. It is unfair for the Government to wait up to when one is 65 years old in order for one to start benefitting. It is an abuse for the Government to wait for somebody to get to 65 years of age, so that it can give him or her Kshs2,000 per month. It is an abuse because people are neglected at their productive age of 50 to 65 years. When you start becoming old, you start getting peanuts.

I believe that if there is a fund which one can be a member of, and get money from it for use, then at the age of, say, 40 years---

(Loud consultations)

Hon. Deputy Speaker: Order, hon. Members. We cannot even hear the contribution by hon. Cyprian Iringo. There is enough room for consultations.

Hon. Iringo: Thank you, hon. Deputy Speaker for that protection.

I was saying that it is at age 35 to 50 years that persons can make proper use of money. When you get to 65 years, instead of waiting for the Kshs2,000 to be paid by the Government, you will already have established your own fund to sustain yourself, your children and those who might be depending on you. We have so many funds in this

country. I support this particular one too, but we should have structures put in place for disbursement and control. We should sustain the programmes which came up. Uwezo Fund is already experiencing teething problems. We have been talking about it since the current Government took power. To date, its money has not been disbursed. Proposals have been prepared and everything put in place, but bureaucracy is so heavy and rigid that this money is yet to be released. We are unable to tell the people what is going to happen next. We do not know what is in the offing.

We need to have proper structures in place which should be followed. Once a fund has been approved, let its proceeds go to the beneficiaries as early as possible. Let us take the Cash Transfer Fund to the people who need it. This money is disbursed so haphazardly that even the beneficiaries do not benefit from it; by the time people go to collect their money---

(Loud consultations)

Hon. Deputy Speaker, my neighbours here have another meeting.

Hon. Deputy Speaker: Order, hon. Members! Hon. Mwangangi and company, if you are going out, please, do so. Could we, please, have some order?

Hon. Iringo: Hon. Deputy Speaker, I would like to conclude by saying that I support this Motion. We should put in place proper structures for the funds that we are creating in this country, so that they benefit the people of this country. Let us not talk of a fund being approved, yet implementing it becomes an impossibility or a problem. I mentioned Uwezo Fund as one of them. The Cash Transfer Fund has teething problems, because people are not benefitting. They have to trot to and from their homes to look for their money. By the time they get the Kshs2,000 the money has already been consumed by debts and credit. We will create these funds, but without proper structures we will be engaging in an exercise in futility, and the beneficiaries will keep on complaining that they do not get their rightful share of what should be theirs.

I support.

Hon. Kipyegon: Hon. Deputy Speaker, I wish to support this Motion. The Constitution at Article 27(3) and (4) is very clear on discrimination on the basis of age or religion. If you look at the funds which have been availed to the youth, women and the elderly you will realize that there is a large section of people who have been discriminated, because they are not aged 35 years and below, and also because they are not over 70 years of age. This is in contravention of the Constitution. If this Fund was to be created, it would cater for persons aged between 35 and 65 years.

In this country, we need to relook at what can stimulate the growth of our economy. Instead of creating funds we should invest seriously in areas that can stimulate the growth of the economy of this country. That way, we will not be thinking of creating funds to help persons in certain age brackets. If we concentrate on constructing a good road network in this country--- I believe that all of us are capable of saving except for those who are disabled and cannot compete with us, maybe, in business. When creating this Fund as a stop-gap measure, we need to look at the larger picture. This country needs very good roads in order to stimulate economic growth.

We should be able to provide clean water. If we can provide electricity, water for irrigation, and build middle level colleges which can help our youths then we will help this country grow. We can help our people get opportunities for growing the economy.

That way, we will not be rushing to create funds for certain reasons. In developed countries, funds are created only for the unemployed, the vulnerable and those who are believed not to be better placed to compete with the rest. All the same, owing to the situation as it is in Kenya now, we need to create this Fund. Wherever we go when dealing with Uwezo Fund, WEDF and YEDF people usually ask a lot of questions, like “What about us who are above 35 years of age? Where are we? Are we not important in this country? Are we not part of those people who are supposed to be participating in the economic growth of this country? Are we not considered important people in the nation?”

I believe we were very discriminatory in actually leaving out all these people. I want to end by saying that the Cash Transfer Fund should actually be enhanced, so that we can also cover a certain age bracket. Also, the mode, or process, of identifying the beneficiaries of this particular Fund, I think, it was skewed to the extent that you find in some areas people who are benefitting are younger than others. In fact, others who are benefitting are not even within that age bracket. I think we also need to create good rules, so that when we are identifying people who are supposed to benefit from the Cash Transfer Fund and also Uwezo Fund then the right people benefit.

Hon. Deputy Speaker, I also join my friends in saying that we need to create very good rules that can guide us on how we can identify these particular people, because, as we speak, certain people are seriously complaining about the fact that they are not benefitting from it. I also want to speak to the question of amalgamating some of these funds, for example YEDF, Uwezo Fund and WEDF. I believe we need to amalgamate them and have them in one basket, so that the whole group is identified in a very orderly way. That way, we will not have a situation where certain groups benefit twice, say from WEDF and also YEDF, while there are some other people who do not benefit.

Hon. Deputy Speaker, I wish to support and say clearly that this is the time when we need to consider the other people who are not within this bracket.

I thank you.

Hon. Deputy Speaker: Hon. Michael Onyura.

Hon. Onyura: Thank you very much hon. Deputy Speaker for giving me this opportunity. I would also like to support this Motion by hon. Njuguna. I think it is a very timely Motion because one of the challenges that we are having in our country is unemployment. We all agree that it will not be possible to get everybody a salaried job, or to be employed in an office or such an environment. So, the best we can do is to look for how we can occupy our people and make them busy. We should make them economically empowered. I do feel that this is one of the routes that we should take. Our people are hardworking and, therefore, are willing to work. One of the challenges that they face is how to raise capital that will enable them undertake various activities. I thank the Government for the other funds that have been established; I think they are playing their part. We just need to ensure that those who were left out are also covered. I see this Motion filling that gap.

Hon. Deputy Speaker, generally as it has been observed, we have been concentrating so much – rightly so - on the girl-child at some stage. However, we might do it at the expense of the boy-child who, as he grows and goes beyond age 35, he will be feeling very much discriminated against and left out. So, this idea of setting up a fund will concentrate on supporting entrepreneurial activities, skills and initiatives. I am happy

because the Motion is talking about promoting innovation and creativity. This Fund will encourage people to come up with new ideas and technologies. That way, where there is innovation and creativity then it is rewarded and encouraged. Of course, we should also be looking at training skills and equipment in these activities. Capital is very important, but by itself it is not bound to do very well unless it is accompanied by the necessary training and skills.

In this regard, I think we should consider revamping our youth polytechnics and middle level colleges. It is very unfortunate that we have been rushing to turn our middle level colleges into universities. It is not that there is anything seriously wrong with that, but if it is not done in a planned way, the result is that we are likely to miss out on the middle level skills from technicians and the craft people. If we are not careful, we will have, perhaps, engineers and not people who are able to work competently below them.

If we implement this sort of Fund, it will come in very handy in supporting all that we want to do for Vision 2030. We have just declared ourselves a middle level income country, and we would like the population on the ground to be able to reflect this. I feel that, if a fund is created and capital is accessed easily, maybe along the model of Uwezo Fund, and then made fast and more efficient and effective this will really benefit our people.

As I conclude, what needs to be done is for us to ensure that for these funds that have been created we now carry out a proper evaluation and survey to ensure that they have, in fact, succeeded. That way, we will be able to know the challenges, failures, successes and lessons learnt. When we come up with this Fund we shall have sufficient information. We will be well equipped to make sure that it is a success and fits in well into Vision 2030 and the middle level economy that we have talked about here.

I support the Motion. Thank you.

Hon. Deputy Speaker: Hon. Soipan Tuya.

Hon. (Ms.) Tuya: Thank you, hon. Deputy Speaker, for giving me a chance to contribute to this Motion, and particularly in support of it. I wish to say that from my reading of the Motion, the point is really the need for inclusivity in our attempt to push Kenya towards achieving its Vision 2030, and particularly in turning Kenya into an entrepreneurial nation by the year 2030.

Having said this, I wish to say that the import of the funds that we seem to be comparing with this proposed Fund; the Women Enterprise Development Fund the Youth Enterprise Development Fund and Uwezo Fund are affirmative-action-oriented funds, which are supposed to take care of groups which have been left out of the mainstream development agenda in Kenya. It cannot be disputed that the youth and women feature very prominently when it comes to groups that need a lot of affirmative support for them to make their contribution to the development of this country. As I, therefore, support this Motion, I wish to say that in as much as the Uwezo Fund, the WEDF and the YEDF are affirmative-action-oriented, it is also wrong to assume that men between the age bracket of 35 to 50 years are all able and are not in need of any affirmative action to also be able to contribute to the development agenda of this country. I wish that we go further to interrogate the objective of this Motion, and say that men in the age bracket of 35 to 50 years need to be given money to work with. I think we must not lose the affirmative action thread; I think that is the essence of creating funds to support specific members of

society to stand on their feet in terms of economic contribution to the Gross Domestic Product (GDP) of this country. So, it should be targeted to men within this bracket who are in need of such affirmative action support.

The other reason why I am supporting is so that we do not border on discrimination because the YEDF, the WEDF and Uwezo Fund are targeted at youth between 18 and 35 years of age. Uwezo Fund targets both youth and women of all ages, but then we risk discrimination contrary to the provisions of our Constitution, under which we should not discriminate on the basis of age; the age that we are particularly talking about is that between 35 and 50 years; these are people who have been left out in the affirmative action plan.

I also wish to say in support that it is also a chance for us to interrogate the funds that have already been created for affirmative action programmes, and learn lessons, so that as we create another fund, we are not just creating it for the sake of it; we create something that actually will work in terms of assisting needy members of the society. When you look at Uwezo Fund, some of the regulations we actually may have to rethink them, because they really exclude the people whom they are intended to support. When you ask for bank statements from women who want Uwezo Fund money as proof of their economic ability to take up loans and refund them to the revolving fund, this tends to exclude the very people it is intended to support. Some of the regulations are also at a level where the needy members of society are not able to reach. So we should not just make funds available. We should also make sure they are accessible by the persons who are intended to benefit.

Hon. Deputy Speaker, with those few remarks, I beg to support.

Hon. Lati: Hon. Deputy Speaker, on this one, I truly hold a contrary view. In my lifetime, I have never thought that men aged between 35 years and 50 years would think they are marginalized in this country or in any other part of the world. Why do I say so? At the age of 35--- I am in that age group, and so I am not speaking from outside that bracket. I am speaking as a person in that age bracket. This is the prime age when as a human being should be working. You are done with school and I find it very trivial. We are trying to trivialise the needy cases that we have in this country.

(Applause)

It resembles the thing called “Maendeleo ya Wanamme” because men are not marginalized in this country. There are good reasons and intentions not just in Kenya for having affirmative programmes that target women and the youth; even in developed countries---The richest of countries like the USA have affirmative action programmes that are built around women and the youth. There is a reason for that. For many years, planet Earth has been male-dominated, and there is a reason why we want to uplift our womenfolk; we want them to also be in the achievement bracket where men are.

For the youth, it does not need to be said. There is a reason why our youth need some assistance. You are starting life as a youth and you need a head start, a helping hand to get you there. The moment you start extending this helping hand to every living human being, we will lose track of what we are supposed to do and the people who will suffer are the marginalized and the vulnerable ones like women and the youth.

