

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 2nd March, 2016

The House met at 9.30 a.m.

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

PRAYERS

QUORUM

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Members, we are short of the requisite quorum. I, therefore, order that the Quorum Bell be rung for 10 minutes.

(The Quorum Bell was rung)

Hon. Members, we now have a quorum and, therefore, business will commence.

NOTICES OF MOTIONS

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Members, on this particular Order, we have two hon. Members who want to give Notices of Motions. I will start with Hon. Abdikadir Ore.

ESTABLISHMENT OF LACTATION CENTRES

Hon. A.O. Ahmed: Hon. Temporary Deputy Speaker, I beg to give notice of the following Motion:-

THAT, aware that breastfeeding in society is a nurturing activity as well as a basic human need; noting that breast milk contains essential nutrients and contains growth factors that enhance maturation of infants' organ systems; further aware that women require safe conditions to encourage, protect and support the practice of breastfeeding; cognisant of the fact that an environment where basic, physical, emotional and psychological needs of mothers and infants are fulfilled through the practice of comfortably breastfeeding will enable them realise their full potential; concerned that public places such as schools, transportation terminals and shopping malls do not have secluded areas where nursing mothers can breastfeed or express their milk comfortably or wash up; deeply concerned that doing this activity in the rest rooms is not only uncomfortable but also unhygienic; this House resolves that the Ministry of Health enforces the

establishment of adequately equipped lactation centres at all health and non-health facilities that shall promote and encourage breastfeeding and provide specific measures that will present opportunities for mothers to continue expressing their milk and/or breastfeeding their infants or young children.

Thank you.

The Temporary Deputy Speaker (Hon. Cheboi): Very well. Let us move to the next one. Hon. Mwadime.

PROVISION OF WATER IN PUBLIC FACILITIES

Hon. Mwadime: Hon. Temporary Deputy Speaker, I beg to give notice to the following Motion:-

THAT, aware that water is one of the basic human needs; concerned about children's schools, especially those that do not have access to clean tapped water; also aware that the Government is already providing electricity and food to those schools; deeply concerned that lack of water leads to a host of hygiene-related problems including jigger infestation, cholera and others, this House resolves that the Government formulates a financial framework for and provides tapped water to all public facilities, especially primary schools as water is life.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): Okay. Next Order.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

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

IN THE COMMITTEE

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

THE AGRICULTURE, FISHERIES AND FOOD AUTHORITY (AMENDMENT) BILL

The Temporary Deputy Chairman (Hon. Cheboi): Order, Members! This will be a fairly short one. We will dispose of it very quickly. Let me know if Hon. Tiren is in the House. Is Hon. Tiren in the House? Okay. We will still proceed anyway. That is because when you look at the proposed amendments, they are not by him. Never mind that he is the Mover of the Bill, which is, of course, no longer his Bill. It belongs to the House now. So, we will proceed anyway.

Can we have the Chair of the Departmental Committee on Agriculture, Livestock and Co-operatives? Hon. Members, for us to be neat on this particular one, we will go clause by clause. So, we will start, Hon. Chair with Clause 3(a). Let us start with 3(a), the one you are

proposing to renumber - the proposed Clause 29 as 40(a). That is the one I want you to address now. I do not know if you have the microphone.

Clause 3(a)

Hon. Mbiuki: Thank you, Hon. Temporary Deputy Chairman. I beg to move;-
THAT, the Bill be amended in Clause 3 by –
(a) renumbering the proposed Clause 29A as 40A;
Part 6 of the Act ends at Section 40 and, hence, the amendment should start from 40(a).
Thank you, Hon. Temporary Deputy Chairman.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Cheboi): I do not see a lot of interest in it.

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted,
put and agreed to)*

The Temporary Deputy Chairman (Hon. Cheboi): We will proceed to the next one, which is (b)

Clause 3(b)

Hon. Mbiuki: Thank you, Hon. Temporary Deputy Chairman.
I beg to move;-
THAT, the Bill be amended in Clause 3 by –
(b) renumbering the proposed clause 29B as 40B;
It is still because of the same issues about the sequential formatting and numbering.
Thank you, Hon. Temporary Deputy Chairman.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted,
put and agreed to)*

The Temporary Deputy Chairman (Hon. Cheboi): Proceed to the next one, Hon. Mbiuki.

Clause 3(c)

Hon. Mbiuki: Thank you, Hon. Temporary Deputy Chairman.

I beg to move;-

THAT, the Bill be amended in Clause 3 by –

(c) deleting subsection (1) of the proposed clause 29C;

Hon. Temporary Deputy Chairman, Section 42 of the Principal Act which was passed in 2013 prescribes the acceptable unit of measure as provided as a package of 50 kilogrammes. This measure is standard and should not be subjected to other parameters like physiological characteristics or the nature of the work to be done. What has been proposed is extremely subjective. The core intention of this amendment is to ensure that all the packaging of agricultural products be at 50 kilogrammes.

Thank you, Temporary Deputy Chairman.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Cheboi): This being a bit more substantive, I will give a few Members a chance to say something. Let us have the Hon. Member for Marakwet East.

Hon. Bowen: Thank you, Hon. Temporary Deputy Chairman. I stand to support the amendment. I come from a potato-growing area where our farmers have been suffering for many years. They put their potatoes in a bag which is more than 150 kilogrammes. They then sell it at a very low price. With this amendment of having a 50 kilogramme bag of potatoes, it is going to help farmers.

The Temporary Deputy Chairman (Hon. Cheboi): Very well. Let us have Hon. Mbiuki. Sorry, Hon. Njuki, Member for Chuka/Igambang'ombe.

Hon. Njuki: Thank you, Hon. Temporary Deputy Chairman, for giving me the opportunity and also mistaking me for Hon. Mbiuki. He was my former Member for Parliament. But, we are not very far.

I have a problem with this clause. I support my former Member of Parliament that this clause should actually be deleted because you cannot measure the physiological and environmental characteristics of a load out there, when farmers are supposed to carry it. The clause is ambiguous. Clause 2 is a bit more specific in the 50 kilogrammes, but we also have to put into consideration that maize is mostly packed in 90 kilogrammes and farmers like it. As much as you want to reduce their loads to 50 kilogrammes, young men like carrying those big loads because they make more money. So, we have to be careful.

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Njuki, I am not very clear whether you are supporting or opposing. If you support your former Member of Parliament as you say, then you are supporting this particular amendment.

Hon. Njuki: I support it.

The Temporary Deputy Chairman (Hon. Cheboi): We really want to be clear so that Members make their decisions, they will have been persuaded one way or the other by the members who had an opportunity to speak.

Hon. Njuki: Hon. Temporary Deputy Chairman, for clarity, I support the deletion of this clause. I talked about clarity because of the ambiguity in terms of measuring the physiological

characteristics. We cannot measure those characteristics. I raised an issue with the 50 kilogrammes, but that cannot stop me from supporting the clause.

Thank you, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairman (Hon. Cheboi): Let us have Hon. Makenga.

Hon. Makenga: Thank you, Hon. Temporary Deputy Chairman. I rise to support this particular amendment. The standardisation of our packaging to 50 kilogrammes is very important because some of the crops like potatoes are packed in excess. You cannot even quantify what the actual weight is. It is important for standardisation to be brought to a level ground. However, there should have been a further amendment to ensure that the packages are clearly marked. It should be clearly marked if it is fertiliser, maize or wheat.

The Temporary Deputy Chairman (Hon. Cheboi): Let us have Member for West Pokot, Hon. Regina Nyeris.

Hon. (Ms.) Changorok: Thank you, Hon. Temporary Deputy Chairman. Before I say whether I support this amendment or not, I need some clarification. If the kilogrammes are going to be reduced to 50, what about the prices? For example, maize is packed in 90-kilogramme bags. If the price is going to be the same, then I support.

(Laughter)

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Nyeris, you have not taken any stand. I do not know who is going to explain that particular bit because the amendment is fairly straight forward. It is on reduction to a certain weight. Obviously, the issue of price is different. Let me give the chance to Hon. Tiren because he was the Mover of the Bill. Probably, he is going to clarify. Hon. Members, since this is the only substantive amendment other than the last one, I will give a few more members an opportunity to debate it, especially those ones who look like--- Hon. Jacob Macharia, we would want to know if the height of the potatoes will be your height or the height of your neighbour. Let us proceed, Hon. Tiren.

Hon. Tiren: Thank you, Hon. Temporary Deputy Chairman. I am sorry for being a bit late. I want to clarify on the issue of prices. The prices will be as per a kilogramme. So, that should not be an issue. I also support the deletion of Clause 29. As it has been said, we had discussed about it. This will go a very long way in supporting people because they have been suffering for a long time. You have heard a Member talking about a bag of potatoes whose kilogrammes cannot even be quantified. We will now have a limit which everybody will be able to carry. Anybody who is doing any production should stop at 50 kilogrammes.

There are stockists who carry those bags. They are subjected to a lot of suffering. They suffer a lot of problems later in life like backaches and the rest. This will also help the insurance people. It will reduce the cost of medical services because those people end up having many medical problems later in life. They end up incurring a lot of medical expenses.

The Temporary Deputy Chairman (Hon. Cheboi): You were simply contributing to that particular clause. I will give you an opportunity in the next one. I appreciate that you are the Mover of the Bill. Therefore, I will give you an opportunity once in a while.

Let me give a chance to three more members. They have to be very brief. Hon. Wanyonyi, do you want to speak to this?

Hon. F.K. Wanyonyi: I want to contribute because I come from a cereals producing area. It is important that we understand the import of this amendment. Its import is that the

weight of the sacks that are packed with cereals has been reduced from 90 to 50 kilogrammes. As explained by the Mover, most of the people who carry 90-kilogramme bags do not live for long. They have backache and other problems. Most of them die at a very early age. To some people, that is the only thing they can do. This is done worldwide. Even Pakistan uses 50-kilogramme bags. Let us understand that.

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Njagagua.

Hon. Njagagua: Hon. Temporary Deputy Chairman, I stand to support this amendment. We have situations where middlemen and businessmen take advantage of farmers by filling bags to an unnecessary big height, going to an extent of having an extension of the sacks. When we standardise those bags to 50 kilogrammes, farmers will get value for their efforts.

The Temporary Deputy Chairman (Hon. Cheboi): Let us have Hon. Kimaru.

Hon. Kimaru: Thank you, Hon. Temporary Deputy Chairman. I support this amendment because I come from a potato-growing area. The most absurd thing is that potatoes are bought per bag and not per kilogramme. It does not matter whether the bags weigh 200 kilogrammes or more, the price is still the same. Standardising the bags of 50 kilogrammes will go a long way in improving the livelihood of the producers. Adding on to what has been said about the health implications; this will go a long way to assist. Apart from standardising the quantities, we need to go further later on to see that marketing, especially of potatoes, is properly organised so that producers have maximum benefit.

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Wafula.

Hon. Wekesa: Thank you, Hon. Temporary Deputy Chairman. I stand to support this amendment. The element of transport should be looked into. We know how much the 90-kilogramme bag costs in terms of transport. The transport for the 50-kilogramme bags should be lower.

The Temporary Deputy Chairman (Hon. Cheboi): I do not know what the height of this potato bag will be. Will it be the height of Hon. Tiren or that of the Member for Molo? I see there is a lot of interest in this particular amendment and so, I will give a chance to two other Members after the Member for Molo.

Hon. Macharia: Thank you, Hon. Temporary Deputy Chairman. A bag of potato cannot be my height. It will be shorter than me, but it will weigh 50 kilogrammes. I support this amendment because my constituency is one of the largest producers of potatoes in this country. I am happy that this particular amendment is not only about potatoes, but about agricultural produce. We have suffered a lot over the years as potato producers and growers. This will go a long way in ensuring that brokers do not take advantage of farmers not only in Molo, but in this country.

I also appeal to Members to support the Potato Produce Marketing Bill that is slated to appear on the Order Paper this afternoon, so that we can talk about the pricing and marketing of potatoes as a crop in this country.

Thank you, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Members, let us have Hon. Kathuri. I will give Hon. Kisang and the rest the first priority. You will have an opportunity to contribute, Hon. Kisang.