I think there is something wrong here. Even assuming that men in this country - this to me sounds like a joke - are marginalized, vulnerable and are everything that the youth and women are, let us think of our Budget. We know our Budget is not infinite. We do not have a Budget that is limitless. We have a Budget that is supposed to cater for so many needs, particularly in our country, Kenya. For us to assume that everybody wants money--- we want money for *vijana*, for the elders, the youth, the CDF, counties and everything; it sounds a little bit foolish. Why do we not just sit and give money to every household and forget about developing our country? We should forget about development or making our highways.

So, I find this thing a little bit off the track. But there is something that can be said about men in the age of 35 to 50. We need to be a saving country with a saving culture. We are told that today for every Kshs100 that Kenyans get, 93 per cent is consumed. So, we leave about Kshs7 as disposable income or for saving. If we look at countries that have developed like Japan, their saving culture is at around 70 per cent. That is what we need to instill in the men aged 35 and 50 years; for God's sake, they are not vulnerable. They need to save money and stop being consumers. Go to every bar in town on Friday and you will see what happens; let them stop that kind of thing so that they can have some money for development. We do not need a helping hand here. We need to encourage our men within that age bracket to save money and think of developing ourselves and our country will develop.

Hon. Deputy Speaker, that said, there is also reason why we have things like banks and all other financial institutions in our country. They are meant for those people. At the age of 35, you are mature enough to walk into a bank, get a loan, pay it back and do whatever you want to do with it, and that way you will allow the Government to help the youth and women. One thing that we did as a country at Independence, which was special – we need to give thanks to the people who started our country, our forefathers – was that we took the capitalist way. This was unlike our neighbours, Tanzania, who tried to follow the socialist way. We cannot be socialists trying to help every Kenyan. Kenyans must work and we must create incentives for people to work. Any time you socialize everything in this country, you create a disincentive for people who will want to stay at home and wait for money or funds from wherever.

That said, I think if we move in this direction, there will be a danger in that we will not be utilizing the funds that are already there. We already have a head start. I participate in Uwezo Fund meetings in my place and we already have some difficulty in that Fund because of the kind of regulations that are very difficult to be met by people, particularly people in the rural areas like where I come from. We should focus our attention on developing the existing funds like the Youth Enterprise Development Fund and Uwezo Fund. We should not ignore the existing funds, or lose track and leave these funds under-utilized. We need to have them going on.

However, in principle, I think there are good reasons and intentions for any country to have funds and microfinance for small and medium enterprises to help people grow in business; but it does not necessarily have to be in the form of funds. It can easily be in the form of capacity building. We will try to help men if that is what they will need in capacity building to enable them borrow money from banks and to do business.

With those remarks, I oppose.

Hon. Angatia: Hon. Deputy Speaker, thank you for giving me this opportunity to contribute to this important Motion. I apologize for having been called when I was out. I was attending to an important call from the constituency. First of all, I will say that this is an important Motion, considering the level this country is at in terms of business and general development. I think we need to understand the principle behind this Motion. The principle behind this Motion is to cushion the master of business. You only master business at the age of 35 to 40. I can tell you from experience that there is no youth in this country between the age of 25 and 35 who can carry on a business successfully involving an amount of money between Kshs500 million and a billion without bank support. So, this Motion is meant to cushion the masters of business, who are between the ages of 35 and 55 years against open market bank interest rates .

Let those who are opposing this Motion look at a country like South Africa. They have a similar arrangement. This Fund is not going to be for political freebies like Uwezo Fund. We are creating a fund that will cushion businessmen against the open market interest rates of commercial banks. Maybe this Fund will be charging an interest rate of 3 per cent. We are exporting businesses like road construction from this country to Chinese companies.

I think governors should be given a model similar to this one when they are asking for *Pesa Mashinani*. Take that money to *mashinani*, but do they have the capacity to absorb the money in tarmacking roads in the villages? Will boys in the villages have enough capital to tarmack roads in the villages? They will go to commercial banks which will charge them high interest rates. When you go to a bank they look at your history. When you go to a bank, they look at your collateral, and ask, "Are you able to repay the loan?" If we start a fund like this one, we will cushion people aged between 35 and 50 years against open market interest rates. So, people who are opposing this Motion should look at the principle behind it. It is not a political thing. You take the loan from that enterprise fund and you repay it. This model should be set up at the constituency level. Get approval from the constituency level; each constituency will need to be allocated money for those businesses that can be done in a constituency. We have an arrangement in the constituency for giving money to the youth and people aged between 35 and 40 years for just doing local roads, that is roads classes "D", "C", "E" and "F".

But they are unable to do it. They need letters from the Constituencies Development Fund (CDF) to go to the bank to access the cash.

Hon. Deputy Speaker, if you have a similar fund, the bank will charge 18 per cent interest on it. If you have a similar fund, you will not suffer as a Member of Parliament. You will go to the enterprise fund and get the fund at 3 per cent interest or less. You will loan out to the youth or the *wazees* in the village. They will carry out the tarmacking of the roads in the villages using CDF money. In the process, they will get higher returns than they would have got from the bank had they accessed similar funds to carry out the business. Let us look at this thing as an issue that is going to boost the economy from the constituency level to the national level.

With those few remarks, I beg to support this Motion. We should move ahead and establish a fund similar to the South African structure and we do it from the constituency level to the national level.

Thank you so much.

Hon. Njomo: Thank you, hon. Deputy Speaker. I would like to commend and congratulate hon. Njuguna for bringing this very important Motion to the Floor of this House. I am now beginning to understand why the people of Gatanga call this honourable gentleman “*roho safi*”. He wants everybody to have a *roho safi* and he has seen that the Government has created several funds, including the Youth Enterprise Development Fund which takes care of our young people. It has created the *Uwezo* Fund which is taking care of our women and young people. There is a gap that has been left, where our middle aged gentlemen have nobody to take care of them. We know that there are loans available, like the hon. Member who was opposing has said. But not every middle aged man has the capacity or the security required to access those commercial loans. That is why we need to help them to start up their businesses and acquire securities so that they can face the banks and get funds to operate their businesses.

God appointed the man to be the head of the family and from the funds that have been availed, the young people and women will be financially better off than the man. Thus, a man will not be a good head of the family because women and the youth will be in a better financial position than the man. He will not feel secure in his own home. It has been said before that, in the past so much effort was put on the girl-child that we forgot about our boy-child. We have seen efforts being put to correct the situation where now the boy-child feels neglected and does not feel like he is taken care of. We should not let the same happen to our middle aged men when we put so much effort on our youth and women to the detriment of the man. The National Industrial Training Authority (NITA) should also be strengthened so that, apart from providing training to our young people, it should be empowered to give out loans to entrepreneurs after providing training to them. This country is moving forward and there is a lot of development going on. But our people are not able to get the contracts that are offered by our Government because our technocrats are crafting tenders particularly aimed for foreign companies.

(Loud consultations)

(Hon. Ng'ongo and hon. Obura consulted loudly)

Hon. Deputy Speaker: Order, hon. Members! The levels of consultations are too high. Please, hon. Ng'ongo and hon. Obura, settle down.

Hon. Njomo: Thank you, hon. Deputy Speaker. As I was saying, our technocrats are crafting tenders aimed at benefitting foreign contractors. Those contractors are coming into this country with their staff thus providing minimum employment to our people. I will call upon our technocrats to be more patriotic and craft those tenders with an aim of benefitting our local contractors. That way, we can increase employment opportunities so that our people can be busy and earn a living.

Hon. Deputy Speaker, if we pass this Motion and create a revolving fund, I believe that fund can loan money to middle aged men between the age of 35 and 55 years. They should be in a position to refund the money after they do business. Once this Motion is passed, I hope hon. Njuguna will draft a Bill and bring it to the Floor of this House so that we can improve our food production. That is because we will involve middle aged men in the production of agricultural food products and improve our

employment. That will create businesses and enterprises that will employ our people. I am sure this will lower our divorce rates because our men will be better financially and will support their families.

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

Hon. (Ms.) Musyoka: Thank you, hon. Deputy Speaker.

(Hon. Shehe stood up in his place)

Hon. Deputy Speaker: Hon. Shehe, can you be patient? I do not even see your name in the first 15 hon. Members on the list.

Hon. (Maj-Gen.) Nkaissery: On a point of order, hon. Deputy Speaker.

Hon. Deputy Speaker: Even you, hon. Nkaissery, you are not among the first ones.

Hon. Members, I have 36 requests here. Therefore, be patient. For now, I have given the Floor to Ms. Musyoka.

Hon. (Ms.) Musyoka: Thank you, hon. Deputy Speaker. They should be as patient as I have been. I stand to support this Motion.

The creation of a fund for men above 35 years of age is important. We are aware that we have the women and youth enterprises and even the *Uwezo* Fund. Those funds were created to take care of marginalized groups. But with time, we have noticed and we are concerned about the boy-child.

When eventually the boy-child will grow to become a man, looking at our communities, we face the risk of losing men and youth. We are also losing the men who are in that age bracket that we are talking about. Therefore, we need to work on our men so that we can develop a culture of saving. I would like to congratulate women in our communities because they meet in women groups and practise the culture of saving. They have worked so hard to save some little money which they are able to use to do many things in the communities. Men need to embrace what the women have been doing and start saving and using the little money available to do great things.

An hon. Member: We have always supported you. Otherwise, without us, what would you do?

Hon. (Ms.) Musyoka: They say that they have been supporting us, but we need more concrete support. We need them to have funds to enable them do things that are tangible in the communities. If we continue with the current trend, we will find that men are becoming irrelevant in their homes and that is very true. We know that when we have the boy-child and we do not have his attention as he grows up, he will eventually lose focus. Finally, you will find him in beer halls and alcohol dens and he will end up not being productive.

Therefore, that fund is quite welcome. It will play a very important role in getting men accessing credit to do activities that would benefit---

(Loud consultations)

Hon. Deputy Speaker: Order, hon. Members! The level of consultation is high again. Order! Order, hon. Members! Where is the noise coming from? Order, hon. (Ms.) Soipan and hon. Kariuki Ndegwa!

Hon. (Ms.) Musyoka: I have stated a fact. We need to get men being productive. One way of getting men to be productive is making them access credit. Therefore, this is a very important Motion. I hope we will support this Motion so that we can create a fund and get men doing activities that would benefit communities.

Hon. Langat: On a point of order, hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, hon. Langat?

Hon. Langat: Hon. Deputy Speaker, I like the Motion, but is it in order for the hon. Member who has just spoken to make serious allegations about men? She has actually made two dangerous allegations. One is that men are becoming irrelevant. Men are very relevant in many ways, unless the hon. Member becomes specific in what areas men have become irrelevant. The other allegation that she has made and which she needs to clarify is whether really all men are unproductive. Many men are very productive and she needs to be very specific!

Hon. Deputy Speaker: Hon. (Ms.) Musyoka, can you clarify in what manner men are irrelevant and what production or productivity you are referring to?

Hon. (Ms.) Musyoka: Thank you, hon. Deputy Speaker. The Bible says that when man was created, a woman was created for him.

An hon. Member: From the man!

Hon. (Ms.) Musyoka: It does not matter! She came from man and that is all right. The man was mandated to work and be productive. When we look at the Bible closely, that is what the man was told to do. The women's task was to produce babies and to be submissive. But when you look at it today, it is the women who work. They are the ones who toil in the *shambas*. They are the ones who struggle and bring food to the table. We need to have the men in the communities playing an important role of contributing and bringing food to the table.

Hon. Deputy Speaker, I am speaking in that aspect. We do not want to lose our men. That is a fund that will come in handy to make sure that men can access credit and do business. They can as well do things that will add value in their homes and put food on the table. Therefore, men should contribute positively to this economy. I know men do great things, but I am talking about the communities in the rural areas; where many of them are ending up in the market places drinking and they are not contributing economically.

Therefore, that is a very welcome Fund and I would like to say that I support this Motion.