Hon. Murungi: Thank you, Hon. Temporary Deputy Chairman. Initially, I was wondering whether you have a challenge with your vision because we are a bit far.

The Temporary Deputy Chairman (Hon. Cheboi): You are totally out of order!

Hon. Murungi: Hon. Temporary Deputy Chairman, I want to support this clause and say that potato farmers will not be exploited by merchants.

The other issue I want to mention is about the fertilisers that we import, especially for tea farmers. The people who supply the fertilisers give us 46 kilogrammes instead of 50 kilogrammes. In that aspect, they should also check on the quantity of the fertilisers and other farm inputs that are supplied to farmers.

Hon. Temporary Deputy Chairman, with those remarks, I beg to support and apologise for my comment about you. It was on a light touch.

The Temporary Deputy Chairman (Hon. Cheboi): You cannot question my eyesight, especially if I can see you. Never mind your height and the distance of where you are seated.

Let us have Hon. Kisang, just to confirm to the Hon. Member, Hon. Kathuri, that my eyesight is very good - the colour of the Members notwithstanding.

Hon. Kisang: Thank you, Hon. Temporary Deputy Chairman. I believe that your eyesight is good because you can see this far, even with my colour.

I rise to support this clause to reduce the size of the package to 50 kilogrammes. I come from a potato-growing area. If you look at the way brokers pack potatoes, you would think those sacks weigh 90 kilogrammes, but they actually weigh up to 150 kilogrammes. There are two bags in circulation called “soya bag” and “jubilee bag”. I also propose that we enact a law to compel factories to package maize, potatoes and everything else in 50 kilogramme bags.

Thank you.

*(Question, that the words to be left out be left out,
put and agreed to)*

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Members, on the subsections that we are re-numbering, we will quickly dispose of them. We should be through in the next five minutes.

Clause 3(d)

Hon. Mbiuki: Hon. Temporary Deputy Chairman, I beg to move:-

THAT the Bill be amended in Clause 3 by—

(d) renumbering the proposed Clause 29C as 40C.

The justification is still on sequencing formatting.

Thank you.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted,
put and agreed to)*

Clause 3(e)

Hon. Mbiuki: Hon. Temporary Deputy Chairman, I beg to move:-

THAT, the Bill be amended in Clause 3 by—

(e) renumbering the proposed Clause 29D as 40D.

The issue is still on sequencing formatting.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted,
put and agreed to)*

Clause 3(f)

Hon. Mbiuki: Hon. Temporary Deputy Chairman, I beg to move:-

THAT, the Bill be amended in Clause 3 by—

(f) renumbering the proposed clause 29E as 40E.

This is due to sequential formatting. Thank you, Hon. Temporary Deputy Chairman.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted,
put and agreed to)*

Clause 3(g)

Hon. Mbiuki: Hon. Temporary Deputy Chairman, I beg to move:-

THAT, the Bill be amended in Clause 3 by—

(g) deleting the proposed clause 29F.

The principal Act provides for the regulations in Section 46. Hence Clause 29 will lead to duplication. What has been proposed by the Mover of the Bill is already captured in the principal Act. Therefore, we are proposing the deletion of Clause 29F because it is already there.

Thank you, Hon. Temporary Deputy Chairman.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Cheboi): I will give opportunity to two Members. I would like to see indication of those Members who want to contribute on this clause by pressing their intervention buttons now. We will start with Hon. Gikaria.

Hon. Gikaria: Thank you, Hon. Temporary Deputy Chairman. At first, I did not understand but, now that the Vice-Chairman has just explained, it is clear to me. If it is in the principal Act, then there is no point of having a repetition.

The Temporary Deputy Chairman (Hon. Cheboi): Let us have Hon. Lemein, Member for Narok South.

Hon. ole Lemein: Thank you, Hon. Temporary Deputy Chairman. I rise to support the same. I am a Member of the Committee. As the Vice-Chairman said, the particular proposal is captured in the principal Act.

Thank you.

The Temporary Deputy Chairman (Hon. Cheboi): Let us have Hon. Washiali. I thought sugar packaging has already been harmonised at 50 kilogramme.

Proceed.

Hon. Washiali: Thank you, Hon. Temporary Deputy Chairman, for giving me the opportunity to contribute. I am also a member of the Departmental Committee on Agriculture, Livestock and Cooperatives. I support the amendment even though there is something that we over-looked. Looking at Clause 29E, the aspect of enforcement is a bit weak.

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Washiali, I am not with you. The proposal by Hon. Mbiuki on Clause 29A, though it is water under the bridge, was renumbering of the clauses. Let us deal with Clause 29F.

Hon. Washiali: Hon. Temporary Deputy Chairman, I agree with you that renumbering is just about cleaning up the Bill to make it look better. As we support the amendment, we need to point out what we may have over-looked. I am worried that the aspect of enforcement is not as strong as it should be. You must have heard the Mover say that it would affect the health of the people who are in the business of carrying bags. In the event that somebody loads bags beyond the acceptable weight, the fine would not be exceeding Kshs200,000. But we do not have the minimum amount that should be fine. This means a pricing magistrate can just discharge an offender. I propose that we provide for a minimum amount of money that should be paid as a fine.

Thank you, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairman (Hon. Cheboi): You are a member of the Committee. There was a better way to handle this particular matter at the Committee level. However, we shall proceed anyway.

*(Question, that the words to be left out be left out,
put and agreed to)*

(Clause 3 as amended agreed to)

(Clause 2 agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Members, we are through with this one. I will call upon the Mover to move reporting.

Hon. Tiren: Thank you, Hon. Temporary Deputy Chairman. I beg to move that the Committee doth report to the House its consideration of the Agriculture, Fisheries and Food Authority (Amendment) Bill, (National Assembly Bill No. 17 of 2015) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

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

The Temporary Deputy Speaker (Hon. Cheboi): Order, Hon. Members! Let us have the Chairperson report to the House.

REPORT AND THIRD READING

THE AGRICULTURE, FISHERIES AND FOOD AUTHORITY (AMENDMENT) BILL

Hon. Wakhungu: Thank you. Hon. Temporary Deputy Speaker. I beg to report that the Committee of the whole House has considered the Agriculture, Fisheries and Food Authority (Amendment) Bill, No. 17 of 2015 and approved the same with amendments.

The Temporary Deputy Chairman (Hon. Cheboi): Very well, let us have the Mover.

Hon. Tiren: Thank you, Hon. Temporary Deputy Speaker. I beg to move that the House doth agree with the Committee in the said Report. I request Hon. Kimaru to second the Motion for agreement on the Report of the Committee of the whole House.

Hon. Kimaru: I second.

(Question proposed)

(Question put and agreed to)

The Temporary Deputy Chairman (Hon. Cheboi): Let us have the Mover to move Third Reading.

Hon. Tiren: Thank you, Hon. Temporary Deputy Speaker. I beg to move that the Agriculture, Fisheries and Food Authority (Amendment) Bill, (National Assembly Bill No.17 of 2015) be now read the Third Time. I request Hon. Lemein to second.

The Temporary Deputy Chairman (Hon. Cheboi): Is it Hon. Lemenen or Hon. ole Lemein?

Hon. Tiren: Hon. ole Lemein.

Hon. ole Lemein seconded

(Question proposed)

The Temporary Deputy Speaker (Hon. Cheboi): I will only give two Members. Let me start with Hon. Wamunyinyi. Is he interested in speaking to this one? Hon. Wandayi? I see there is the Hon. Member for Chuka/Igambang'ombe.

Hon. Njuki: Thank you. This is one of the greatest things that have happened in the agricultural sector this morning. Most of the people rely on packed cereals. The only other thing that is packed in 50 kilogramme bag is cement, which is not an issue. When you look at the fines that have been put there, I take this opportunity to oppose what Hon. Washiali was suggesting, that we should have stiffer fines. Out there, we have very informal operations. People who operate business such as maize, potatoes, groundnuts and even arrowroots may not have good machines for measuring 50 kilogramme bags.

Therefore, when you impose a fine of Kshs200,000 on them--- It is good to be left the way it is because the judge or the magistrate has the capacity to tell whether that person was doing it out of impunity or it was a mere mistake out of lack of capacity to measure and calculate. So, it is a good thing and it is going to save our farmers. We will have better packaging and value for money.

The Temporary Deputy Chairman (Hon. Cheboi): Okay. Let us have the Hon. Member for Nakuru Town East.

Hon. Gikaria: Thank you. Looking at what is contained in the memorandum, it is important for us to look at the health of the people who carry those potatoes. I come from a constituency where we have a very big market. If you look at the condition of those young boys who carry those bags and the amount of money they are paid, it is right for Parliament to come up with this amendment so that we can protect their health.

Much as it affects the county governments--- We have a problem in terms of how we will effect punishment for people who will go against the law. So, it is important and, particularly so, for the health of those workers.

Thank you.

The Temporary Deputy Chairman (Hon. Cheboi): All right. Let us have the Hon. Member for Kathiani.

Hon. Mbui: Thank you for giving me this opportunity. I have observed that the people who have had an opportunity to contribute come from areas where there is plenty of food. I thank you for giving me this opportunity to speak for those of us who receive aid. Though it is coming late, I would have opposed the clause of reducing the size of the package. Coming from an area where we get food aid, if the bags from the national Government are going to continue coming in the numbers that they have been, it means we are going to get less food for our area. Having said that, it is a good Bill and it is a way forward for the country.

I support.

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Members, I want to confirm that we have the numbers.

(Question put and agreed to)

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

MOTION

DECENTRALISATION OF REGISTRATION OF NATIONAL IDENTIFICATION CARDS

The Temporary Deputy Chairman (Hon. Cheboi): Is Hon. (Dr.) Chris Wamalwa in the House?

Hon. Wakhungu: Thank you, Hon. Temporary Deputy Speaker. I beg to move the following Motion:-

THAT, aware that devolution was meant to devolve governance and public services across the country, including access to basic services like acquisition of identity cards, passports, birth certificates, voters cards, among others; further noting that, currently, all registration of national identity cards only happens at one center in Nairobi; cognizant of the fact that this delays the acquisition of identity cards, thus denying Kenyans their right to employment, ability to vote, access to public funds like *Uwezo* Fund and other crucial services, this House resolves that the Government decentralizes the registration of national identification cards to the county level to expedite the process and allow Kenyans to access public services in a timely manner.

Hon. Temporary Deputy Speaker, an identity card is a critical document for every Kenyan. The law requires that every Kenyan above the age of 18 years must have an identity card. The identity card should have your names, where you come from and your photo to show how you look like. Without an identity card, you cannot even marry. If you want to get a marriage certificate, you must have an identity card. If you want to do any transaction, such as *Uwezo* Fund, you must have an identity card. When it comes to transfer of money, for you to use the services of Safaricom such as *Mpesa*, you must have an identity card. As a student at the university, in order for you to apply for a Higher Education Loans Board loan, you need an identity card.

Article 38(3) of the Constitution is very clear that every Kenyan has a right, without unreasonable restriction, to be a registered voter. That means without an identity card, you cannot get a voter's card. At the moment, Kenyans are registering as voters. We have a very high rate of voter apathy. Most of the youth do not have identity cards. There are those who have waited for years. Others wait for six months. When they go to the registration centres to pick up their identity cards, they do not find them. They are told the cards are still in Nairobi. It takes years for identity cards to leave Nairobi for their respective counties. That is why we are requesting this House, since it has the legislative authority – and given that the Constitution of Kenya 2010 embraces devolution – that we must devolve registration of identity cards from the national level to the county level.

Currently, we have issues of unemployment. The other day, we were interviewing house helps. In order for a house help to come and work for you in your house, he or she must have an identity card. A watchman, too, must have an identity card. Research has shown that 70 per cent of the people who are unemployed are the youth. If we decentralise registration, we will be helping unemployed youth to access identity cards within the shortest time possible.

Hon. Temporary Deputy Speaker, in order for youth and women groups in the villages to benefit from *Uwezo* Fund, the members of those groups must have identity cards. One of the requirements in the regulations of *Uwezo* Fund is that you must open a bank account. You cannot open a bank account without an identity card. Additionally, we have a security crisis because some people do not have identity cards. I request this House to support this Motion so that registration of identity cards can be decentralized to the respective counties.

There was a Motion that was passed by the Senate. The Motion said that all national Government functions must be decentralized. Right now, we are told that public universities, which are under the national Government, should be in every county. Therefore, it goes without saying that registration of persons must be decentralised to the county level. I know that Hon. Washiali is working on a Bill. I am happy that today, Hon. Members' contributions to this debate will enrich the Bill that is being prepared by Hon. Washiali. The youth in my constituency have been waiting for identity cards that date back to a year or six months. I know that Hon. Ferdinand Wanyonyi is also working on a Motion that will probably help people with waiting cards to be allowed to register as voters. This is a critical issue. Kenyans, and particularly the youth, are watching. In my village, I saw a lady who had four children, but who did not have an identity card. If registration of persons' services can be decentralized to the county level, it will be much easier for people to acquire identity cards. People can sacrifice and go to the county headquarters and see what has happened to their identity card applications.

Sometimes back, identity cards were being done and issued at the lowest administrative level possible. I know that many people used to get their identity cards there. Centralizing and bringing this service back to Nairobi is negating the principle of devolution. That is why I am requesting this august House to look into this matter seriously and pass this Motion, so that the youth can access identity cards as soon as possible.

I am reminded of my old days when I used to sing for Hon. Members who used to tell us that we were the leaders of tomorrow. This is the time that youths need to go into leadership. Article 38 talks about the right to contest for any political seat. You can only contest for a political seat if you have an identity card. Yet, it is becoming difficult for people to get it. We need the young leadership to come into place. That can only happen if we make it easier for young people in the villages to acquire identity cards by taking the process to the county level.

Hon. Temporary Deputy Speaker, there is nothing much to talk about. This is a straightforward Motion. I request Hon. Members of this House to pass this Motion with speed, so that the youth can get identity cards and register as voters.

With those remarks, I beg to move and humbly request the "king" of Marakwet, Hon. Kagongo Bowen, to second the Motion.

I **The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Wakhungu, there are no "kings" in the House today. I will be looking for the particular "king" you are talking about. But if you mean the Member of Parliament for Marakwet East, whom I can see is standing, he will get an opportunity. But for "kings", there is no chance.

Proceed, Member for Marakwet East.

Hon. Bowen: Thank you, Hon. Temporary Deputy Speaker. I have also been anointed by the people of Marakwet East as one of their greatest leaders. So, Hon. Chris Wamalwa is not wrong.

That aside, I stand to second the Motion. Like Hon. Chris Wamalwa has said, an identity card is a very important document. We are living in a new constitutional dispensation. Many

Kenyans voted for the Constitution in order to decentralize resources and services. One of the services that need to be decentralized is the issuance of identity cards. The other day, in my constituency, the Government compensated Internally Displaced Persons (IDPs). It is at that point that we realized that there were so many people without identity cards. Some of the IDPs registered themselves using their friend's or brother's identity cards. This led to a serious fight because the money was paid into the bank accounts of the beneficiaries. The identity card holders, in whose names the bank accounts were opened, eventually got the money and ran away.

Pursuing an identity card in Nairobi takes so long and it comes at a cost. The other day, the Ministry reported that there were about 100,000 un-collected identity cards at the Registrar of Persons Department. It becomes a challenge for people from remote areas to travel all the way to Nairobi, with accommodation cost involved and the time taken to queue to collect their identity cards in Nairobi. That is why we have so many ID cards lying at the Ministry. We have seen ID cards coming with pictures that are different from the ones that applied. Making corrections takes another six months to one year. If the service of issuing identity cards is decentralized at the local level, it becomes easier to make those corrections because you can just go there, look at the ID card and if the picture is not yours, return it to be amended.

If you check, for instance, the reason we have so many aliens in the country with Kenyan ID cards, is because of corruption. People come from the villages all the way to Nairobi because they are worried of the queue, and it takes too long to get an ID card. You have to bribe your way if you want to get your ID card very easily. You give out some money so that you can get your ID card very fast. In that process, we perpetrate corruption. In the same manner, we have seen so many aliens coming to Nairobi to acquire ID cards because there is no validation and verification process through which you can tell whether the applicants are actually the right people to get ID cards. If we decentralize issuance of ID cards to the county level, it will become easier for the local administrators like village elders and chiefs to validate and verify whether the applicants are the right people to get ID cards.

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

The Temporary Deputy Speaker (Hon. Cheboi): What is out of order, Hon. Njuki?

Hon. Njuki: Hon. Temporary Deputy Speaker, this is a very serious House and a House of records. My friend keeps on insisting that for you to get an ID card, you have to come to Nairobi. He knows very well that fingerprints and everything else are taken at the sub-county level. The delay is caused by the system. People do not have to come to Nairobi to apply for or collect ID cards. So, it is good for him to put the record straight rather than lie to Kenyans that you have to come to Nairobi to get an ID card. That is my point of order, Hon. Temporary Deputy Speaker.

Let us hear Hon. Bowen.

Hon. Bowen: Thank you, Hon. Temporary Deputy Speaker. There is a Motion that is coming before this House by the Member for Kwanza, seeking to allow people with serialized waiting cards to register as voters. I am saying it takes too long for the ID cards to be processed here in Nairobi. If someone comes to make a follow up on their application, they need to, maybe, bribe their way because they are told to wait or come the following day. Again, there are so many people who are queueing in Nairobi waiting for their ID cards. So, it is a fact and not fiction at all.

What I was trying to say is that the corruption in the Ministry of Interior and Coordination of National Government in getting IDs has led to aliens getting Kenyan ID cards. When you issue ID cards at the ground level, the village elders, chiefs and local administrators can ascertain whether the applicants are local people or aliens. We have seen, and there are records in the Immigration Department, that so many people have been given citizenship without verification and validation.

We have so many young people who do not have ID cards. There is a voter registration exercise going on. I was just from my constituency two days ago and there are so many people with waiting cards. There are also so many people with ID cards bearing photographs which are not theirs. If this service is decentralized, it will be easier to make corrections in the shortest time possible and people will get their ID cards.

For issues like employment---

(Several Members stood in the gangway)

The Temporary Deputy Speaker (Hon. Cheboi): Order, Members! Can Members take their seats, please? Some Members are interrupting the concentration of the Speaker. Member for Murang'a, take your seat.

Hon. Bowen: Thank you, Hon. Temporary Deputy Speaker. Local farmers are selling their cows, sheep and maize. But if they do not have ID cards, they cannot transact those kinds of businesses. So, an ID card is so important that having the processing centre only in Nairobi has really inconvenienced so many Kenyans. They cannot transact their daily businesses. We want the central processing unit for ID cards to be taken to the constituency level so that it becomes easier for people to get ID cards.

There are so many services that require an ID card, like access to *Uwezo* Fund. There is a system of table banking which has come to our constituencies and there are so many women in groups. But when they want to open bank accounts, they are required to have ID cards. Getting an ID card takes too long as the process has to come all the way to Nairobi. An ID card is a very important document. This is a very important Motion. If we pass this Motion and it is implemented, it is going to help so many Kenyans, including the youth, women and the old, who might have misplaced their ID cards.

With those many remarks, I ask Members to support this Motion so that our people can get ID cards easily at the grassroots level and access important services.

Thank you, Hon. Temporary Deputy Speaker.

Hon. (Ms.) Gathogo: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): What is your point of order, the Member for Ruiru, Hon. Gathogo?

Hon. (Ms.) Gathogo: Ahsante sana, Mhe. Naibu Spika wa Muda. Hoja ambayo iko mbele yetu ni muhimu. Nashukuru Mhe. Chris Wamalwa kwa kuileta. Ombi langu ni moja. Kwa sababu kila Mbunge anayesimama anaongea kuhusu shida zilizoko katika sehemu yake wa Uwakilishi Bungeni, ni kama hii shida iko kila mahali. Sijasikia mtu akisema ya kwamba kuna watu ambao wako maeneo ya Bunge ya mijini ambao wanaambiwa waende kwao wakachukue---

The Temporary Deputy Speaker (Hon. Cheboi): What is the point of order?

Hon. (Ms.) Gathogo: Yangu ni kuuliza kwa heshima kubwa, Mhe. Naibu Spika wa Muda, tupunguze muda wa kuchangia Hoja hii ili kila mtu aweze kupata nafasi. Ni Hoja muhimu sana.

The Temporary Deputy Speaker (Hon. Cheboi): As far as I am concerned, that is a fairly valid proposition, but it will be up to the Members to make a decision. Remember you have one-and-a-half hours to debate this Motion. Part of the time has already been taken by the Mover and the Seconder. There are about 38 requests. The only thing that we will do is first, I will propose the Question and then we will quickly dispose of the proposition by Hon. Gathogo, one way or the other. That is okay, Hon. Gathogo.

Hon. (Ms.) Gathogo: Ahsante sana, Mhe. Naibu Spika wa Muda.

(Question proposed)

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Members very quickly, I would like to dispose of the proposition by Hon. Gathogo. You will realise that Members were supposed to contribute for 10 minutes. She has moved a Motion, that it be reduced to five minutes. That is what is before me. The three minutes which I hear from the Floor is not before me.

(Question, that debating time be reduced, put and agreed to)

Five minutes it is, Hon. Members. Well, I do not see any proposition and so, I will proceed in that manner. Top on the list is Hon. Wafula Wamunyinyi.

Hon. Members: He is absent!

The Temporary Deputy Speaker (Hon. Cheboi): The second one is Hon. Opiyo Wandayi, the Member for Ugunja.

Hon. Wandayi: Thank you very much, Hon. Temporary Deputy Speaker, for this opportunity. From the outset, I want to support this Motion. The importance of an ID cannot be gainsaid or overemphasized. Once you are of adult age in this country, your life revolves literally around an ID card. This Motion is---

The Temporary Deputy Speaker (Hon. Cheboi): As you proceed, Hon. Wandayi, I know I am taking a bit of your minutes just to confirm to members that it is actually not one-and-a-half hours but three hours. In any case, that will give more Members time. We have 38 Members and they will all have an opportunity to contribute.

Hon. Wandayi: Thank you, Hon. Temporary Deputy Speaker for your guidance. The fact that an ID card is an important document is a matter we cannot really debate. What has happened in this country is that we have a situation where artificial bottlenecks have been placed on the path of Kenyans towards the acquisition of this vital document. What has happened is something that one cannot comprehend. Kenyans apply for this vital document and wait for months and sometimes even a year before that document is availed to them.

The delay at the National Registration Bureau Office is sometimes deliberate. I say so because what would officers be doing in the office when they are having piles and piles of ID cards which are yet to be taken to their owners? As we talk about decentralization of this vital service, I will even propose further that we need to ensure that the Government invests in up-to-date technology to make it possible for Kenyans to acquire this vital document instantly. I am

told that an ID would be acquired instantly in the late 1970s. What has happened now that it is impossible for the Government to invest in appropriate technology in order for one to appear before a clerk and get an ID instantly? This is a very critical matter that needs to be taken with utmost seriousness.

The national Government has infrastructure up to the grassroots level. In fact, against the letter and spirit of the Constitution, the Government has retained the former Provincial Administration in its full form. I cannot understand what these people are doing. Therefore, why can the Government not deploy them and task them with duties to ensure that IDs reach their owners once they are dispatched from Nairobi?

It is also important to understand why the Government has got keen interest in the Office of the Registration of Persons. I am aware that the current Director of National Registration Bureau, Mr. Kimotho is someone who is beyond retirement age. That person has been retained in a job beyond retirement age for reasons we cannot comprehend. This is a vital office that requires transparency and accountability. We need that office to operate transparently in order for Kenyans to have confidence in it. Hon. Temporary Deputy Speaker, I will request you to add me two minutes because you took my time.