Hon. Deputy Speaker: Hon. Members, some of you are trying to come to influence who speaks. It is not when you come to see me here that you can be allowed to speak. We are following some order. Sometimes, it is all from this side and I have to look for a member from the other side or vice-versa.

Hon. M'uthari: Thank you, hon. Deputy Speaker. I rise to support the spirit in this Motion. As we move on, it appears that men are becoming the endangered species. For many years now, we have been talking about the girl-child and now the boy-child is threatened.

Currently, the rate of birth shows that there are fewer boys than girls. All the funds that have been created have been for the youth and women. In as much as I respect the spirit of this Motion, it is high time we amalgamated or brought all those funds together. Eventually, we will have the Youth and Women Enterprise Funds. All the men will be marginalized and nothing will be allocated to them.

There is nothing to show that there is a strategy to include certain groups of people who have been left out. Therefore, it is important to have a serious consideration for all the categories. Maybe, a solution would be to create one fund that would take care of all those vulnerable groups, whether they are men, women or youth. This will enable them access the fund and eventually carry on with their own businesses.

The other alternative is to change the business environment so that we can create a fund and ask ourselves why various groups are vulnerable to high levels of poverty.

Hon. Deputy Speaker, unless we look at the root causes, even some of those funds that have been created with very good intentions, either to create jobs--- I am not sure they have been able to make much impact. Otherwise, if they have made an impact - like we have through the Youth Enterprise Development Fund, Women Enterprise Development Fund and the *Uwezo* Fund - and if they are targeting the same categories of people, so what is really the problem?

The whole thing is not about the money, but when will it be given and under what conditions? What is the procedure for the issuance of that money? Even when people have been given that money, has there been any training on how to use the money?

We have the *Uwezo* Fund which has not been able to take off. For all that time, money cannot be accessed by various groups. People have been given the money at the constituency level but, at the same time, there are groups that have been given responsibility for training. In some areas, that has not happened. There is money but people are asking when it will be given out. Thereafter, it is found out that the money is not there.

Hon. Deputy Speaker, I believe it is important for this House to pass this Motion. Once the Motion is passed, a Bill will then be generated to enable us come up with suggestions or proposals and consider all the factors. In as much as this is an important Motion, it has to be looked at in the context of the business environment. When we talk about banks and Savings and Credit Co-operative Societies (SACCOs), especially banks and their interest rates, what is it that can be done to reduce the high interest rates so that our people can access money from the existing financial institutions? That will make it friendly to do business. We have so many micro-finance institutions, but they end up making people poorer than they were before they accessed the money. Therefore, at least, if we can create a fund and look at all the categories, we can move towards Vision 2030.

I support the spirit of this Motion, but I do not know how far we can go as a country to create money for every category and age groups.

All in all, I support the spirit of the Motion. Thank you, hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Moses Injendi.

Hon. Injendi: Thank you, hon. Deputy Speaker. I wish also to support this Motion for very simple facts. For example, in Malava where I come from, there has been a cry from persons asking why there is discrimination. In fact, they have been blaming Parliament for not considering them and yet, they do a lot of work for this country.

I support this Motion because I have seen that, with the creation of *Uwezo* Fund, Youth Enterprise Development Fund and other funds, discrimination has been happening in families. That has created a lot of divisions. Arguments have been raised: Why is it that in the same country, we are recognizing youth and women and not men? In most cases, most of those families have been getting into arguments that create conflicts. So, when you create a fund for that particular group, it will create some harmony.

Hon. Deputy Speaker, the other factor why I am supporting this Motion is because, as one Member has pointed out here, men will become unproductive. That is not going to be the factor. But the danger is: If most of those men will find themselves not having anything to engage in because they have no money, then most of them will be idle. So, you will find that most of the gains that we will have gotten from the *Uwezo* Fund and *et cetera* will be eroded by that dependent group or persons. They will be eating away the profits from those particular funds and, actually, causing poverty to continue afflicting our communities.

The other thing that I have noted in our families because of that is family breakups. What has been happening is like something I saw in my constituency. When those women get the money, men have been insisting that, as heads of the households, they get a share of that money. The kind of money that we are giving to the women is not so much to be given to the men who are idling around in the families. Since women are now insisting that they want that money to be put into businesses, it is causing conflicts and fights leading to home break-ups.

Hon. Deputy Speaker, I also believe that when we have a fund in general, we will find the whole community being engaged somehow in the development of this country. That is because we know that persons aged 35 to 55 years are more active. But in this country, as it is, that group is mostly unemployed. We have been seeing them in our streets. Many people who have been making a lot of noise and causing mayhem in the community are those particular persons. Therefore, if we have a fund for them in our country, then we will have gotten something that will engage them in development and in this case, we will move the country forward.

So, with those remarks, I support this Motion. I want to assure the country that, for sure, if we get into this, we will be living up to the Jubilee Government's pledge of moving this country to another level. As was mentioned earlier, we are becoming a middle income country. If we do not do that, the talk of our country being a middle income country will just be hearsay. That is because the population will be unemployed as we see in most of our constituencies. So, I support.

Hon. Deputy Speaker: Hon. Gladys Wanga.

Hon. (Ms.) Nyasuna: Thank you, hon. Deputy Speaker. While I do not agree with this Motion, let me thank hon. Humphrey Njuguna, nonetheless, for bringing it and for really putting his point across.

Hon. Deputy Speaker, really, I think we have to ask ourselves: Who are those men between the ages of 35 to 50 that are being suggested for a fund? Who are those men between the ages of 35 and 50 for which we are creating a fund?

[Hon. Deputy Speaker left the Chair]

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

Hon. Kombe: On a point of information, hon. Temporary Deputy Speaker.

Hon. (Ms.) Nyasuna: Hon. Temporary Deputy Speaker, I have hardly said anything. Men between 35 and 50 years of age generally---

The Temporary Deputy Speaker (Hon. Cheboi): Order! Do you want some information?

Hon. (Ms.) Nyasuna: No, I do not really need information at this point because I have hardly said anything to warrant information.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Kombe, your information is rejected. Proceed.

Hon. (Ms.) Nyasuna: Thank you. Hon. Temporary Deputy Speaker, generally speaking, men between the ages of 35 and 50 are the owners of several factors of production. Men between those years are the ones that own land. In cultures that have cattle, those are the people who own the cattle, sheep, goats and farms---

Hon. Kombe: On a point of order, hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker: Order! Hon. Kombe, you have been oscillating between points of order and points of information. Now, what is it?

Hon. Kombe: It is a point of order, hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): Now, proceed. What is your point of order?

Hon. Kombe: Thank you, hon. Temporary Deputy Speaker. The majority of those who have spoken, including the Member on the Floor, are missing the point. This Motion is not about establishing a fund for men between the ages of 35 and 50. It is about creating a fund for all people of all ages and genders.

Thank you, hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): Well, proceed, hon. Nyasuna.

Hon. (Ms.) Nyasuna: Hon. Temporary Deputy Speaker, the point that hon. Kombe has raised makes the situation even worse. How does a country establish a fund to cover 40 million people? The funds that have been cited are the *Kazi Kwa Vijana* (KKV) programme, the Youth Enterprise Development Fund (YEDF), the Women Enterprise Development Fund (WEF) and the *Uwezo* Fund. Those are funds that target affirmative action groups and those affirmative action groups for a reason. They have certain vulnerabilities that expose them and that must be dealt with in order for them to transition. The ages that we are talking about are now transition ages. Even a child must crawl, sit up, stand up, walk and then run. But you cannot buy a baby-walker for a child and keep it in it for the entire life.

Even as we debate here and say we support, we must really be real and realistic. This House must also look at the global practices. The people who are supporting this Motion should tell us where in the world a fund has been established to cater for everybody in the population.

Hon. Temporary Deputy Speaker, who then is the target for mainstream financial services? Who becomes the target for mainstream financial services - banks or other small micro-enterprises (SMEs)? I see that there is a point that the hon. Member is trying

to address, but this is not the right way to address it. Rather, the Member should probably have been looking at: How do we generally lower interest rates, for example? How do we do value addition for our farm products? How do we get better prices for our farm produce? How do we get better prices for coffee, maize, tea, cassava, sweet potatoes and pineapples so that those people who are engaging actively can be able to operate within this environment? How do we address the issue of unemployment generally so that we are able to take care of people within those age groups?

Hon. Temporary Deputy Speaker, you know when you establish things without need, this is where *Maendeleo ya Wanaume* is today. Just because there was a strong movement called *Maendeleo ya Wanawake* and it succeeded because it is a group of vulnerable people who have come together and who are moving, you go and establish *Maendeleo ya Wanaume* for *macho* men who are feeling strong and who feel that they do not need protection and who feel that they can operate on their own. The *Maendeleo ya Wanaume* has, therefore, become a one man movement which is even causing embarrassment to the rest of the men.

(Laughter)

So, hon. Temporary Deputy Speaker, I just want to finish by addressing the issue of some of the funds that have been established and whether they have even succeeded; for us then to come and say: "It is truly a best practice. Let us have it emulated." We must record the success. We must evaluate and record the success of the *Kazi kwa Vijana* Programme, the Youth Enterprise Development Fund and the Women Enterprise Development Fund. Really, can we account for those monies and say that they have truly changed the lives of the groups that they have targeted?

Hon. Temporary Deputy Speaker, just like we can say, the SACCOs movement has helped this country, it has changed lives and we know it is a success, but have those funds changed lives?

Thank you, hon. Temporary Deputy Speaker. That is my contribution.

The Temporary Deputy Speaker (Hon Cheboi): Very well. We would want to know whether hon. Zuleika has something better to say where she is from.

Hon. (Ms.) Juma: Thank you for the opportunity, hon. Temporary Deputy Speaker. I stand here to oppose the Motion.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Zuleika, are you also suggesting that men are not producing? I thought that---

Hon. (Ms.) Juma: Well, hon. Temporary Deputy Speaker, they will not produce if that fund is put in place. The funds that have been given to women and youths and, even by extension, to persons with disability are intended to bridge the inequality gap that is there in the country. If the fund is set up, it will make a mockery of all the affirmative action that we have been trying to put in place in this country.

Hon. Temporary Deputy Speaker, we know in Kenya that men have better access to resources as *Mhe*. Gladys Wanga has said, including land, jobs and so on. You just have to look at the face of this House to see that men between the ages of 35 and above are better placed in this country than the women and youth. Some people and some Members have come and said that men of this age group have been discriminated because

there is no fund for them and it is against the Constitution. That is not right because if it was, then we would not have passed the Equalisation Fund a couple of weeks ago that recognises that there are marginalised areas of this country.

Hon. Temporary Deputy Speaker, if we pass this Motion, we will be saying that everybody in Kenya is marginalised and that is not the case. Even some Members have said that this is discrimination of the boy-child. Somebody aged 35 and above is definitely not a child.

The answer to the poverty question in Kenya is not to give funds to different demographic groups. We need good economic policies that will solve the poverty issues and not funds. If we pass this Motion, we will be creating a dangerous trend in this country and sending a message, as I said earlier, that everybody is marginalized. So, it will mean also that the County Member of Parliament seats will not be open to women only. They will be open to everybody.

Hon. Temporary Deputy Speaker, before I finish, we know in terms of economics, there is the concept of the economically active. Those are people between the ages of 15 to 65. There are those who are economically dependent. That is the people aged between zero to 15 and above 65 years, that means small children and the elderly. If we pass this Motion, the fund will be giving money to people who are economically active. This will mean that men will be stuck in groups looking for funds, doing group activities and they will not go to work. Who then will work for our country?