Kenyans need ID so that they can register as voters. Yesterday, I was going round Kibra Constituency with my colleague, Hon. Ken Okoth and I saw a distinction. The queues for those who wanted to acquire IDs were longer than those who wanted to register as voters. This is because many Kenyans do not have this vital document. I would like to say that they are being disenfranchised deliberately. This is because elections start all the way from registration of voters. If you want to rig elections, you start by manipulating registration of voters. How best can you do it?

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Wandayi, you have just half a minute!

Hon. Wandayi: If you deny people IDs, in a way you are making it impossible for them to register as voters and, therefore, you are predetermining the outcome of an election. That is rigging. If you continue doing that in this day and age you are definitely laying a foundation for civil strife.

The Temporary Deputy Speaker (Hon. Cheboi): Your half a minute is gone. I gave you half a minute because you remember I took about 20 seconds of your time. Let us have Hon. Lomenen.

Hon. Ekomwa: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I think people are wondering why the microphone is working. I am a nomad and I should move from one seat to another.

I rise to support this Motion and thank Hon. Wamalwa for bringing it. This Motion is key for my county. I want to start by telling you a very interesting story where I called for a youth meeting and elders came. I tried to chase them away, and one of them said: "I am less than 18 years because I do not have an ID. Why should you chase me away?" It was very true that he did not have an ID card. It is also true that some communities and individuals have been marginalised for years just because they have been denied IDs. It is not that they are few but it is because some people have created difficult conditions for them to acquire ID cards.

I want to give an example of a county like Turkana measuring 77,000 square kilometers. How many people do you expect to live in that area which is almost a quarter of Kenya? You claim that the population of Turkana County is less compared to that of Nairobi. It is because we

have been denied some services like ID cards, voters' cards, hospitals, water and others. So, how do you expect us to compete with people who have access to IDs, National Social Security Fund (NSSF), National Hospital Insurance Fund (NHIF) and other things? This is deliberate marginalization. Why should you deny people ID, and yet a voter's card is attached to it? I think this Motion is key because I expect Kenyans to get access to IDs as well as voters' cards.

Hon. Temporary Deputy Speaker, in this era, Kenyans, including politicians who are seated here know that a voter's card is more important than an ID. Voters' cards are more important because numbers are needed during elections. There is what we call "tyranny of numbers". "Tyranny of numbers" is not tyranny of IDs but tyranny of voters' cards. The purpose of devolution is not to take money to the county or the governor or to devolve corruption; devolution is about easing delivery of services to the ordinary *wananchi*. Devolution is also about making it easy for an ordinary person in Kibish, Turkana or Lokichar to obtain an ID, as easily as a person in Nairobi. That is how I understand devolution. However, we gauge devolution as only taking money, corruption and everything else to the county and then leaving essential services in Nairobi. We have to devolve ID registration to the villages.

What is identification? Who is supposed to identify a person? Should you be identified in Nairobi? Should you be identified by the NSSF? People who are supposed to carry out identification cards are those who are right in the village. These are the elders in the village. All these machines must go to the village. They must go to the village; to the sub-locations; to Kibish and ensure that anybody who wants an ID today can get one.

To those who are preparing this Bill, obtaining a voter's card should not be dependent on having an ID. You should not deny someone the right to vote just because you delayed giving him or her an ID in Nairobi. They should be given voter's cards. If anyone wants to vote he must be given a voter's card.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Dawood reminds me that I should practise affirmative action. I agree but he is not going to be the beneficiary. Hon. (Bishop) Mutemi will be the beneficiary.

Hon. (Bishop) R. Mutua: Thank you, Hon. Temporary Deputy Speaker for giving me this great opportunity. I thank Hon. Chris for such a great opportunity to discuss this important Motion. I want to discuss five points.

First, it is important for us today to devolve issuance of identity cards to counties. We are living in a digital era and it is very important and very easy to communicate information from the county to the national Government.

(Technical hitch)

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Mutemi, please insert your card in the intervention slot, so that I can give you another chance. You had already used up one minute. You have four minutes to go. There seems to be a problem with your card. Go to the seat behind you and place your card in the intervention slot. Just hold on. Let me see what I can do. Proceed. You have four minutes.

Hon. (Bishop) R. Mutua: Thank you, Hon. Temporary Deputy Speaker. This is quite possible because we are now living in the digital era and it is possible to communicate information from counties to the national Government quite easily. For purposes of control, there is no issue. We shall be able to use digital systems to control the registration of those people.

Secondly, when we deny people easy access to IDs, we are actually enhancing discrimination as far as accessing services and employment and doing business is concerned. We are making it impossible for people who have no IDs to do all these things. We are denying Kenyans their rights and marginalising them quietly. This has happened in the years that have passed. People cannot even go for recruitment because they do not have IDs, whereas we could easily give them IDs when they turn 18. We can even register them right in schools. What is wrong with that? By taking the registration of IDs to the counties, they can have a programme of ensuring that all the students who reach 18 in their schools are able to easily access their IDs.

It is also important to realise that bureaucracy exists. People have their fingerprints taken within a particular area, they are transported to Nairobi and then they are taken back to the chief, to the assistant chief and then to the village. This bureaucracy is causing unnecessary delays. We do not want this. We want people to access their identity cards immediately and instantly so that they can continue building this country.

It is also very important to realise that denying people their IDs is actually disempowering them. We are making them less Kenyans and yet they are of age. They are supposed to participate in nation-building in very many ways but they cannot simply because they do not have an ID. Why do we make it very hard for people to access IDs in this country? This is unless you have a hidden agenda to manipulate people in Kenya so that some are empowered earlier while others have to keep waiting. We cannot wait anymore. Let this service be devolved as soon as next week so that our people can be registered and vote in the coming election.

The Temporary Deputy Speaker (Hon. Cheboi): Let us now have Hon. Wario.

Hon. Wario: Ahsante, Mheshimiwa Naibu Spika wa Muda kwa fursa hii. Kwanza kabisa, ninasimama kuiunga mkono Hoja hii. Pili, Kenya ilipopata Uhuru, kulikuwa na *Sessional Paper No.2*. Sera hii iligawanya Kenya katika sehemu mbili; sehemu ya rotuba na sehemu isiyokuwa na rotuba. Huduma katika taifa imegawanywa kwa msingi wa sera hii. Wakenya wengine wanapozungumza kuhusu utoaji wa kitambulisho, mimi nahisi kulia.

Kule kwangu, utapata mama amezaa watoto watano na mpaka leo hana kitambulisho na hawezi kutembea barabarani kwa sababu *Kenya Defence Forces* (KDF) wako katika kila kona. Kitu cha kwanza watamuuliza ni atoe kitambulisho na si makosa ya yule mama kutokuwa na kitambulisho. Lakini wale wanaowasajili Wakenya, kwa furaha yao au uwezo wao, wanakufanya Mkenya au usiwe Mkenya. Wamemnyima yule mama fursa ya kupata kitambulisho.

Swala la pili ni muda ambao unahusika katika utoaji wa kitambulisho. Kuna mtu ambaye amebeba kadi ya kusubiri kwa miaka mitatu au minne. Masuala ya utoaji wa vitambulisho ni masuala ya dhuluma dhidi ya binadamu. Unamnyima mtu haki yake ya kuwa Mkenya. Unaambiwa kuwa Cheti cha Kuzaliwa hakithibitishi uraia wako. Kitambulisho na hati ya kusafiria ndizo zinathibitisha uraia wako. Huwezi kupata hati ya kusafiria kama huna kitambulisho.

Wakati umefika wa kuwanasua Wakenya kutoka kwa dhuluma ya *Sessional Paper No.2* na kutoa uhuru wa kila Mkenya kumiliki kitambulisho. Kwa sababu, uraia wako, rasilimali yako na biashara yako haziwezi kuwepo kama huna kitambulisho. Kuweka usalama ni jukumu la Serikali ya kitaifa lakini kaunti zinafanya kazi nzuri. Hazina ya Maendeleo ya Maeneo Bunge ni jukumu la Serikali ya kitaifa lakini kaunti zinafanya kazi nzuri. Kwa nini vitambulisho visitolewe katika kaunti? Ile huduma itakuwa rahisi kwa Wakenya.

Nikimaliza kuunga mkono, ninatoa kongole kwa Mhe. Wamalwa kwa kuileta Hoja hii. Hii Hoja ingekuja jana, leo vitambulisho vingetolewa katika Kaunti ya Tana River. Ninasema hivyo kwa sababu mtu anatoa nauli kuja Nairobi na kulipa hoteli kutafuta kitambulisho ambacho angeletewa kule aliko.

Kwa hayo machache, ninaunga mkono Hoja hii. Asante.

The Temporary Deputy Speaker (Hon. Cheboi): If Hon. Wamunyinyi is not there, I will strike out his request.

Hon. Wamunyinyi: I am here.

The Temporary Deputy Speaker (Hon. Cheboi): You have been at the top for some time. You have been getting out and coming in.

Hon. Wamunyinyi: My apology, Hon. Temporary Deputy Speaker. I was held up in another meeting which I was called to in the Committee Room.

First, I wish to state that I support this important Motion. It is our understanding, all of us as Kenyans, that every adult who has attained the age of 18 is entitled to an ID. It is not just having an ID as a Kenyan. There are various reasons why an ID is required. One is for security. You heard our colleague talking about the requirement for an ID when you meet security people particularly in this era of terrorism and other complicated crimes.

Two, is access to facilities. For you to access any service, be it Uwezo Fund, a bank loan or grant, you must be identifiable. Even if they are groups, they must be identifiable. It is also used in employment. For young people to access interviews in the military, teaching or any other profession, they must have IDs. So, if they do not get them, they are denied employment. If they do not have IDs after school they are denied fair opportunities like any other Kenyan.

With regard to land ownership, you cannot acquire a title deed if you do not have an ID. So, there are many things including registration of business which you cannot do without it. For you to be here, you have to go through voting. Adult Kenyans cannot vote if they do not have IDs. There are very many important reasons that demand that Kenyans are issued with IDs. This important document has not been given to many Kenyans because of a number of challenges. First, is the delay in processing. Processing the application takes a lot of time because of bureaucracy. There is a requirement that they have to go through the administration from the village elders to the Assistant County Commissioner and so on and so forth. This causes a lot of delay in processing the IDs.

Secondly, sometimes there are no adequate materials at the centres in our rural areas for the processing of IDs. There have also been difficulties because some officers are involved in corruption. Therefore, those that do not have anything to bribe are not given IDs.

Hon. King'ola: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): Order! What is your point of order Hon. Makau, the Member for Mavoko? Are you aware that you have placed an intervention?

Hon. King'ola: Thank you, Hon. Temporary Deputy Speaker. I rise on a point of order. I know the issue of IDs is wanting in this country. I am just wondering whether this Motion is in order. We are talking about decentralisation of registration and my concern is decentralisation of IDs. There is an issue with national security. Just the other day, we had a security letter circulating and it was photocopied in Wajir. My fear is that as we continue debating this Motion, we are going to encourage---

The Temporary Deputy Speaker (Hon. Cheboi): You are being frivolous the Member for Mavoko. You should have placed a request so that we give you an opportunity to debate the Motion.

Hon. Wamunyinyi: I understand and I am informed that the Member for Mavoko is used to selling land and forging IDs. He should not disrupt me.

The Temporary Deputy Speaker (Hon. Cheboi): Order, Hon. Wamunyinyi! You are a very seasoned politician and you have been a Member of this House for a very long time. You know that you cannot do that. I do not need to have an intervention by you.

Hon. Wamunyinyi: He disrupted me for no reason. Rule him out of order!

The Temporary Deputy Speaker (Hon. Cheboi): No! Withdraw and apologise.

Hon. Wamunyinyi: I withdraw and apologise, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): Order, the Member for Mavoko! He has withdrawn and apologised. That should be it.

Hon. Wamunyinyi: Now that he has taken my two minutes, you need to extend my time by two minutes.

Hon. King'ola: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): The Member for Mavoko, he has withdrawn the remarks and apologised. It is expunged from the record.

Hon. Wamunyinyi: Hon. Temporary Deputy Speaker, I was talking about the challenges we have faced.