(Several hon. Members withdrew from the Chamber)

The Temporary Deputy Speaker (Hon. Cheboi): Order, Members! Order, Members! Hon. Members, you are encouraged to stay a little longer because that is the only way we will be able to take a vote on this one. We are about to be through with this one and we would like to finalise it. Members are encouraged not to go out for the time being. Proceed and finalise.

Hon. (Ms.) Juma: Hon. Temporary Deputy Speaker, I would like to say that a Member said earlier erroneously that South Africa has a fund for all age groups. This is not true. South Africa has a fund for the elderly over the age of 65. In fact, in South Africa, the elderly woman gets 1,000 Rands a month, while the elderly man gets 600 Rands a month. It is in recognition that women also take care of families and the elderly man might not use his money for the family as well.

With those few words, hon. Temporary Deputy Speaker, I say thank you.

Hon. ole Lemein: Thank you, hon. Temporary Deputy Speaker. I rise to oppose this Motion.

(Applause)

If you look at the statistics in this country, you will find that 45,000 students graduate from our universities every year. That is the group that requires a lot of funding for purposes of helping them create jobs rather than engage in job seeking.

Hon. Temporary Deputy Speaker, the Motion is talking about entrepreneurial skills. I believe that the group that exhibits the same is the group that is between 19 to 34

years. The group from 35 years to 50 years is one which is either employed or is self-employed. What is necessary for them is capacity building. What is affecting this group is lack of business planning, development skills and inability to engage consultancies.

I propose capacity-building for this group. That is the group that exhibits innovation and creativity which are necessary for economic growth and development. The group that has innovation and creativity skills is between 19 and 34 years.

Hon. Temporary Deputy Speaker, I conclude by saying that this Motion is well intended, but it is for the wrong group.

Thank you.

Hon. (Ms.) Fathia: Thank you, hon. Temporary Deputy Speaker for giving me this opportunity. I must say that I am not supporting this Motion because I feel that the country has created enough funds for the marginalized groups such as women and the youth.

I would like to say that for the past many years in this country, opportunities have been given to men. If they have not utilized them well because of not being responsible, it is up to them to be given capacity-training on how to manage their skills and businesses.

Hon. Temporary Deputy Speaker, women and youth are the ones who need to be given a lot of attention, even though the country has established funds for them. We have to give them opportunities. We should analyze and see whether the creation of funds like the *Uwezo* Fund, Youth Enterprise Development Fund and Women Enterprise Development Fund has helped well. Another fund which has helped the constituents is the Equalisation Fund. We should not support this Motion because it will not take us anywhere. Men have many opportunities. They are the ones who can walk into a bank because they have title deeds and documents and secure loans.

Hon. Temporary Deputy Speaker, we can help men by talking to most of the banks to lower their interest rates. But opportunities are there for men. Look at the Constituencies Development Fund (CDF) in most of the constituencies in Kenya. What is happening? Most of the projects are awarded to men. It is like women do not deserve those contracts because one or two contracts are awarded to them.

Look at the county governments and you will find that majority of the contracts are awarded to men. So, those men have been getting many opportunities. I do not support this Motion. I feel that the House should move on with us. It should not pass this Motion. Let men use their brains well. That is because they have many opportunities. They have land, documents and most of them are educated. This is the time even our girl-child is going to school. So, men should not compare themselves with the marginalized groups. Let them wake up and see the opportunities they have and utilize them well.

Thank you, hon. Temporary Deputy Speaker.

Hon. Irea: Thank you, hon. Temporary Deputy Speaker. I support this Motion. Hon. Members of Parliament who are ladies should understand that the proposed fund does not do away with the Women Enterprise Development Fund or Youth Enterprise Development Fund. This is an additional fund to cater for men who are not catered for.

This Fund, if it is created, will improve security. How will it improve security? If you are looking or assessing somebody to give a loan, at the time of evaluation, we use what is called "Campbell Law" where we look at the character of the person, the amount the customer is borrowing, the margin that the institution will make, the purpose of the

loan, the ability to pay, the risk involved and insurance. In this case, the men who are getting the money are in the villages. Therefore, they will improve their character so that they can access the fund.

Hon. Temporary Deputy Speaker, the Youth Enterprise Development Fund and the *Uwezo* Fund are very important funds. However, before any money is released, if we pass this Motion, training should start immediately. The funds should not go to the account the way the *Uwezo* Funds have been sent and training is starting at the same time. Therefore, I would like to say that training should start so that people will know how to borrow from the fund, how to use it and how to repay. That is if we pass this Motion.

We should also look at ways of controlling banks in this country. That is because the money the people are borrowing from those funds is being put in our banks. For example, if somebody gets Kshs30,000 and he wants to buy a motorbike using hire purchase finance from a bank, he will get the money from *Uwezo* Fund at zero interest rate, but will end up paying 18 per cent to the bank to access the loan for the motorbike.

Therefore, the Government's effort to give out that money to people at zero interest rate is defeated when borrowing is done from commercial banks. I propose that if we put all those funds together. We need, for example, to have a Kenya youth bank. That bank will be lending money to the youth at affordable interest rates so that people do not borrow only from the funds that we have created.

Hon. Temporary Deputy Speaker, I support this Motion. The Mover of this Motion had thought about it. It is a very important Motion.

Thank you.

Hon. Ng'ongo: Thank you, hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Motion. There are a few things that I want to say with regard to this Motion. First of all, is the way this Motion is worded; that this House is urging the Government to create a fund encompassing people of all ages and gender for development of entrepreneurial skills. All ages including one-month-old child? How can we create a fund to give money to a one-month-old child?

The Temporary Deputy Speaker (Hon. Cheboi): But I have heard that argument many times the hon. Member for Suba. Are you suggesting by any chance that, that kind of a child is able to apply?

Hon. Ng'ongo: Mr. Temporary Deputy Speaker, even the *Uwezo* Fund is very clear that for the youth, it is between 18 and 35 years and for women, it is 18 years and above. So, you cannot say people of all ages. That is wrong. But more fundamentally, I think that the Mover of this Motion failed to appreciate why the Women Enterprise Development Fund, the Youth Enterprise Development Fund and the *Uwezo* Fund were created. Those funds were created because we had noticed a vacuum. We had noticed that there are marginalized members of this society who needed affirmative action so that we could bring them to a level where they could also compete with other Kenyans. It cannot be denied that women of this country and even the rest of Africa and beyond are marginalized. Even if you go to the United States of America, you will find that the women members of the Congress are less than 10 per cent. So, women are marginalized in the whole world. Therefore, they need affirmative action to bring them to a level where they can compete with other Kenyans.

Mr. Temporary Deputy Speaker, most of the youth, especially those who are between the ages of 18 and 35, are coming out of colleges but without employment. Therefore, there is need to give capacity to those youth to use their life more productively. But when you now water down those gains that have been made by creating a universal fund, first of all, are we going to create that fund as a country? Let us face it. The problem with Kenya is that we look for quick fixes to problems. The Mover of this Motion, whom I know is a Member of the Jubilee Coalition, should be advising the Government to improve the business environment so that we get more investment in this country and create more job opportunities rather than looking for quick fixes where we would be allocating funds to people to do all sorts of business.

The other thing that I would have wished the Mover of this Motion to do, and probably that is what he wanted to do but he has done something totally different is that, we know there is the elderly in this country - both men and women; people who have exhausted their productive life. Those people need social affirmative action. What the Mover should have done, in my view, was to push the Government to allocate enough funds to give social affirmative action or cash transfer fund to the elderly beyond the age of 65. We are grappling with that. We want everybody who should benefit to benefit and yet, you want to create funds which are likely to be misused. If this country makes a mistake of creating that fund - and I am glad it is a Motion and not a Bill--- That is because if it was a Bill, it would be a disaster for this country. It would be a disaster for this country if we make it legal that a fund like that is created.

Mr. Temporary Deputy Speaker, as a Parliament that appropriates funds, we should not bring populist Motions just because we want our constituents to see that we care. There is no caring here. This is masquerading. In my view, this Motion is purely populist! It serves no purpose, it is meaningless and this House should reject it. If there is any Motion which has taken our time and is meaningless, it is this Motion. I wish we could spend our time differently, constructively and productively by debating Bills that would improve on the welfare of Kenyans, rather than spend a whole morning debating a Motion which completely adds no value. This Motion cannot be implemented in the first place. Even if we pass it, how will it be implemented? Are you going to create a fund for everybody, including Members of Parliament? One should word a Motion in a way---

Hon. Sakaja: On a point of order, hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): What is it hon. Sakaja?

Hon. Sakaja: Hon. Temporary Deputy Speaker, in as much as hon. Mbadi has a right to oppose this Motion – even I do not support it – is it in order for him to call another Member’s Motion meaningless, useless and of no value when the same Motion has been approved by the Speaker? He has said that it is a total waste of time for us to debate it. This House does not waste time. We cannot be wasting time in this Chamber. We have been here debating this Motion for a number of hours. It is out of order for one to say that hon. Members of this House are wasting time. In as much as I do not support the Motion, I would not call it useless or meaningless. It is not right!

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Mbadi, I agree with hon. Sakaja because, if it was really a useless Motion, you should not be contributing to it.

Hon. Ng’ongo: Hon. Temporary Deputy Speaker, if we could look at the HANSARD, it would be clear that I did not use the word “useless”. I used the words

“meaningless” and “no value”. Those are not un-parliamentary words. A Motion can be of no value. I maintain my words. This Motion has no value.

The Temporary Deputy Speaker (Hon. Cheboi): Order, hon. Mbadi!

What is it, hon. Anami?

Hon. Anami: Hon. Temporary Deputy Speaker, I just want to correct the impression created by hon. Sakaja to the effect that the speaker who is on the Floor has used the word “useless” He did not use the word “useless”---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Anami, if you are going that direction, hon. Mbadi has perfectly defended himself. He does not need a lawyer at this point in time.

Hon. Anami: Hon. Temporary Deputy Speaker, having said what I wanted to say, would it really be in order for us to spend time on a Motion like this one? May I suggest that the Mover be called upon to reply?

Hon. Members: No!

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Anami, you do not have to worry about that because it will be taken care of shortly.

Hon. Ng’ongo: Hon. Temporary Deputy Speaker, I am glad that hon. Anami---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Mbadi, I can see that there is a lot of interest on your contribution.

What is it, Member for Muhoroni?

Hon. Oyoo: Hon. Temporary Deputy Speaker, in view of the fact that even my good friend, hon. Sakaja, who those days purports to answer for the Government on critical issues has downplayed this matter ---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Oyoo, this is not a Government Motion, but a Private Member’s Motion.

Hon. Oyoo: Hon. Temporary Deputy Speaker, it could be the right time for us to terminate the Motion. It has no value because hon. Sakaja, who answered for the Government those days, has downplayed it.

The Temporary Deputy Speaker (Hon. Cheboi): No! No! Member for Muhoroni! I know that you are fairly new despite the fact that you have been a politician for a long time. This is a Private Member’s Motion. Hon. Sakaja does not come in anywhere, but as a private Member. Hon. Mbadi, your time is over.

Hon. Ng’ongo: Hon. Temporary Deputy Speaker, let me use my last minute.

The Temporary Deputy Speaker (Hon. Cheboi): No, there is no minute left for you. We have already overshot your time.

Hon. Ng’ongo: Hon. Temporary Deputy Speaker, you are the one who interrupted me.

The Temporary Deputy Speaker (Hon. Cheboi): Order, hon. Mbadi! That is part of the game. We are now going to give an opportunity to hon. Kigo to respond on behalf of the Mover. I am informed that the Mover has given the mandate to hon. Kigo.

Please, proceed, hon. Kigo.

Hon. Njenga: Hon. Temporary Deputy Speaker, I would like to donate two minutes to the Member for Molo, hon. Jacob Macharia; two minutes to hon. Tiyah Galgalo and two minutes to hon. Sakaja.

The Temporary Deputy Speaker (Hon. Cheboi): Under normal circumstances, I would say that, that would be a tough strategy, but let us proceed.

Yes, hon. Macharia!

Hon. Macharia: Hon. Temporary Deputy Speaker, I rise to support the Motion with amendments. It pains me when an hon. Member of Parliament rises here and says that this Motion is of no value. It also pains other Kenyans, who were watching as he spoke. We are aware that there is a group of Kenyans from all walks of life and from all tribes who are desperate for funding. Those are Kenyans whose ages vary from 40 years to old age. They are people who are not creditworthy and, therefore, cannot access money from any bank. The amendment that I am proposing to this Motion is that we merge the Women Enterprise Development Fund and the Youth Enterprise Development Fund to make it read “the Enterprise of Kenya”, so that even men can also access the funds.

The Temporary Deputy Speaker (Hon. Cheboi): What is it, hon. Mbadi?

Hon. Macharia: Hon. Temporary Deputy Speaker, I do not want information.

Hon. Ng’ongo: Hon. Temporary Deputy Speaker, this is not a point of information. Is the hon. Member in order to purport to be moving an amendment that does not exist? Could he clarify?

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Macharia, you are definitely out of order. You cannot say you want to support the Motion with an amendment, when there is no amendment on the Floor. Therefore, wind up because you have some two seconds left.

Hon. Macharia: Hon. Temporary Deputy Speaker, I am just making the proposal to the Mover, so that he can get our support on it.

Even hon. Mbadi, who says that I am out of order, knows that men in the rural areas mostly get married at the age of 35 years. Some of them are quite poor. Whether he says that the Motion is useless or not, we need a fund for that category of men. I still say that we need to amend the Motion.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Macharia, your time is over.

Yes, hon. Tiyah Galgalo!

Hon. (Ms.) T.G. Ali: Thank you, hon. Temporary Deputy Speaker. The proposal to create that fund is untimely. We should not support this Motion because the disadvantaged groups of our society have already been taken care of. We have quite a number of funds available. We already have the cash transfer programme for elderly persons, a fund for persons living with disabilities, a fund for the urban poor, a fund for *Kazi Kwa Vijana*---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Tiyah and probably hon. Sakaja, having heard his view; really, when a Member gives you an opportunity and you proceed to oppose, honestly, I would not allow it.

(Laughter)

Hon. Members, this is not in the Standing Order, but it is a matter of courtesy. You cannot be given two minutes by the Mover and proceed to oppose the Motion. Obviously, I will not give you an opportunity to proceed. The Member gave you an

opportunity to help his case but you are actually going against it. So, we will go to hon. Sakaja. If he also proceeds in that direction, I will also deny him the opportunity.

So, let us have hon. Sakaja.

Hon. (Ms.) T.G. Ali: But I stand to oppose the Motion!

Hon. Sakaja: Hon. Temporary Deputy Speaker, I will be very careful on how I speak, so that you do not cut me off the microphone.

Earlier on, I heard some hon. Members argue that the reason as to why the proposed fund should be created is that the youth are not accessing the Youth Enterprise Development Fund, and that they do not have ideas and skills. I want to vehemently oppose that argument. The young people in this country have the skills, the ability, zeal and the energy required. It is just because there are certain structural bureaucracies that have not enabled young people to access the funds. I would like us to look at this issue in a different way. The reason as to why we have this Motion here is because there is a structural inadequacy in our social welfare programme in this country. We addressed the issue of those people who are living below the poverty line. Those are people who cannot afford to eke out a living and who are outside the age bracket of the youth. However, to say that those funds are perpetuating discrimination is not true because Article 55 of the Constitution is very clear that there must be affirmative action for the youth and the women. That is why we have a youth fund and a Women's fund.

Therefore, as much as I support the spirit of this Motion, I oppose its later proposition. What we need to look at is financial inclusion for the informal sector. We need to look into the possibility of creating an SME Fund to address the issues of people in business. We need to look at the amount of money going to the Agricultural Finance Corporation (AFC) and the Agricultural Development Corporation (ADC), so that people above the age of 35 years can participate in economic activities. Those below that age are at a transitional age and they need to be supported in that manner. I will help the hon. Member because I am not doing the wrong thing. The Bible says: "Iron sharpens iron. So, man sharpens man." So, with the two minutes that I am just about to finish, I have just sharpened his mind.

Thank you.

The Temporary Deputy Speaker (Hon. Cheboi): Let us have hon. Kigo to finalise his bit.

Hon. Njenga: Hon. Speaker, I have listened to the diverse views that hon. Members have given, but I want to remind people out there and the Members of this House that God created us equal. Our Constitution has also created us equal. What we are saying is that any human being who is minority, poor and marginalised as a result of past injustices which have put him in a situation where he cannot make adequate economic or social life, needs to be considered. Some of the funds we are talking about were set up by the Government of retired President Mwai Kibaki. Some of us were beyond 35 years of age. We are looking for a situation where we can make our men and women live together. If men also access those funds, they will be a source of peace in our households. It will supplement what we have given to our wives and children, and incidents of domestic violence will go down to zero. Men, women and children will live in peace. Therefore, the proposed fund should be seen as a supplementary fund to the already existing funds.

The other thing is the fear of who will access the funds. Someone said that men have title deeds. They will go to the banks and borrow money. The truth is that not all men have title deeds. Worse still, there are those old men who cannot compete with young people for manual jobs.

Therefore, if this Motion is adopted, we will come up with rules and regulations to determine who qualifies for a loan from the fund, and how they qualify. I would like to remind the people that everyone has a slot. We have good enough resources in this country for everyone. The problem we have is the distribution. We are trying to influence the distribution of our resources and our economy by bringing this Motion. Just the other day, as I was celebrating *Mashujaa* Day in my constituency, an old man came and told me that when he sees us - the black men and women sitting here---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Member, kindly, finalise because your time is over.

Hon. Njenga: Hon. Temporary Deputy Speaker, he told me that when he sees us, the black men and women, seated on the high table, he feels happy because that is what they fought for. He went on to say that when they see young people suffering, they feel very bad. We now want to make their grandchildren live well, so that they can feel much happier.

Hon. Speaker, entrepreneurship is value creation. Value creation is by all living people. As many people create value, wealth is created. When wealth is created, men become productive inside and outside the house, and the country grows.

With those remarks, I beg to move.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Members, the Question will be put later. Next Order! I can see that hon. Omar Mwinyi is present. Please, proceed and move your Motion.

LIBERALISATION OF AIR FARES

Hon. Shimbwa: Hon. Temporary Deputy Speaker, I beg to move the following Motion:-

THAT, aware that air transport in Southern and Eastern Africa is growing with three major African carriers including Kenya Airways Limited dominating international and domestic flights with international traffic in the region having grown at an annual average rate of 6.2 per cent between 2001 and 2007; further aware that Kenya Airways Limited provides 70 per cent international traffic through Nairobi compared to South African Airways and Ethiopian Airlines at 33 per cent and 83 per cent respectively in their hubs; noting that Kenya Airways Limited enjoys monopoly in air transport in Kenya thus determining the rate of fares at will due to the monopoly they enjoy and that demand for air travel has increased tremendously; given that there is no regulatory body in place to supervise and ensure fair opportunity for competition by different airlines to ensure checks on the excesses of the airlines and that a number of airlines that applied for licences to operate domestic flights are yet to get approvals; this House resolves that the Government puts in place measures

to fully liberalize the air fares including awarding licenses to other operators to make air travel affordable as a result of fair competition.

Hon. Temporary Deputy Speaker, Kenya Airways is among ten airlines which are operating the domestic circuit in the country. Others are summarized as follows: - Kenya Airways domestic and international flight and their office inception is 1984; their hub is Jomo Kenyatta International Airport. The other one is 748 Air Services; this is a charter air services which was incepted in 1994. African Safaris Airways; this is a tourist flight and the hub is in Mombasa among several others. There exist two bodies; there is the Kenya Civil Aviation Authority and the Kenya Competition Authority. Kenya Airways has been in existence for 37 years, first as a State Corporation. After 1996, it existed as a public company in which the Government owns close to 30 per cent shareholding. Despite Kenyans injecting a lot of capital into the national carrier, flying still remains out of reach for the ordinary *mwananchi*. Indeed, the paradox of owning one of the top airlines in Africa with a global reputation, while domestic air transport remains inaccessible to the majority of our citizens, who have to endure long journeys and lost man hours on our treacherous roads, is a shame for our country. One of the major contributors to the inaccessibility of domestic air transport to a majority of Kenyans is the monopolistic tendencies of Kenya Airways.

This behavior is evident in the barriers to entry propagated by the national carrier such as price variation which has ensured that flying remains a preserve of the rich and any new entrant into the industry cannot compete on a fair footing. Indeed, the price of a domestic ticket can vary from as little as Kshs.7,000 to as high as Kshs.30,000. In order for Kenya Airways to further its stronghold in the domestic market, it launched the Jambo Jet, which is a fully owned subsidiary of our national carrier. This is a glaring example of anti-competitive behaviour because the fares of as low as Kshs.2, 850 are less than half the cost of commercial air flights and are designed to price out and completely eliminate competition from the other low cost carriers in our domestic market. Further, Kenya Airways even withdrew from some routes such as Eldoret as a strategy to ease the entry of Jambo Jet. The monopolistic tendency of Kenya Airways is further exacerbated by the inefficiency and lack of action by the Competition Authority of Kenya and Kenya Civil Aviation Authority. The Competition Authority Act of 2010, states that any conduct which amounts to abuse of a dominant position in a market in Kenya or a substantial part of Kenya is prohibited.

The abuse of dominant position includes directly or indirectly imposing unfair purchase or selling price or other unfair trading conditions. Therefore, the inaction of the Competition Authority as Kenya Airways continues to exhibit uncompetitive behaviour may indicate a lack of capacity or reluctance by the authority to perform its mandate of promoting and safeguarding competition in the national economy and to protect consumers from unfair and misleading market conduct. One of the objectives of the Kenya Civil Aviation Authority was to economically and efficiently plan, develop and manage civil aviation in Kenya. However, it seems that Kenya Civil Aviation Authority is not taking any steps to ensure that civil aviation is developing to bring into the fold the common *mwananchi* through affordable pricing. Indeed, sustained low prices can only become a reality if there is fair competition in the industry. Unfair trade practices and lack of appropriate actions by Government agencies in the aviation industry are not a

preserve of the developing countries. For instance, a study by Snider and Williams in 2010, done in the United States of America, found that passengers pay higher fares at airports, where a single carrier controls a high fraction of traffic. Further in the year 2000, the United States Congress enacted the Wendell H. Ford Aviation Investment and Reform Act for 21st Century which in part sought to remove barriers to entry and promote competition in the airline industry. Indeed, the study which focused on the effectiveness of the Act, found that one of the impact of legislation that Congress enacted was a decrease in air fares, driven by entry of low carriers into the market. In addition to the economic inefficiency and pricing out of the ordinary Kenyans from domestic air travels caused by monopolistic tendencies, Kenya Airways like other monopolies also tends to treat its customers with disdain and contempt fueled by an 'I do not care' attitude. For instance, Kenya Airways charges its customers exorbitant penalties that are sometimes equal to the fare. You may also realize that due to one reason or the other, you may be forced to cancel your flight. You may give notice of maybe 48 hours that you may not actually make it for that flight, but still when you want to travel again, you still pay a penalty. So, there is no difference between you giving a notice of not flying and even just ignoring and going another day.