Hon. King'ola: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): Just a minute. What is it the Member for Mavoko. Once a Member withdraws and apologises---

Hon. King'ola: With all due respect, I know Hon. Wamunyinyi lives in Mavoko. For him to make such unfounded and unsubstantiated insults against me, I find that very unprofessional and very unhonourable. I know Hon. Wamunyinyi is a polygamist.

Hon. Wamunyinyi: I withdraw and apologise, Hon. Temporary Deputy Speaker.

Mr. King'ola: I have never spoken about his polygamy but I have a right to speak about national security.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Members, now calm down. Let me just put this for the record. One, the Member for Mavoko, I have ruled your point of order out of order. It would have been much better if you made a request and spoken what you have just spoken while contributing. You could oppose the Motion. That is an option which you have. Hon. Wamunyinyi has made totally unsubstantiated claims. I have asked him to offer an unconditional apology and withdraw the remarks. He has done exactly that. We can leave that at that point. The Member for Mavoko, that is sufficient. Let us leave it at that.

Proceed Hon. Wamunyinyi.

Hon. Wamunyinyi: He has said he will beat me up. I do not think he will be able to do that.

(Laughter)

The Temporary Deputy Speaker (Hon. Cheboi): I do not think that is the way to go. Let us maintain some decorum in the House. You have two minutes, Hon. Wamunyinyi.

Hon. Wamunyinyi: The Hon. Member is my friend and brother. It was on a light touch. That is why I quickly apologised.

The Temporary Deputy Speaker (Hon. Cheboi): No, that is a serious accusation. It cannot be on a light touch. You withdrew and that is sufficient.

Hon. Wamunyinyi: I withdraw and apologise. I was saying that in the spirit of devolution and ensuring that our people are served, it is important that this issue of IDs is decentralised so that it is administered at the county level. If it is done in Machakos, the people of that county will be the greatest beneficiaries because they will not wait for IDs from Nairobi which serves the entire country. Everywhere in Kenya, IDs are brought to Nairobi for final processing.

It is the delay that is caused at the National Registration Bureau that we are saying should be decentralised. Take time and plan it well. We are not saying you do it immediately because it is a process that will take time. Plan it well. Acquire the necessary equipment to do that and employ staff who will be required to work. Decentralise this service so that it does not delay issuance of IDs to our people. This is going to be in line with devolution that we have acquired and we are trying to strengthen as a country.

I know some of us do not support devolution for various reasons because some counties have continuously abused the resources that have been taken to the counties.

Hon. Temporary Deputy Speaker, with improvements as we move on, I am sure the governors who will be elected in the 2017 General Elections will be different from the ones we have now. Therefore, we need to look at these issues holistically in the sense that it is going to benefit our country.

Hon. Temporary Deputy Speaker---

The Temporary Deputy Speaker (Hon. Cheboi): Your time is up! We will have the Member for Turkana West.

Hon. Nanok: Thank you, Hon. Temporary Deputy Speaker for the opportunity to speak to this Motion. At the outset, I rise to support this Motion fully aware and knowledgeable that decentralisation is the precursor to what we currently have in this country. It goes without saying that we must decentralise issuance of IDs. I come from an area which is almost 1,000 kilometres from this city. The process of acquiring IDs is difficult and that has undermined service delivery to my constituents. People cannot register as voters because they do not have IDs. In my constituency, the cash transfer programme for elders is being undermined because most of those who are supposed to benefit cannot access it for lack of IDs. People can also not access the Uwezo Fund and Higher Education Loans Board (HELB) funds because they do not have IDs.

The reason for lack of IDs is because of tediousness in the process of acquiring these documents. Basic services that should be rights to Kenyans in far flung areas are no longer rights. They are now privileges that can only be acquired by those who can afford to come to Nairobi and those who can bribe their way through the system to get this service. As this is an important facility to have, the way to go will be decentralisation. This is a national function and it will not be done by county governments. We should take this service closer to the people.

Hon. Chrisantus Wamalwa is ahead of the Government, in that by this service being decentralised to county levels, more people will get access to these basic services. Birth certificates are basic services and they are found at county levels. So, why is an ID which is a basic and fundamental document not being given? Decentralisation of these services will increase access to services including *M-Pesa* services. Anybody with a phone who wants to

register for *M-Pesa* services will be asked to provide his or her ID number. This Motion is important for services to be rendered to people in our areas.

With those few points, I support this Motion.

The Temporary Deputy Speaker (Hon. Cheboi): Let us have the Member for Bobasi, Hon. Manoti.

Hon. Manoti: Thank you, Hon. Temporary Deputy Speaker for the opportunity to contribute to this important Motion. I would like to thank the Hon. Member who brought this Motion to the House. As we know, this is a big challenge. We are talking about 50 years of Independence and yet such an important function has to be performed in Nairobi.

Last week, I was in my constituency and I went to see how the youth are registering to get IDs. I realised that most of the required materials for registration are not there. They were collecting materials from Kisumu to have the youth in Kisii register for their IDs. It is important to take this important function to counties. The old people who misplace their IDs go through hell to get replacements. We should take this service to counties because they are closer to people especially people from remote areas like Turkana and Tana River counties. If people from Kisii County cannot get their IDs, how do you expect people from those remote areas to get these documents?

I urge Hon. Members here to take the shortest period to pass this Motion. I support it fully and expect other Members to support it.

The Temporary Deputy Speaker (Hon. Cheboi): Very well. You have saved a lot of time. Let us have Hon. (Ms.) Chae.

Hon. (Ms.) Chae: Thank you, Hon. Temporary Deputy Speaker for the opportunity to support the Motion by making the following points. I feel that if we decentralise registration of national IDs, we will decongest the National Registration Bureau.

Hon. Temporary Deputy Speaker, this will restore confidence to people especially women who after being married take long to change their names. Sometimes even those who got married long ago have never got IDs with changed names. This is the case and yet this is a right that is supposed to be accessed by everybody. These women need to join *chamas* and access banking facilities in their communities but there is no way they can do it without these vital documents.

Secondly, decentralisation will ensure that one has security. Without an ID, the police do consider you as a Kenyan and they can even arrest you. With an ID you are assured of your security as a Kenyan and you can freely move east or west 24/7. Decentralisation of this service will also ease the process of registration. When this service is near people, the chiefs can easily identify the IDs that have not been collected from the district headquarters and deliver them to people in their homes. When IDs are processed in Nairobi, sometimes they are posted to wrong district headquarters, and in my view, that is why we have many uncollected IDs.

Transparency and accountability will also be enhanced because you know who Kenyans are. Decentralisation will enhance the devolution function which all of us want. I support the Motion. I believe that the faster it is passed, the better. We want everybody to access vital services in our country so that students who are joining universities are not told they cannot access Higher Education Loans Board (HELB) loans because of lack of IDs. If IDs registration centres were in counties, immediately after Form Four, when they are waiting to join universities, they would easily get their IDs.

I support the decentralisation of the registration of national IDs to counties.

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

Hon. A.O. Ahmed: Thank you, Hon. Temporary Deputy Speaker. *Awache kelele!*

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

Hon. Simba: Thank you, Hon. Temporary Deputy Speaker. I want to understand if it is in order for us to discuss issues of registration whereas we know that registration is done at the county or at the level down there. I would have expected that the Mover of the Motion would have had it as issuance of identity cards instead of registration. So, the relevance of the Motion--- We are debating what is already taking place at the county level.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Arati, that makes a lot of sense but I am aware that there is a proposal for an amendment of a bit of this Motion to reflect what your concerns are. However, what you have placed before the House is fairly reasonable. It makes a lot of sense because registration is both at the county and sometimes even at the sub-county level. The issue is the process of issuance and processing of identity cards but, that is in the process now.

Proceed, Hon. Ore as we wait for the amendment to the Motion.

Hon. A.O. Ahmed: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I support this Motion that we decentralise registration and issuance of identity cards to the counties and sub-counties. In most of our counties, especially in rural areas, we have many problems with registration and issuance of identity cards. It is a common phenomenon to find mothers of four or five children, at the age of over 30 years, who do not have identity cards. It is also normal to find youths in universities who do not have identity cards.

The biggest problem we have, apart from decentralisation to these levels is that the Department of Registration of Persons does not get any funding. They do not have motor vehicles. So, even the forms that are collected from the sub-counties are brought to Nairobi in buses. That is very risky and most of the times the forms get lost. It takes months or years for people to receive back their forms because most of the time they get lost.

At times there are technical problems with fingerprints and taking them back to the constituency or sub-county takes ages. It is important for us to have decentralised services. After all, there is always a backlog in Nairobi. What happens here is only the processing. The vetting and verification is done at the sub-county level. That is where security committees are located. It is prudent for us to make sure that this service is decentralised. It is a basic right and it is a right of every Kenyan to get an ID. It is only after you get an ID that you will get services and also enjoy your right as a Kenyan to vote. Unfortunately, most Kenyans from far flung areas are not able to access these services. These are especially pastoralist communities that are disadvantaged. We need mobile registration which is not happening. This service is centralised and people who are nomadic are not able to get IDs. It appears like people in central region and other areas get these services. Is this a service for some Kenyans or is it a service for all Kenyans who have the right by birth and by any other form?

I support this Motion.

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

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

Hon. Kimaru: Is the Hon. Member in order to insinuate that Central Kenya is getting identity cards? I come from Central Kenya and we are not getting those identity cards. So, it is not proper or it is not in order at all for him to insinuate---

(Loud consultations)

The Temporary Deputy Speaker (Hon. Cheboi): It is not in order. The issuance of identity cards is national.

Hon. Kimaru: It is a national issue.

The Temporary Deputy Speaker (Hon. Cheboi): Let us not balkanise ourselves in our discussion.

Hon. Kimaru: Hon. Temporary Deputy Speaker, it is not proper to insinuate that we are getting identity cards in Central Kenya.

The Temporary Deputy Speaker (Hon. Cheboi): With that point of argument, you are almost out of order anyway.

Hon. A.O. Ahmed: Hon. Temporary Deputy Speaker, it is common knowledge.

The Temporary Deputy Speaker (Hon. Cheboi): You have 30 seconds.

Hon. A.O. Ahmed: *(Expunged)*

*[The Temporary Deputy Speaker (Hon. Cheboi)
ordered the statement to be expunged]*

(Applause)

That is where we need to start. We need to correct that. The best way is to take services to every sub-county so that we can enjoy them.

(Applause)

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

The Temporary Deputy Speaker (Hon. Cheboi): What is it the Member for North Imenti Constituency? Order, Hon. Ore! Your time is over anyway.

The Member for North Imenti, I know you have a problem with your card. Let me see if I can give you a chance from here. Let us have you somewhere. Let us see where we can---

Hon. Dawood: Hon. Temporary Deputy Speaker, I think the Hon. Member is not in order to say that. Can he substantiate or withdraw the remarks? It is not true. Central Kenya is suffering as much as the rest of this country on issuance of identity cards.

(Loud consultations)

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

Hon. Dawood: He is out of order. Unless he substantiates, he should withdraw the remarks.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Members, you know some of these allegations that we make here are fairly serious. Hon. Ore, if I were to ask you today to specifically give the numbers, I am sure you would not. Therefore, this is not something---

(Loud consultations)

Members, you have a very good Motion before the House.

Hon. Ore, do you want to give the figures?

Hon. A.O. Ahmed: Yes.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Ore, please, do not trend in that direction if you do not have the figures. This is something that we---

Hon. A.O. Ahmed: Hon. Temporary Deputy Speaker, given time, those figures will be made available. If we can get a head count, that will be very simple.

(Loud consultations)

The Temporary Deputy Speaker (Hon. Cheboi): Well, I will---

Hon. Member: On a point of information.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Ore, I rule you out of order. That is an unsubstantiated claim. We do not require any information. Definitely, I do not require any information.

Hon. Members, that is water under the bridge. That one will be expunged from the records of the House because you cannot make wild allegations and you are unable to substantiate. In any case, if you had those figures, you should simply table them here. That is unsubstantiated. So, let us leave it at that, Hon. Members. It is expunged. It is gone.