However, it is also sad to note that if you actually go at the airport and your flight is cancelled sometimes even for two hours, you are not compensated neither are you informed by way of being telephoned. We are also aware that when you are booking you are normally asked for your telephone number or your contacts, but they will never contact you to inform you that there will be a delay so that at least you can make other arrangements. Sometimes you may even stay for those two hours without being given a drink or something to that effect. Sometimes you are there at 11 o'clock, your flight is cancelled, and no arrangement is made for you to sleep in a hotel as a way of compensation. But they are very good at giving us penalties which are very stringent. It is high time the Government takes action to break the Kenya Airways monopoly on the domestic air travel and allow entrance of new players to ensure that the common *mwananchi* gets to enjoy the convenience of air travel that is still a preserve of the rich. Indeed, cheap domestic travel would have a multiplier effect on our economy through increased trade, domestic tourism, reduced wastage of man hours and the decline in road mortalities. To further this course and ensure Kenyans reap the possible benefits of air transport, the Government needs to also provide incentives to other carriers to join the domestic aviation industry while at the same time the Government must withdraw any support to Kenya Airways that only serves to ensure that the common *mwananchi* does not access domestic air travel.

In conclusion, I would also like to reiterate that it is very unfortunate that Kenya Airways has benefitted tremendously from the Kenyan taxpayers especially in the period between 1995 when it was wholly owned by the Government of Kenya and continuous to work tirelessly to stifle competition and to keep a majority of our people out of air transport.

I may also want to point a few things about the KCAA. This is a body established in 2013 by an Act of Parliament, whose object and purpose is to economically and efficiently plan, develop and manage civil aviation, regulate and operate a safe civil aviation system in Kenya in accordance with the provision of the law. Article 7 of the

Civil Aviation Act provides for the functions of the Authority which include among others, licensing of services, establishment and maintenance of a system for registration and marking of civil aircraft, advise the Government on matters concerning civil aviation, certification of aircraft operators, performing economic oversight of air services, protecting consumer rights, environment and ensuring fair trade practices.

You will notice that the KCAA is not performing these duties. It is also sad to note that the regulatory body which is supposed to be over-sighting all air services in the country, including the protection of consumer rights environment and ensuring fair trade practices is not in place. The Competition Act promotes and safeguards competition in the national economy. The Act also protects consumers from unfair and misleading market conduct while establishing the Competition Authority and Competition Tribunal. If you look at the role of the Competition Authority, it is stated as follows, according to their own Act:-

“The objects of the Act is to enhance the welfare of the people of Kenya by promoting and protecting effective competition in markets and preventing unfair and misleading market conduct through Kenya in order to increase efficiency in the production, distribution and supply of goods and services, promote innovation, maximize efficient allocation of resources, protect consumers, create an environment conducive for investment both foreign and local---”

There are so many others that are captured in Article 3 of the Act.

If we also try to look at the functions of the Authority, among others is to promote and enforce compliance with the Act; to receive and investigate complaints from legal or natural persons and consumer bodies; to promote public knowledge, awareness and understanding of the obligations, rights and remedies under the Act and the duties, functions and activities of the Authority. All these are not seen in our case. So, the Competition Authority is not functioning, it has no capacity or perhaps it is just doing this deliberately.

I may also want to point out one thing that is very important in our case; this is about the abuse of dominant position. Any conduct which amounts to the abuse of a dominant position in a market in Kenya or a substantial part of Kenya is prohibited. Without prejudice to the generality of subsection 1, abuse of a dominant position includes directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions. Any person who contravenes the provisions of this section commits an offence and shall be liable on conviction to imprisonment of a term not exceeding five years or a fine not exceeding Kshs10 million. This again, is not seen in our scenario. So, the Competition Authority has some discrepancies which need to be looked into to safeguard the interest of the consumers in the Republic of Kenya.

I may also want to point out to those few privileged persons who own firearms, that they are supposed to pay a fee of Kshs3,000 or sometimes Kshs2,000 for just carrying a firearm. This is simply because of the monopolistic tendency of the Kenya Airways. If there were many other agencies which are also operating, I am very sure this would have been even free of charge.

With those few remarks, I beg to move this Motion and ask hon. Gumbo to second it.

The Temporary Deputy Speaker (Hon. Cheboi): Very well, hon. Gumbo, and you were leading, anyway, on the list. So, you would have been lucky either way. Proceed.

Hon. (Eng.) Gumbo: Hon. Temporary Deputy Speaker, I wish to second this Motion as moved by my good friend, hon. Omar Mwinyi, the Member for Changamwe. As I second it, in my view, this is one of the best Motions that I have had a chance to debate in this Parliament. I will be encouraging all the Members not just to support it, but to have the Government put in place measures to fully liberalise the air fares, including awarding licences to other operators.

Sometimes I wonder if Kenya Airways can any more be called the national carrier. My understanding of a national carrier is that we, as the people of Kenya, should have certain inherent benefits on account of flying Kenya Airways. To the contrary, as I will demonstrate in seconding this Motion, Kenya Airways in more ways than one, remains nothing but a yoke on the necks of the flying Kenyan public. I even wonder if Kenya Airways can be called a Kenyan airline any more.

I am speaking from experience. There was a time that I was in Kampala, Uganda, and I went to change my ticket as hon. Omar Mwinyi has said, of course, with the attendant penalties and I had with me Kenya Shillings. The people at Kenya Airways refused to accept the Kenya Shillings insisting on the US Dollar. Honestly, Kenya Airways being a Kenyan airline refusing to take Kenya Shillings, it is shocking. As has been eloquently stated by my good friend, hon. Omar Mwinyi, Kenya Airways jealously guards its dominant position. The trouble, like I have said before, with having a dominant position is that more often than not, the dominant player will set the rules with the same ease that it breaks the same rules.

It is very depressing that those of us who regularly fly Kenya Airways, you cannot even predict the kind of fares that you pay. The fares that you pay, maybe for going to Mombasa one week, if you go two days later, you will find they have changed. How then do you budget to manage your life? The Kenya Airways fares as I speak, tend to be whimsical and only seem to focus on their profit target. This is punitive.

In the last Parliament, I was privileged to be a Member of the Liaison Committee on account of chairing the House Broadcasting Committee. We had a very interesting scenario where as Parliament, we were thinking of ways to bring the cost of travel down.

In one instance we witnessed something. We were shocked to learn that some of the airlines charge as little as one quarter of what Kenya Airways charges with regard to a journey, say, to Brazil, using other airlines with much more superior passenger service and much more comfortable cabin space. It is almost like a norm that people in public service including ourselves must fly Kenya Airways. Effectively, therefore, instead of being the national airline that we all should be proud of, Kenya Airways has become a yoke on the necks of Kenyans especially those public institutions which insist that they fly Kenya Airways on international flights. In more ways than one, those regular fliers of Kenya Airways literally pay with their arms and legs.

I think that it is because of the forced captive market that Kenya Airways today has some of the most unfriendly cabin crew members I have ever had a chance to meet. This is a personal opinion and it is based on experience. I have witnessed instances where cabin crew members in supposedly elevated classes like the Business Class simply bark

out orders at passengers and in a very discourteous manner, indeed. Of course, for them service with a smile went on leave a long time ago.

Having said all these things, I think the problem with the aviation sector in Kenya in general is the fact that we have a very weak regulator of the industry. It is a fact that the Kenya Civil Aviation Authority (KCAA) is a lot weaker than some of the operators in the industry. The structures of the KCAA and some of the players it is supposed to regulate---

The Temporary Deputy Speaker (Hon. Cheboi): What is it, hon. Kabando?

Hon. Kabando wa Kabando: Hon. Temporary Deputy Speaker, I appreciate the very noble contribution by the very reputable hon. Member and one of the most respected engineers in this country. However, I am concerned that even as we criticize our very own airline, is it really in order for a Member to give a wholesome criticism of the cabin crew members or any other staff of Kenya Airways even though one may have encountered an isolated case of unprofessional or discourteous behaviour? Is it not in order for the Member to table evidence because this might lead to a very serious marketing attack?

The Temporary Deputy Speaker (Hon. Cheboi): What the hon. Member did was to give a specific incident that he encountered. In my opinion that will not be out of order. He was basically---

Hon. (Eng.) Gumbo: Hon. Temporary Deputy Speaker, I think hon. Kabando was not listening. I talked of a personal experience. This personal experience was raised with the CEO of Kenya Airways, Mr. Titus Naikuni. I am not talking about something that Kenya Airways does not know. It is not once or twice; rather it is several times. Hon. Kabando, a man I truly respect cannot deny me an opportunity to share with Members the experience that I have had because that is a fact and we are trying to help our own to up their game.

I have looked at the structures of the KCAA and I am concerned that, perhaps, due to political expediency the construct of that Authority which is the industry regulator was done in such a way to make it deliberately weaker than some of the operators in the industry. As a result, KCAA today cannot even retain competent technical staff who run away routinely. In fact, some of the KCAA staff are frequently poached by the people it is supposed to regulate like KAA and Kenya Airways because of better terms.

It is important that this House strengthens the industry regulator so that it is better able to regulate the aviation industry in Kenya. This House needs to push the Government to put measures in place in order to fully liberalize air fares so that Kenyans who are the majority fliers can benefit.

(Question proposed)

Hon. Mwaura: Thank you, hon. Temporary Deputy Speaker. I rise to support this Motion. As the Mover and Seconder have put it, indeed, it is true that the cost of flying in Kenya and in the region is really exorbitant. If you look at the number of Kenyans who have had an experience of boarding a plane, they are very few and insignificant. I am actually reminded of a country that I used to work in 2008, that is, Papua New Guinea in the South Pacific where people would actually board planes without shoes. That is not

what I would advocate for, but it actually shows the level at which flying is viewed – it is not seen as a luxury for the middle class and the elite only. If you look at continental Europe, one can fly from one country to another with as little as Kshs3,000 equivalent money. I am even reminded of a situation in England where a certain airport in Bradford never had assigned gates. In fact, gates were assigned upon landing of an aeroplane. That shows the kind of vibrancy of the airline industry. It is only recently that people who, otherwise would not have flown or boarded a plane for purpose of travelling have had an opportunity to do so through Jambo Jet, which is actually a subsidiary of the main carrier. And so, we are witnessing a situation where we have an oligopolistic tendency in the market, which is totally unfair. I am also reminded of the fact that we used to have a very vibrant airline called Jetlink which has since gone under because of this underhand competition tactics that are witnessed from the Kenya Airways. If you look at the shareholding of this airline, I concur with my colleagues that we really cannot say that this is a carrier whose benefits accrue--- Our Government has got quite a stake in it, but the benefits and profits do not necessarily accrue to Kenyans. Of course there are those benefits that go to the investors.

This kind of environment has led to a situation whereby if you look at the status of the planes that Kenya Airways, for example, uses, they are not of very good quality. Allow me to use that example because Kenya Airways is a dominant airline. Most hon. Members will agree with me that even in Business Class you will find some seats that are not in good condition. Again, sometimes when you ask for service, you do not get quality service and it takes long. We have had incidents involving Members of Parliament, including a recent one that was reported in the Press.

Hon. Temporary Deputy Speaker, to call for the liberalization of this sector is actually to ensure that quality reigns, there is fair competition and that we have opportunities for our young people to be employed by those who shall be competing for our airspace. In fact, our carrier, because it is able to connect many African countries, you hear complaints by passengers. Recently when Qatar Airways was recruiting here in Nairobi for about ten positions, there was a very long queue of young Kenyans. Some of them were quite good looking because I think that is the undeclared qualification of being an air hostess. They queued all the way up to here in Parliament. Of course, they went back disappointed. This is simply because there are very few opportunities for young Kenyans to work as cabin crew in the air industry.

If you consider the delays that occur when you are waiting for your flight, it is totally unacceptable. I have had incidents where I have had to wait for two or three hours and without any prior explanation. I am sure that this is not just my case; rather there are many people who would connect with these experiences.

When it comes to the prioritization of our pilots to be employed, I have a very big document in my office from some workers who were sacked by Kenya Airways. One of the complaints they raised and needs to be investigated and which was canvassed very well in the Tenth Parliament, is that there was even a preference of hiring foreign pilots against our own here. When you look at that form of distribution and compare it with South Africa you will realize that there are so many other local players operating in the local market. However, in our country, this is very limited. In fact, some of the airlines

that have tried to fly to places like Kakamega have since stopped simply because of the kind of monopolistic tendencies that have occurred.

Those who own planes have no opportunity to hire out transport services. They are actually limited with regard to who they can do business with. Statistics do not lie; they are very clear. Indeed, we need to liberalize our air space. We need to have more people travel because it is better for our economy. It is going to save time and money. As we move from the middle level economy, there will be some form of distribution and access. Instead of having all those accidents we are having at night because of our reckless driving of the buses, we will be able to have traders, connect our people and countries in the region. You will be surprised that sometimes it is even more expensive to fly to Dar es Salaam from here than it would be to a destination in another continent. This is totally unacceptable because, if that continues then it means you are limiting our interaction. If you are to have a common market and better returns in terms of investment, then it is important to facilitate transport services. The cost of running a jet or a chopper is not that high. Even fuelling them is not that expensive. However, if you see the kind of profits that are being made, including airport taxes and all of those, I think there is a whole gambit of issues that need to be addressed in the aviation industry so that we ensure that we maximize on our air space to better our economy and make our country move forward.

I beg to support.

The Temporary Deputy Speaker (Hon. Cheboi): Very well. Hon. Member for Awendo!

Hon. Opiyo: Thank you, hon. Temporary Speaker. I rise to support this Motion. From the outset, I want to say that this Motion was long in coming. I think that if and when this House makes a resolution, it should be followed to ensure that something is done. You realize that for the last few years technology has advanced. Even the need for increased speed in doing business is also there. That is why sometimes a businessperson who wants to do business between Kisumu and Nairobi would prefer to travel by air rather than by road. This is because they want to maximize on time. What we are saying essentially is that air travel is no longer a luxury. It has become a necessity that we must live with.

Hon. Temporary Deputy Speaker, because of monopoly in air transport in this country, it is difficult to know what the air fares are. Sometimes you make a call when you want make a booking and in a span of one hour that fare you were told will have doubled. We need to have a more or less fixed cost of travelling with small variances. Sometimes if you, unfortunately, miss your flight, you will pay close to double the airfare. This is a bit unfortunate. It makes air travelling look like something from the space, yet it is not. Because of the monopoly of Kenya Airways in air transport in this country, even the staff working for Kenya Airways do not treat some of their clients very well. There is a time we were travelling as a Committee to Mombasa. There were many Committees travelling and a chair of a Committee was molested by a small girl who was at the clearing desk there. I got worked up knowing very well that, that was an old hon. Member of this House who should by any chance be known by every person in Kenya. Even if they are not known and they have declared their personalities, I do not think it is

fair to mistreat Members of Parliament. In fact, any other passenger should not be mistreated because people have a right to proper treatment at those points.

Hon. Temporary Deputy Speaker, recently, we were again travelling to Mombasa with another colleague of my same Committee. We went through a similar treatment and I think this is because of monopoly. The Government must do everything it takes to free the air transport in this country so that a lot of other players who have expressed interest can be given a chance to do business so that there is a fair degree of competition and, therefore, anyone can choose which airline to use without undue restriction. That will reduce the incidences where staffers of Kenya Airways mistreat passengers.

The Kenya Airways introduced another service called Jambo Jet and it was touted as being the cheaper option for travel. If you happen to delay and you miss your flight, I tell you that ticket becomes obsolete. You cannot get a refund or get rescheduled. I think that is draconian; that is undemocratic and it is not the way to handle clients.

I want to think that one of the reasons air transport is costly in this country could be as a result of the taxation regimes that the airlines are exposed to or may be jet fuel is exposed to. This House has a responsibility to make sure that we review the tax regimes for air travel related services so that air transport can be reasonably cheap for people who want to travel by air in this country. As we speak today, travelling by air is too expensive and nearly out of reach for middle class Kenyans. In fact, I think this kind of review should be done more specifically in relation to domestic travel in Kenya. We should be able to connect to all parts of this country where there are air transport services and, indeed, open up other places where we can reach the country through air transport. Like my county; Migori, we still do not have airlines going there but if we would have opened air transport business to other players, they could explore the possibilities of opening regular flights to those other far flung areas of the country which have not been serviced by the Kenya Airways because of the limited number of air services that are available in this country.

With those many remarks, I want to support this Motion.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Members, before I give the next hon. Member the Floor to contribute, I would like to recognize at the Speaker's Gallery, nuns from Tangaza University College, Catholic University training on leadership and management.

Hon. Gichigi: Hon. Temporary Deputy Speaker, I rise to support this particular Motion. Article 46 of the Constitution deals with consumer rights and sub-clause 2 says that Parliament shall enact legislation to provide for consumer protection and for fair, honest and decent advertising. The renowned Adam Smith stated: "It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own interest." "People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices." As my colleagues have indicated, you only have about two main players in this country in the air sector. In fact, one of the players, the Kenya Airways literally controls the industry. What I can say is that any person who has been travelling in this country in the hands of Kenya Airways knows that they do not treat you as a customer. They treat you as if they are a regulator like the old days when going to a Government office was a nightmare. So travelling by air in Kenya is more like

a favour than a business transaction. We need to make sure that the legal framework and the Government policy framework allows other players in this particular sector so that fares can come down and the treatment of customers can be better. Any time that you travel and you even request to shift your flight by one hour, there is no policy by the Kenya Airways of how you should be treated. Sometimes you have to bargain with them so that you pay less for the changes and sometimes they do not even charge. So, it is clear that lack of competition in this country is a major hindrance to the growth of this sector. We are saying that if it is the policy of the Government that is making other interested investors to shy away from this particular sector, let us relook at that. Of late, we have been priding ourselves as one of the leading countries in Africa in the world in terms of liberalization of our trade and we cannot continue protecting any one of our monopolistic companies or corporations without any good cause.

I do not think that even safety standards can be improved if we lack competition. It is for the benefit of Kenyans that we support this Motion and we resolve that the Government opens up this industry. When we are creating a law in this House; when we are approving policy frameworks, let us relook at areas that cover the air travel sector and ensure that we give incentives to investors. Recently, when we enacted the Finance Act, I am aware that we removed some taxes or proposed taxes to the air industry; VAT. We are urging investors, both local and foreign, to come to this country and put their money in this industry.

Over and above this, the sea travel sector is another area that people should consider investing in. So I will support it. I support this and even if legislation proposals are brought to liberalize this sector, we are going to support them.

The Temporary Deputy Speaker (Hon. Cheboi): Very well. Let us have the hon. Member for Turbo Constituency. It appears that you have removed your card again. Therefore, in the meantime, I will proceed and give the chance to another hon. Member.

Hon. Busienei: I am here, hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): No, you removed your card. It means you are not prepared to contribute on it. You were leading on the list but you decided to withdraw our card.

Hon. Busienei: I am here, hon. Temporary Deputy Speaker. I stand to support this Motion. First of all, allow me to thank the Mover of the Motion for coming up with this very noble idea. Everywhere where there is a monopoly, it is disastrous.

About a month ago, I remember my colleague from my county, hon. Bowen, petitioned the Kenya Airways Limited for withdrawing their services from Eldoret. We have not been given an answer to date. But I am sure if this monopoly was not there and if other airlines were allowed or actually cleared to operate, I am sure we would not be having this problem. I want to support that, if other airlines are allowed to operate here in Kenya; there will be more job opportunities for our youth who have actually studied in the field air business. On the same vein, there will be a lot of improvement in service delivery. If other companies are allowed to operate, I am sure each and every county will be in a position to get an airline operating once or even twice a week. This will actually ease travel problems and accidents on our roads will be reduced drastically.

The Temporary Deputy Speaker (Hon. Cheboi): I will give this opportunity to hon. Gunga Mwinga Chea.

Hon. Chea: Thank you, hon. Temporary Deputy Speaker for this opportunity. Briefly, I wish to support this Motion by hon. Omar Mwinyi.

From the outset, I wish to state that it is no longer a question of status, as has already been said by hon. Members nor is it a question of luxury. These are issue of necessity. This Motion seeks to assist both sides; the consumer and the airlines that will be operating. On several occasions we have flown in our national carrier; Kenya Airways and even realized that the Business Class which is considered prestigious is entirely empty. When you look at the Economy Class where majority of the hon. Members fly, you realize that the plane is basically half. We ask ourselves why this is the case. If the fares were affordable, so many people would have an opportunity to fly.

Hon. Temporary Deputy Speaker, as of today, if one was given an opportunity between taking a flight and taking a bus; for instance, to Mombasa, I can attest to the fact that a good number will be ready to probably get the cash and take a bus to Mombasa. As we go along, there will apathy even in flying in this place. Therefore, if this Motion succeeds, and the relevant authorities take action, it is likely to boost business of airlines in Kenya. As I support this Motion, there are several advantages that come along with the passage of this Motion. First, if it is passed, it is likely to boost domestic tourism. For instance, for those who come from the Coast, it is actually difficult to get a flight to Malindi. It is known world over that Malindi is a tourist destination; but you can only fly at the convenience of Kenya Airways.

Hon. Temporary Deputy Speaker, if other airlines are licensed to operate; most likely we will have flights taking that route and tourism will get a major boost. As it has just been said, licensing of other airlines will create employment. Indeed, there are so many young men and women outside there looking for employment and there are so many airlines ready to work within the country. Therefore, if other airlines are given an opportunity, then jobs will be created for our men and women and the issue of unemployment amongst our youth will not be recurring every time and again.

As I support this Motion, I equally urge that we get prepared in terms of the counties. For a fact, there are some counties which do not even have an airstrip. Suppose this Motion passes, and the relevant Government authorities proceed to do as requested in this Motion; then there is a question of preparedness. These counties and the governors for that matter need to sit down and think about the issues of transport so that, at least, each and every county in the Republic of Kenya is accessible. That is a day I really long for.

Hon. Temporary Deputy Speaker, I wish to conclude by saying that, certainly, the issue of fare has been raised and it is difficult for one to budget. As has been said, fares keep on changing depending on the time of the day. This confusion creates trouble in terms of budgeting whenever we want to travel. I honestly believe that once this industry is liberalized and other airlines are allowed to operate, flying will be accessible to every Kenya and that is quite important.

With those few remarks, I wish to support.

The Temporary Deputy Speaker (Hon. Cheboi): For the purposes of gender, let us have hon. Amolo.

Hon. (Ms.) Amolo: Thank you, hon. Temporary Deputy Speaker. I stand to support this Motion. Much has been said about Kenya Airways Limited, more so when

we look at their charges. It is common that an ordinary *mwananchi* will feel good to be using Kenya Airways as a means of transportation. But unfortunately they cannot afford the fares; yet we are calling it the pride of Kenya.

Hon. Temporary Deputy Speaker, we need to open our markets to allow even the youth and children who normally come to visit the National Assembly to fly to this place. That is the only way we can motivate our children to look forward and be encouraged to take careers that they dream about.

Kenya Airways has made it impossible even for our locally trained pilots to get jobs in this country, yet the cost of training a pilot ranges between Kshs7 million to Kshs10 million. Therefore, we want to support this Motion so that we can give jobs to our locally trained pilots in this country.