(Hon. Kimaru consulted loudly)

It is expunged. So, it does not have anything to withdraw, Hon. Kimaru. It is expunged from the record. We cannot make unsubstantiated claims here.

The Temporary Deputy Speaker (Hon. Cheboi): Let me give this opportunity to Hon. Gikaria.

Hon. Gikaria: Thank you, Hon. Temporary Deputy Speaker. First of all, I want to take this opportunity to oppose this Motion. I am a Member of the Committee on Implementation and the Departmental Committee on Administration and National Security.

First, as the Hon. Member for Mavoko had earlier said, issuance of identity cards is a security issues that we need to be very careful about. As we look at issuance of identity cards, we have to, first of all, look at the security aspect of this country. I am saying this because as a Member of the Committee on Implementation, we have gone through two other Motions which were brought by different Members of Parliament regarding issuance of IDs. Going with the response from the Ministry, it is not possible to implement what these Motions are seeking to do.

I know the Mover of this Motion, "Hon. Wamalwa Kijana", as a person who does some strategic planning. He has not brought any figures in this Motion to indicate the number of people who apply and how long it takes for the IDs to be taken to the applicants. I am saying this because we received a report from the Office of the President, the Ministry of Interior and Co-

ordination of National Government. This is the Ministry that has been bestowed with that responsibility.

Hon. Tong'i: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): What is it, Hon. Tong'i?

Hon. Tong'i: Is it in order for the Member of Parliament to mislead the House and say that "Kijana Wamalwa" is the Mover of the Motion? We all know that "Kijana Wamalwa" was one of the greatest sons of the country. He has passed on.

The Temporary Deputy Speaker (Hon. Cheboi): Let me get you clearly, Hon. Tong'i. What is it?

Hon. Tong'i: The Member is misleading the House by saying that the Motion is being sponsored by "Hon. Kijana Wamalwa", who is deceased. We will agree if he says that "Hon. Kijana Wamalwa" is posthumously sponsoring the Motion. We owe him a lot of respect and he was a great leader.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Tong'i, sometimes you can correct Hon. Members here if their tongues slip. I am sure he wanted to refer to Hon. (Dr.) Chrisantus Wamalwa.

Hon. Gikaria: Hon. Temporary Deputy Speaker, it is unfortunate that my brother is just having some selective memories. I mentioned very clearly that I was here when Hon. Chrisantus Wamalwa was moving the Motion. I have specifically said that I respect him as a person who does strategic planning. He normally puts his case forward by presenting figures. What I was saying in my presentation is that he has not given us specific figures on how many applicants have applied and how long it takes for them to get their IDs. I want to be very specific because, through the Committee on Implementation, I have had interaction with the Government agencies that do this work. We had an opportunity to scrutinize the process of ID issuance when we were dealing with two earlier Motions. This is a security matter. The Government withdrew the centres of issuance of passports in Nakuru and other places because of security reasons. I totally agree that people come from different places to acquire identification documents. It is unfortunate that Hon. Chrisantus Wamalwa has brought this Motion. I think what he ought to have pushed for is on how best we can improve the system from application to the time you receive your ID. I do not think this Motion will see the light of day because of the implementation aspect. At the same time, I urge this House to insist on improving the systems from application to issuance.

The Temporary Deputy Speaker (Hon. Cheboi): Let us have Hon. Fathia Mahbub. Hon. Members, I know there is a lot of interest in this Motion. I am trying to balance. I will give you an opportunity. I can see Hon. Dawood flashing his card. Please, take it back for digitisation. I will give you an opportunity because I know you have been very patient.

Hon. (Ms.) Fathia: Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. I really support this Motion for decentralisation of ID issuance.

The Temporary Deputy Speaker (Hon. Cheboi): Just for your information, your card is one of those that do not reflect--- It keeps reflecting and going off. You need somebody to digitise your card, just like that of Hon. Dawood.

Hon. (Ms.) Fathia: That is noted, Hon. Temporary Deputy Speaker. I support this Motion for the decentralisation of ID insurance. Kenyans face many problems when they seek IDs. In my county, we have many youth who are waiting for ID cards until sometimes we feel that we are not part of Kenya. This is because of the delay. Centralisation of issuance of IDs

causes many problems. There is bureaucracy and some technical hitches. Sometimes, when the IDs are issued, female names turn out to be male names. I really support this Motion. If this is decentralised, people will be able to get their IDs at the right time.

Centralisation also causes loss of opportunities to our youth. We have many youth who are not able to register for their youth funds or Uwezo Fund because of lack of IDs. Lack of IDs also affects university students. I hereby support this Motion because lack of IDs has really caused many problems in our areas. In North Eastern region, we have a notion that we are given few opportunities because it takes nine or 10 months for our youth to get IDs.

I end by saying that this Motion is important because everyone faces the same problem in his or her county. Something has to be done so that registration and issuance of IDs is decentralised.

Thank you.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Members, I will now move to my left. I am looking at the top there. That is interesting. Let me give the Floor to the Member for Chuka/Igambang'ombe.

(Loud consultations)

Order, Hon. Members! When I follow the list, the top six members are to my right. I am trying to see how I can also accommodate the left.

(Loud consultations)

Order, Hon. Members! That is the position.

Proceed, the Member for Chuka/Igambang'ombe.

Hon. Njuki: Hon. Temporary Deputy Speaker, thank you for the opportunity. It is important for members to know that when you get here at 9.30 in the morning, you can talk as many times as you want. Hon. Temporary Deputy Speaker, you have been lenient because you gave a chance to members who just came in just because people had spoken earlier. I appreciate that.

At the outset, I support this Motion. I will seek an amendment to this Motion in a while.

The Temporary Deputy Speaker (Hon. Cheboi): As you have the Floor, let me tell you what I have been doing. I have actually skipped Member for Chuka/Igambang'ombe a few times. I have also skipped the Member for Molo and the Member for Kaiti. The reason is: I consider that they had spoken before in other business, which is actually unfair, but I thought that was the best position so that other members can have an opportunity. Hon. Members, you should come early and log in. Those are the top three members on my list here. I am going to skip them for a few more members. Proceed.

Hon. Njuki: Thank you, Hon. Temporary Deputy Speaker, for being uncorrupted. At the outset, I support this Motion. We are looking at a situation that used to be there before. It is not the first time we are seeking for the IDs to be issued from the county, sub-county or the district level. It used to happen and is the time when we never had very advanced technology and systems in place. We did not have the kind of communication we have at the moment. Now that we have Information and Communication Technology (ICT) systems which can interconnect the national identity cards issuance centre with the sub-county or the county, we can be online, just

like the way banks are at the moment. It is possible to issue IDs from the county and still be verified at the national level without necessarily having them being taken all the way to Nairobi for printing. I know that we used to have a limited time of two days after your fingerprints and photo had been taken and then we get our identity card. Today, it takes up to a number of months that we have been told about. This is possible and it can be done.

Issuing identity cards from Nairobi has increased corruption in this country. When you delay justice and service delivery, people get tempted to induce the officers concerned for the service to be delivered fast. Therefore, issuing identity cards at the county level will reduce the level of corruption in this case. We need to look at the reason why the initial system of issuing IDs at the county level was abolished. Why was it stopped? It was stopped because we had a lot of malpractices that saw foreigners being issued with IDs at the sub-county level. For security reasons, it became necessary to verify registration applications in Nairobi. At the moment, we have a devolved system of Government in place and it is possible to have security checks done right at the county level.

Lastly, the type of IDs that we should be getting today should not be the same as the ones that were issued in 1974. With ICT systems in place, it is possible today to have a smart ID, which has all your details instead of having many other cards like the NHIF and others that we normally carry around. It is possible to integrate all of them into one card and have verification done using mark barcodes so that we can take care of security issues as well.

With those few remarks, I support the Motion.

The Temporary Deputy Speaker (Hon. Cheboi): Let us now have the Member for Kisumu West.

Hon. Aluoch: Thank you, Hon. Temporary Deputy Speaker. This Motion could not have come at a better time. From what I have noticed since I came here at 9.30 a.m, Members across the Floor are supporting this Motion. This is a House of men and women of sound mind. Any Member who will oppose this Motion, his or her head is not correct, as my uncle used to say.

I have personal experience about some of the challenges that we undergo from the county to the sub-county levels in registration and issuance of IDs. In Kisumu County, I can say from first-hand experience that applications which have been submitted and correctly filled cannot be submitted to Nairobi because of lack of money for transportation. The County Registrar of Persons sometimes has to hire a *matatu* to bring them to Nairobi. Occasionally, he picks two trunks, puts them in the boot of his car and brings them to Nairobi.

In Kisumu West Constituency, which I represent, the Sub-County Registrar of Persons has heaps of documents which he cannot submit. Sometimes, as politicians, we think that we should fund-raise so that we can have the finances. The finances from Nairobi are distributed in a manner that is not equitable. Some areas of this country have the money to run ID registration centres while others do not have that money. Therefore, it is important for this Motion to be accepted across the Floor. That being the case, if we use the word “devolved” as a few Members have used it, we will make some mandarins at State House and Harambee House get very jittery. Let us stick to the word “decentralisation” as used in this Motion. All we need to do is to identify the challenges that officers on the ground have so that we work out resolutions on how we can get over those challenges. It is a question of getting these machines---

The Temporary Deputy Speaker (Hon. Cheboi): What is it, the Member for Kiambu?

Hon. Njomo: Thank you, Hon. Temporary Deputy Speaker. The Hon. Member has claimed that there are some areas in the country which have been financed for issuance of IDs

while other areas have not been financed. Could the Hon. Member be kind enough to let us know the areas which have money and those which have not been financed?

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Aluoch did not mention any particular area. It is his submission.

Hon. Aluoch: Hon. Temporary Deputy Speaker, Hon. Njomo wanted me to say it is Central Kenya. I did not say "Central Kenya". I would have wished to say so but I did not.

The Temporary Deputy Speaker (Hon. Cheboi): Let us proceed, Hon. Olago Aluoch.

Hon. Aluoch: Hon. Temporary Deputy Speaker, you understand why Hon. Jude Njomo is getting jittery. If we are going to make this Motion implemented, then we must go beyond just making it a Motion. That is important. We must look at how we are going to amend the National Registration of Persons Act to make decentralisation of registration of persons services mandatory. If it remains a Motion, it will be at the mercy of the Government and it will not be acted upon. As we approach the general elections, all Members have agreed that it is important that we decentralise registration of persons services, so that all Kenyans who need IDs can get them.

When we go to the sub-counties, it is very common to find men and women who have been having waiting cards for over a year. Such persons are not able to travel to Nairobi to find out if their IDs are ready. There is a number you can dial and get information from the Office of the Registrar of Persons in Nairobi whether you have been registered or not. Most of the time, you are told that you are not yet registered. Coming to Nairobi is not an easy thing.

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

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

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Your time is over, Hon. Aluoch. Well spoken.

Hon. Richard Makenga is the first one on my request list.

Hon. Makenga: Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this very important Motion brought by Hon. Chrisantus Wamalwa. This Motion has come at the right time when decentralisation of issuance of national IDs should be taken to the counties. Acquisition of IDs in this country has become a nightmare.

(Loud consultations)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order, Hon. Members! Let us have the Member make his contribution in a manner that we and the public can hear. This is a House of debate.

Thank you.

Hon. Makenga: Thank you, Hon. Temporary Deputy Speaker. Acquisition of IDs in this country has become a nightmare. Being a basic right for everyone to have access to an ID, it is important for us to identify the root cause of non-issuance of these documents in the country.

Identity cards can be issued at the school level, as Form Four students leave school. That would reduce the number of applicants who have not acquired identity cards (IDs).

The other impediment is that there are people with no IDs especially newly married women. Whenever they go to the registration officers, especially in my area, they are requested to avail a marriage affidavit, which is sometimes very difficult to access. As you are all aware, where I come from, to pronounce the word “affidavit” is very difficult. They pronounce it as “David”. So, it becomes very difficult for them to access it.

There is delay in issuance of IDs. There are many IDs lying in chiefs’ offices and you wonder why, since they know these people, they cannot liaise with village headmen and managers to look for the owners. It should be compulsory for every Kenyan to have an ID. The question of waiting until somebody is over 30 years should not be there. We are living in a digital era and we should have IDs instantly.

It is sad to learn that in as much as we are in the digital era, fingerprints are still being taken using bars and ink while the modern way should be biometric.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Your time is over. Hon. Members, please, let us plan for our five minutes. We have an amendment, but before we move it, please, allow me give to Hon. Dawood a chance.

Hon. Dawood: Thank you, Hon. Temporary Deputy Speaker. My card is not working and that is why I am at the Leader of the Majority Party’s seat. I support this Motion regarding IDs. I want the perception out there and among some of my fellow Members of Parliament that 90 per cent of registration officers are from Central Kenya to be erased. It is not true. We will not have integration or cohesion in this country if we still stick to ethnic backgrounds. We have a problem in most of our counties. I agree with Hon. Olago that we should decentralise and not devolve. We do not want to put more burden on county governments and governors because they are already overburdened and cannot handle many of the functions they are given. Adding them more functions will be creating a Pandora’s box.

We have a problem with issuance of IDs especially in my constituency and the entire Meru County because we border Isiolo County. People have lived there for long. A fourth generation of people and their children who are born there are being asked to go all the way to the Northern Frontier counties to the chiefs to be given IDs which is not fair at all. Sometimes IDs are not given to members of the Asian community. They are asked to bring their grandfathers’ and great grandfathers’ IDs. We need to integrate and know our people and those who are not our people. People have been born there as the third generation. We should have a criterion where you are not told to bring your great grandfathers’ birth certificate. We need these services right to the bottom. Two months ago, I was in my constituency donating sports equipment and we were doing ID registration. We had a problem since some of the chiefs were not available to sign forms. Some of them would just ignore. Even if we decentralise this process, chiefs need to be there. Deputy County Commissioners (DCCs) and Assistant County Commissioners (ACCs) ought to take control without which we will not achieve anything.

We need to issue IDs early enough especially to students before they leave Form Four. It is easier to get a passport than to get an ID. The requirement for getting a passport is an ID. This is a wrong requirement. If you are 30 years old and you do not have an ID, it means that if you get an opportunity to travel outside this country, you cannot travel because you will not get a passport. That requirement is not good and should be removed.

In my constituency, we have women who are about 80 years old, but who do not have IDs. I interacted with them in January. If somebody has to inherit anything from her husband, it will be impossible due to lack of an ID. So, we need to be fast. I thank Hon. Chris Wamalwa for bringing this Motion. We need to enact it as soon as possible. I ask the people to register as voters upon getting IDs because voters cards are important and will help us. I believe we in Jubilee are coming back.

Hon. Oyoo: On a point of order

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us have the Member for Muhoroni. It is a serious point of order. Let me hear what your serious point of order is.

Hon. Oyoo: Thank you Hon. Temporary Deputy Speaker. I am rising under Standing Order No.95. Given the mood of the House and given that many Members have spoken to this Bill and there is no serious opposition to it from across the divide of the House---

Hon. Members: No!

Hon. Oyoo: Hon. Temporary Deputy Speaker, also given that the next Bill sponsored by Hon. Wanyonyi is still speaking on registration, I suggest that the Mover be called upon to reply.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): I have listened to you. Hon. Members, the Member for Muhoroni stood on a very serious point of order. From where I sit, the mood of the House is that we do not go that way. Hon. Members, I decline because it is a Motion that has the interest of every other Member. For this matter, I must report to the House that I have 33 requests and I am going to give you opportunity to speak.

So, going back to Hon. Oyoo's sentiments, Hon. Members, if you are repeating what has been said, please, go to the point and make your contribution. Let me have the Member for Siaya County.

Hon. (Ms.) Ombaka: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I want to highlight the importance of an ID first by saying that it makes you a Kenyan. People know that you are a Kenyan. Without an ID, you are stateless and nobody can tell whether you are a Kenyan or not. Therefore, it is a very important document that every Kenyan must own.

However, there are challenges in terms of gender issues. The women of this country, including myself, have had a huge challenge in getting IDs. Up to now, I am using my passport because it is easier to get it as my colleague earlier stated. I got my passport in two days. To get an ID takes one year. There is that difference. We need to fast-track the issuance of IDs. The reason there is apathy is because of these challenges. It takes so long. Money passes from one hand to the other and people wait for so long that nobody wants to get an ID any more. There is a lot of frustration in the processing of IDs. Even dead people need IDs when there is mass murder, so that individual bodies can be identified for burial. That is the extent to which an ID is important. I agree with the suggestion that issuance of IDs must commence at secondary schools. These are the young people who need IDs. They are the ones who encounter challenges when they get out of school and apply for IDs. We should, therefore, issue them with IDs before they complete high school, so that by the time they complete Form Four, they can proceed to college or get employed.

Older women in the village suffer greatly. When you send them money through *Mpesa*, they use relatives' telephone numbers to get the money because they do not have telephone lines because they do not have IDs. When you send them money through *Mpesa* using somebody else's mobile line, the recipient of the money takes part of the money. That is why it is important

to quickly facilitate issuance of IDs. Women suffer a lot. They are asked to go home to their fathers to get certain rights or signatures in order to get IDs. Women have special needs which require special attention to ensure that nobody disturbs them or wastes their time.

Chiefs play a very important role, but they need to be facilitated. That is why they ask applicants for money in order to get IDs. It is true there is decentralisation to some extent because the initial process of applying for IDs takes place in the village. What is not decentralised is the actual processing of IDs that are brought to Nairobi. Members of Parliament will have to help by ensuring that the entire process goes back to the communities they represent. Members of Parliament have begun to take part in the registration, collection and distribution of IDs to members of the public because the people who are supposed to do that work have failed in their duties. They have made Members of Parliament to do the work they are supposed to do. That is a challenge we need to address. Where should IDs be collected and how long should it take to be processed? Can it take two days or three months? If so, why do we not do it? Kenya being a digitalised country, the process can take two days. I do not understand why it takes a year for one to get an ID. Let us look at how long it takes to register, so that everybody can have an ID. The year 2017 is around the corner. There is a huge rush for acquisition of ID. At the same time, there is a rush for voter registration. Why should this happen? We should be doing this continuously from January to December each year. We should not wait until we have only a year to the general election.

With those remarks, I beg to support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, we have an amendment to this Motion from Hon. Mutahi Kimaru. Please, allow him to move it.

Hon. Kimaru: Hon. Temporary Deputy Speaker, I beg to move that the Motion be amended by inserting the words “and passports” immediately after the words “identification cards”.

Hon. Temporary Deputy Speaker, I do not know whether I have to read out the whole Motion as amended, but the effect of my amendment is that passports, which are also very important documents, should be issued at the county level or at a more devolved level than the county headquarters. If passports are issued at the county level, it will help Kenyans especially those who want to travel out of the country for business. They will acquire passports easily.

The national ID has functionality within the country, but we are going global starting with the East African Community. Many Kenyans travel abroad including to China and other countries. My son wants to go for a trip soon, but he cannot get a passport at the county level. People have to travel to far places in order to access such vital documents. If those services are taken to the local level, it will be easier for Kenyans to do business and interact with other members of the global community. Travelling all the way to Nairobi creates a lot of hardships for Kenyans. The passport issuing centre for my constituency is Nairobi. There is no need for somebody to travel from Nanyuki to Nairobi with all the congestion in order to acquire that vital document. In a country like ours, which prides itself of being digital, such services should be decentralised. Being digital is not just about being rhetorical about it. It is about the practicability of what we promise to do. I do not see why people have to come to Nairobi to acquire ID. Why does the process have to take place in Nairobi? We can have a centre domiciled in Nairobi for people who can access that particular centre. If those services are decentralised, IDs and passports will be processed at the county level without necessarily compromising on security and efficiency. It is possible to carry out all those functions at the county level. I need not say much

about the importance of IDs. That cannot be gainsaid. The IDs and passports are needed in every function that we undertake. For instance, banking and *Mpesa* services which have become part of our economic and social lives cannot be accessed by somebody who does not have those vital documents.

The cause of the slow pace at which these documents are processed is not insecurity. Let us disabuse ourselves of the notion that slow speed gives us more security. It is inefficiency, lethargy and ineptitude of the officers involved. Whereas we are supposed to ensure more efficient governance, we still have the same lethargic and inept Civil Service. We are still slow yet we say we are moving forward. We are amongst the middle level income countries in the world, but do we have much to show for it? We continue doing things in the same way we used to do a long time ago when nothing could be processed as fast as they should. It is important to have a timeframe within which an applicant should have an ID.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Your time is over. Who is your seconder? Of course, it is a very short amendment. You will still have a right to speak to the amended Motion, if your amendment is carried. Who is your seconder?

Hon. Kimaru: Hon. Washiali.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Washiali to second.

Hon. Washiali: Thank you, Hon. Temporary Deputy Speaker. I would like to thank my friend, Hon. Mutahi, for giving me the opportunity to second the amendment. This amendment is meant to improve the Motion by including passports because IDs and passports are documents of identification. It is only that IDs are locally recognised while passports are internationally recognised as a way of identifying the origin of the holder.

I am seconding this Motion and supporting my brother, Hon. Mutahi, because I have had a personal experience. At one point, we were visiting the Peoples' Republic of China and China has a system of governance similar to Kenya. The difference is that other than counties, China has provinces. We were visiting one of the provinces and we realised that our visas were almost expiring. We did not need to go back to the headquarters of China, Beijing, to seek extension of our visas. We sought extension of the visas from the province and it was accepted and we were able to extend our stay in China just out of the efficient way of operation of the Chinese Government.

We are talking of efficiency. At the Independent Electoral and Boundaries Commission (IEBC), we can register as voters within seconds. If Kenyans became serious, we can also issue IDs to Kenyans within minutes. Just as the Mover of this amendment said, in this digital era, we can have the main server in a central place like Nairobi, but have it accessible by other computers stationed in the counties and sub-counties. We could as well print IDs and passports, as we are proposing, right in the countryside. As we talk of registration, we need also to be talking of what we need to do to access this.

The former contributors were sort of insinuating that the blame is on the current Government. The problem with issuance of identification documents has not started with this Government of Hon. Uhuru Kenyatta. The problem has been there before, even in the last Government of Hon. Mwai Kibaki and Prime Minister Hon. Raila Odinga. If there was any need of improvement, they should have also improved the situation at that time. So, the blame should not be apportioned to this Government only. It should be apportioned to the preceding Governments as well.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Washiali, let us avoid mentioning names of people who are not in the House. You have only one minute. Just concentrate on the amendment, please.

Hon. Washiali: Hon. Temporary Deputy Speaker, I wish to second the amendment.

(Question, that the words to be added be added, proposed)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Can I make this Communication in regard to the amendment? If the amendment is carried, we will debate the previous Motion as amended and if it is not carried, we will go back to our original Motion. Is it the feeling of the House that I put the Question?

Hon. Members: Yes.

*(Question, that the words to be added be added,
put and agreed to)*

(Question of the Motion as amended proposed)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, we are now going to debate the Motion as amended. The amendment by Hon. Kimaru has been carried which is insertion of the word passports.

The Member for Kitui East.

Hon. Muluvi: Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion by Hon. Wamalwa.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Motion as amended, Hon. Members.

Hon. Muluvi: Yes, I support the Motion as amended. I do not want to repeat what has been said, but I have three issues to address. One of the issues is that of delays from Nairobi where IDs are produced before they get back to the sub-counties. One of the major challenges has been corruption. If you have Kshs100,000 today, you can go to Nyayo House and by the end of today, if not tomorrow, you will have an ID or a passport. We must, as a nation, address the problem of corruption in the issuance of IDs and passports. It has to be how we want it to be. For example, towards the 2013 General Election, between 2010 and 2012, and I am talking about Kitui County, people who had applied for IDs did not get them until the elections were over sometimes in April or May 2103. What made that delay? That is the more reason I am saying the Jubilee Government has been very categorical that if you are 60 years, you must pack and go.