Hon. Temporary Deputy Speaker, Nairobi is a hub to most African countries and competition is healthy. Therefore, if this Motion is passed, it will open and link most of our counties and encourage business between one county and another. This will keep a number of Kenyans busy and create a number of employment opportunities. In most cases, when you are left by a flight, especially in the morning hours; that would mean that the entire day is wasted. For example, if you were going to Kisumu or Kakamega and you were left by the morning flight, your day is wasted. There is no other flight. You will use Easy Coach or find an alternative means to get there. Therefore, we are looking forward to liberalize the air transport market so that the gaps that have been left can be taken by other operators. Other operators should be licensed to do businesses and fill the gap so that evening flights, afternoon flights and night flights can be available. This will make Kenya a 24-hour economy.

We have been told about training. Most of the pilots who were with Kenya Airways, the ones who were very experienced, have been recently requested to retire early because the flights that we have been using have been on lease and time is up and they cannot be retained in their jobs. You then wonder what this is all about if they cannot afford to have their own flights. Where are we heading to? We then need to open up the market. Let other people come in to operate and create employment for our young, energetic and experienced pilots.

Hon. Temporary Deputy Speaker, the other day we were at the airport and the way one of my colleagues was treated was shameful. She was rushing to her county to attend *Mashujaa* Day celebrations and her ticket could not be changed. She was told to step aside so that other people could be attended to. She was told that she could not be helped. They did not even suggest to her to visit the sales office to be helped. She was pushed out of the line and that was not a good image for our Kenya Airways which calls itself the pride of Africa.

The other day I was travelling and I was treated quite well by a different airline but when we connected to our own Kenya Airways, we were really mistreated. So, I urge that this Motion be supported by my fellow Members in the House to have other operators coming into the market to compete with Kenya Airways. Maybe this will shape them up and they will know that it is time for competition. We will get qualified staff, everything will be put in line and this will be healthy for our economy.

With those few remarks, I support this Motion. Thank you.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Karimi.

Hon. (Ms.) W.K. Njuguna: Thank you, hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this very important Motion. First, I want to say that air travel is the most important means of transport in the country. It is the safest and it is also very fast. Therefore, we need to really improve our Kenya Airways. Mostly we find that the services that they offer are not up to date because you find that they are not fast enough. They can serve tea up to the time that they are almost landing. So, their services need to be checked.

You find that the fares of Kenya Airways are really inflated thus very many people cannot afford to buy their air tickets. We have agents who inflate the air fares and so our common people cannot afford this means of transport. We really want them to be fair to everybody. This will improve the economy of the country because it is very fast. Getting to Mombasa takes only 45 minutes. So, one plane can travel very many times and this can improve the economy of our country. It can also create employment and this is very important to the country.

Hon. Temporary Deputy Speaker, the other issue which is very important is our airstrips. The airstrips in our counties are not in good state. We have an airstrip in Kirinyaga County which has been there for a very long time and it is now used for grazing cows and goats. So, you wonder why it is there. It should be functional so that it can transport goods from Kirinyaga to markets here in Nairobi. We have vehicles ferrying *miraa* from Meru which move at very high speeds thus killing people on the roads. Recently at Mwea a car killed a married couple who were on a motor bike just because its driver was in a hurry. If we have Kirinyaga or Meru airstrips working, they can be used to transport *miraa* to Nairobi within a very short time. That also creates employment opportunities. So, we really need airstrips to be looked into in every county. Let us have airstrips working.

The Temporary Deputy Speaker (Hon. Cheboi): Order, hon. Karimi! What is it hon. Seneta? Do you have a point of order?

Hon. (Ms.) Seneta: No, hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): Okay. Proceed, hon. Karimi

Hon. (Ms.) W.K. Njuguna: Okay. Thank you, hon. Temporary Deputy Speaker. In most cases Kenya Airways has delayed flights. We do not understand this. If they do not have enough planes then let them add more. In other airlines there are no delayed flights. In most cases Kenya Airways tells passengers that they are sorry and they will have to wait for some time. That should stop.

Hon. Temporary Deputy Speaker, the other important thing is that we need to increase operators. Let us license many other airlines to compete with Kenya Airways. Competition is healthy and this will improve the services in the air industry because it is the only way that fares will be brought down. However, if there is monopoly of only Kenya Airways, Fly 540 and the rest, then there will be no way they can reduce their air fares. Let us have air fares which very many people can afford.

The other issue which we need to improve on is to have enough land for our airports. I have travelled to Japan and Moscow and I have seen their airports. We need space for our airports. You find we have houses neighbouring airports. I am surprised because in a place like Japan, when travelling from the airport you will go for 80 kilometres before seeing a house. This country can expand its airports. So, we need to

make sure that we have enough space for our airports because you find houses all around and it is very risky to our people in case there is a problem. So, we need to improve on our planning of our airports.

So, I want to say that we really need to license more people, improve our airlines and have more aircraft so that we can have many people using them without delay. It is very important. We need planes in these airstrips so that we can access local travels easily without many problems.

So, hon. Temporary Deputy Speaker, I support the Motion. Thank you very much.

Hon. Mwadeghu: Ahsante, Mhe. Naibu Spika wa Muda. Ninaomba nichangie Hoja hii. Kwanza, ninatoa shukrani kwa Mhe. Alhaji Omar Mwinyi, Mbunge wa Changamwe, kwa kuleta Hoja hii Bungeni ili tuichangie ili watu wa Kenya wapate afueni kutokana na haya masaibu wanayoyapata kwa sababu ya mwenendo wa Shirika la Ndege la Kenya.

Ningependa Wakenya wafahamishwe kwamba wanamiliki theluthi moja ya Shirika la Ndege la Kenya. Wamombo wanasema 30 per cent. Hisa zingine si za Wakenya wala Serikali ya Kenya bali ni za Wadachi. Kwa hivyo, hili shirika si mali ya watu wa Kenya lakini anga ambayo wanaitumia vile watakavyo ni ya Kenya.

Mhe. Naibu Spika wa Muda, ukiangalia mwongozo wa Shirika la Ndege la Kenya, utagundua kwamba unatolewa na Wadachi. Hii ndio sababu kuna njia zingine ambazo Shirika la Ndege la Kenya limeachia Wadachi. Hizi ni safari ambazo zinaweza kuletea shirika hili pesa. Kwa mfano, kuna njia ya kutoka Nairobi kwenda Roma. Njia hii ilikuwa inaletea hili shirika pesa lakini kwa sababu Wadachi waliitaka waliambia Shirika la Ndege la Kenya waache hiyo njia na ikawa yao. Walipokonya Wakenya hiyo njia.

Nauli za Shirika la Ndege la Kenya zinakera. Pia, zinapatia watu wengi masaibu. Kwanza ni ghali. Utaketi kiti na mwenzako vile nilivyokaa hapa na Mhe. Omar Mwinyi na utakuta umelipa nauli tofauti kabisa na mwenzako ambaye ameketi nawe. Kisa na maana ni nini? Ni kwa sababu wewe aidha ulikata tiketi yako mapema na mwenzako amekata tiketi yake baadaye. Nimeona mambo haya katika Shirika letu la Ndege.

Pili, ukisema unabadilisha masaa yakusafiri; labda ulikuwa usafiri jioni na useme unataka kuongeza masaa, mara nyingi utaambiwa kwamba nauli imebadilika. Kwa nini nauli ibadilike? Ninaposafiri kwenda Mombasa kwa basi, nikisema ninaenda huko nikitumia basi ya saa tatu na nibadilishe nisafiri na basi ya saa tano nauli haibadiliki. Lakini katika Shirika la Ndege la Kenya, utakuta kwamba unalipishwa ada.

Mhe. Naibu Spika wa Muda, ukipatikana na mkosi na uamue unabadilisha safari yako, labda ulikuwa umetafuta nafasi ya kusafiri kutoka Nairobi kwenda Mombasa nakurudi, ikiwa hukuchukua safari ya kwanza yakuenda na unatumia nauli yakurudi, pia utalipishwa kwa kutosafiri. Ni mara ngapi tumesafiri na ndege ya shirika hili na unakuta viti viko bure? Ndege inapaa juu na inaenda bure lakini watu wameachwa chini na wanaambiwa kwamba ndege imejaa.

Tunaomba kwamba Shirika la Ndege la Kenya lipatiwe changamoto, na njia yakulipatia changamoto ili liamke ni kuruhusu mashirika mengine ya ndege kutumia anga yetu ya Kenya.

Tuko na Mkenya mmoja anayeitwa Rubani Musa Bulhan. Huyu alikuwa ni mmoja wa Wakenya wa kwanza kununua ndege kubwa lakini amenyimwa nafasi ya

kutumia hizi ndege kutoka Nairobi hadi Kisumu ama Nairobi hadi Mombasa. Ameamua ndege zake zitoke Nairobi ziende Jeddah na kama si Jeddah ziende Somalia.

Je, hili anga ni la Kenya Airways peke yake? Tukiwapatia changamoto, wafanyikazi wa shirika la Kenya Airways watageuza mienendo yao na tabia zao na kuanza kuwajibika. Mara nyingi, wafanyikazi wa shirika hilo ni wazembe, wafidhuli na mahanithi. Siwezi kusema mengine, lakini wafanyikazi wa Kenya Airways wamekuwa wajeuri kiasi kwa sababu wanajua kwamba hakuna mtu mwingine ambaye anaweza kupatiwa nafasi ya kuleta ndege zake humu nchini.

Bi. Naibu Spika wa Muda, mara nyingi, unapoenda kwenu kupitia Uwanja wa Kimataifa wa Eldoret, hutumia ndege gani? Utaona kwamba ni shirika moja tu ambalo limepewa nafasi – Kenya Airways. Kampuni nyingine inayoruhusiwa kupeleka ndege huko ni Flight 540. Mimi na mhe. Mwinyi tukichukua mkopo kutoka kwa benki na kununua ndege hatuwezi kuruhusiwa kutumia anga ya nchi hii kwa sababu imetengewa Kenya Airways. Kwa hivyo, ninatoa changamoto kwa Serikali iweke anga yetu wazi kwa wale watu ambao wangependa kushiriki katika biashara ya usafiri wa ndege ili nauli za ndege zishuke.

Kwa hayo machache, ninatoa ombi langu kwa mara nyingine na kumshukuru ndugu yangu, Alhaj Omar Mwinyi, kwa kuuleta Muswada huu Bungeni.

The Temporary Deputy Speaker (Hon. Cheboi): Thank you very much. On that note, I will give the Floor to hon. Eusilah Ngeny for two minutes only.

Hon. (Ms.) Ngeny: Thank you, hon. Temporary Deputy Speaker, for giving me this chance.

The Temporary Deputy Speaker (Hon. Cheboi): Order, hon. Eusilah! As I give you that opportunity, I want to recognise the presence of pupils of Entaretoi Primary School from Kajiado County.

Proceed, hon. Euslah.

Hon. (Ms.) Ngeny: Thank you, hon. Temporary Deputy Speaker. I rise to support the Motion. I also want to urge all the Members of this House to support it for the sake of efficient, affordable, fair and better service delivery to all our people. In the county of Uasin Gishu, we have good institutions. Moi University offers training to our young pilots. Who will employ our pilots? Why are we sending them out to service the international community? Why can they not serve us locally? Let us protect the consumers' rights and nurture a spirit of competition. Let others be given a chance in the spirit of competition. We have the best pilots in this region. Many of our young pilots are tarmacking. Let us support them by making sure that we liberalise air transport in this country.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Cheboi): Order, hon. Eusilah! You will have your balance of eight minutes when debate on this Motion resumes. Hon. Members, the time being 1.00 p.m., the House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 1.00 p.m.