As I talk, a Mr. Kumutho, who was in charge of registration of persons has retired, but has been recalled from retirement to come and facilitate registration of persons. In my view, it is being done in bad faith because this is not a technical office. Deputies can take over the office. I want to challenge the Government. Why do you recall somebody who has gone home to come and oversee a process? For the IEBC to be seen by Kenyans to be independent, then even the process of issuing IDs and passports, which is tied to voter registration, must be transparent. These are very important documents. So, corruption must be addressed. Even if the service is going to be decentralised to the counties, which I support entirely, for us to get into the 2017 elections, corruption must be addressed. That is why there is a low turnout of Kenyans

registering as voters in the ongoing registration exercise. When IDs are taken to chiefs, we want to challenge the Ministry of Interior and Coordination of National Government to tell the chiefs to release them as a matter of urgency, so that in the remaining days, Kenyans can register as voters. The chiefs know whose IDs they are holding.

With that, I rest my case.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): You rest your case or you support?

Hon. Muluvi: I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): You rest your case as you support. The Member for Molo, Hon. Jacob, is on top of the request list. Members, I have 25 requests, so be patient.

Hon. Macharia: Thank you, very much, Hon. Temporary Deputy Speaker. I have been very patient. As I rise to support this Motion as amended by Hon. Chris Wamalwa, there are over 5,000 IDs that are lying in chiefs' offices and in the office of the Registrar of Persons in my constituency. My constituents have been trying to get them and have given up.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Sorry, I will add you one minute. Let me make this contribution, please, so that we can listen to Members and our five minutes are spent well. If you need to consult, do so with the Clerks-at-the-Table and they will give advice where possible, so that the Speaker can concentrate.

Hon. Macharia: Should I go on?

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Carry on.

Hon. Macharia: Thank you. I was pointing out that my constituents have been making endless journeys to the Registrar of Persons offices trying to get IDs and some of them have had waiting cards that have finally got lost or been tattered. It is constitutional in this Republic that Kenyans have a right to be registered and issued with IDs. It is not a favour and, therefore, Kenyans should not be made to beg to be registered and given IDs. It is important that this important function is decentralised up to the county level and at a later point to the sub-county level.

People are opposing this Motion because of fear of insecurity and probably foreigners and other people getting IDs when it is decentralised. This country has a system of application of IDs and passports, which should be decentralised. I know you can apply for a passport from Nakuru and also Kisumu. This has not been abused. Therefore, decentralisation of the issuance of IDs should also not be abused because the system should be good and working.

I am also aware that our Registrar of Persons sometimes makes endless journeys to Nairobi trying to look for IDs. I do not see the reason why the application for IDs and registration of Kenyans should not be made online just like we have done with passports. Verification can be done at the sub-county level and people can apply from wherever they are and notified if there are issues with their IDs. An ID is a very important document for transaction of business in this country. I am aware that my constituents and other Kenyans especially married women hold onto their old IDs because they fear applying and then keep going to the registration office to look for them while using a waiting card.

I support this Motion as amended. It will make it possible for Kenyans to quickly get IDs and register as voters and easily vote for the leaders they would like to have.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Member for Igembe Central, Hon. Kubai Iringo.

Hon. Kubai Iringo: Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. I stand to support the Motion as amended and thank the Mover and the Member who brought the amendment. Passports and IDs are just one and the same thing because they serve almost the same purpose. They are an entitlement to every citizen in this country and more so to those who need to use them for various purposes.

This Motion is timely. As I speak, we have a crisis in this country as far as issuance of IDs and voters' cards is concerned. It is becoming a big problem. The country is in the election mood and the IEBC is giving those who have not registered as voters an opportunity to register. It is unfortunate because the people who need IDs are more than those who need to register as voters. You find them just waiting there for people to come and register. Many people would wish to do that, but they do not have IDs because of the complexity, ambiguity and slowness of issuing IDs.

There is a lot of backlog to the extent that I do not know when it will be completed. In the digital age when biometric is the way to go, I am surprised and worried that the Immigration Department has not thought about going that direction. They keep on piling papers in the sub-counties and counties. They do not even have a vehicle to carry the documents to Nyayo House in Nairobi. Sometimes they even use *matatus* to transport the documents. It is weird for a country to be registering her people that way. At the end of the day, when they get to Nyayo House, you find piles and piles of documents and they will never get back to the owners. The owners keep on going to the original place of registration for a week, a month or two and many of them despair. When their IDs come, they have already despaired and you find another backlog of IDs not being collected.

I find the way we are doing it very absurd. It is high time the Government invests in new technology, so that the system can be decentralized. We should have connectivity such that if you give a serial number in Garissa or Isiolo, it cannot be duplicated in Meru or Kisumu. They argue that if they decentralise the process, there will be forgery of IDs. If there is a database of all Kenyans and we know naturally that finger prints are different, I do not see why we cannot embrace technology which can identify an individual wherever they register.

On the bureaucracy of doing the same, why should somebody who can be identified by a parent who is a Kenyan or a chief who has been tasked with the job of overseeing a location, be asked to bring other things like the father's ID or other documents from the church. It becomes very cumbersome. This is getting a lot of people not to register. On corruption, because they know the problems we have especially in Nyayo House, officers wait for people to bribe them, so that they can process their IDs and those who do not bribe them do not get IDs. It is important for corruption to be looked into.

On materials, today I got a message from the registration office in my constituency requesting me to buy them ink for fingerprints and toner for their machine to print photographs. They do not have money and stationery. I have a message here requesting me to buy those gadgets for them as the area Member of Parliament whereas there is Government allocation for that. They should style up and move fast on this one.

Hon. Temporary Deputy Speaker, I support the Motion with amendments.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Yes, support the Motion with amendments. Let me get a Member for Taita Taveta, the Member for Mwatate Constituency.

Hon. Mwadime: Shukrani Mhe. Naibu Spika wa Muda, ingawa nimeketi kwa muda mrefu mno. Nasimama kuunga mkono Hoja hii ambayo imerekebishwa. Hoja hii, kwa kweli

kabisa inaambatana na Katiba yetu kuhusu ugatuzi. Sisi ambao tuko karibu na mpaka tuna matatizo mengi sana wakati tunatafuta vitambulisho lakini tukipitisha Hoja hii, haya matatizo yatapungua. Imekuja wakati mwafaka, mzuri na sawa sawa kabisa.

Ningependelea, ikiwezekana tuweke marekebisho mengine maanake mtoto anapozaliwa anapata cheti cha kuzaliwa na vile vile wakati huo huo akitafutiwa pasi ya kusafiri nje inapatikana. Ingewezezana pia kitambulisho kingepatikana wakati huo huo. Vile vile, kuna Cheti cha Tabia Nzuri kutoka kwa maafisa wa usalama kinachoitwa kwa Kiingereza, *Certificate of Good Conduct* ambacho pia kinasumbua sana vijana. Tungesaidika sana ikiwa vyeti hivi vingeshikanishwa vyote kwa pamoja. Pia kuna nambari inayotumika katika *National Treasury* inayoitwa Integrated Financial Management Information System (IFMIS).

Sioni sababu gani vitambulisho visigatuliwe. Vikigatuliwa, wananchi wengi wataweza kupata vitambulisho. Kwa sasa hivi, kuna wazee, kina mama na waume ambao wako zaidi ya umri wa miaka 50 ambao bado hawana vitambulisho kwa sababu ni gharama kubwa kwenda kila saa kwa afisi kuulizia kuhusu hivyo vitambulisho. Wale maafisa hawako kule mashinani. Vitambulisho hivyo vikishapelekwa pale afisini Nairobi, kufuatilia inakuwa vigumu kwa sababu hujui ni wakati gani vinatoka. Lakini vikigatuliwa, kulingana na Hoja hii, Wakenya watasaidika kwa kupunguza gharama, muda na zile nguvu ambazo mtu anatumia kuvitafuta vyeti hivi.

Wenzangu wameongea mengi. Naunga mkono Hoja hii na hayo marekebisho ambayo yamefanyiwa na Mheshimiwa sasa hivi.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Asante sana kwa kuunga mkono Hoja hii. Let us have Hon. Manje, Member for Kajiado North.

Hon. Manje: Thank you, Hon. Temporary Deputy Speaker for giving me this chance to contribute to this good Motion. I want to be among the few Members who oppose the Motion.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Are you opposing the Motion?

Hon. Manje: I oppose the Motion because of the main idea behind it. The main idea is that the author of this Motion wanted decentralisation of registration of IDs and now passports. That even makes it worse. In the morning, I had intended to support my colleague when we met in church, but when you consider the technicality of the Motion, it is not in good faith. If registration and issuance will be done at the county, what is happening in the county may affect the issuance of IDs. Identity Cards and passports are documents that are highly respected internationally. If, for example, a passport is issued by a particular county like Kirinyaga or Lamu County, will it be respected internationally? That is a very big question. It might not be respected. The proposer of the Motion said in the morning that before you employ a house-girl, you need to see her ID. What would happen if that house-girl comes from Kitui or Murang'a counties? Will you respect that ID? Will you respect your watchman's ID if he comes from Murang'a County? We want to dilute what we already have. We should put emphasis on the speed of issuance of IDs. We should check how they are distributed. Let registration remain central. Otherwise, we continue to divide our country.

Chris Wamalwa, I oppose your Motion although I had earlier pledged to support it. I do not see its content. I oppose because Kenya is, to some extent, divided along county lines.

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

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Manji, let us hear the point of order from the Member for Turkana East.

Hon. Ngikor: Hon. Temporary Deputy Speaker, is the Member in order to mislead Kenyans because they are watching, by saying that giving Kenyans an ID will divide Kenyans while it is a right for all Kenyans to get IDs?

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Manji, can you better phrase your message?

Hon. Manje: Suppose a county wants to remain isolated and then you give it the autonomy to issue IDs, what will happen? There are those documents that have to be issued nationally. If we want to remain united as a country, there are those functions that have to remain with the national Government and be centralised. One of them is documentation. In this country, issuance of IDs is one thing that we have done right. It is only the process that is not very effective. If you talk of decentralising and taking the function to the county, are you not aware of *e-citizen* which is a national issue?

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Manji, even as you contribute, it is important to also look at the content of the Motion. It is not about devolving the function to the county, but decentralisation from the national Government. It is important to note that.

Hon. Manje: Then the title of the Motion will change. If you want an ID, you go to the chief. Registration is done at that point. I thought Chris Wamalwa wanted everything to be issued at the county level such that IDs are produced at that particular point and then issued there. That is the content. Otherwise, that document will not be respected in various areas. For example, if you are issued with an ID from your county, will it be respected by the Nairobi County Government when it comes to transacting business?

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

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Chris, are you standing on a point of order or a point of information? I will give you a chance to contribute on a point of information.

Hon. Wakhungu: On a point of information, Hon. Temporary Deputy Speaker. I am the Mover of the Motion. I want to tell Hon. Manje that there is a difference between decentralisation and devolution. They do not mean the same thing. The Member is mistaken. That is why the Motion talks about decentralisation. In the Fourth Schedule of the Constitution, matters of registration of IDs fall under national Government function. We are decentralising the function and not devolving it.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Thank you, Hon. Chris. I was trying to tell the Member to read the content of the Motion. You are now informed. You have one minute.

Hon. Manje: Thank you, Hon. Temporary Deputy Speaker. I am very well informed now. That is what Huduma Centres are trying to do. When we went to the Huduma Centre in Eldoret to check what they are doing, all the registration is done at that point. The only problem is that it takes about two weeks for somebody to come to Nairobi and collect the document. We should improve distribution of IDs. How fast do they get to our citizens? This is a very important document.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Your time is over. Very well contributed. The message is passed. Let us have the Member for Isiolo, Ms. Galgallo.

Hon. (Ms.) T.G. Ali: Thank you, Hon. Temporary Deputy Speaker. I stand to support the Motion as amended.

The current situation on issuance of IDs is a national shame if not a disaster. Three days ago, I was in my constituency and was embarrassed to be informed by my constituents that Kenya Army officers were stopping vehicles on the way, picking out ladies, men and the elderly because they did not have IDs. It is not the mistake of the community that they do not have IDs. On the Moyale-Marsabit Road, there is a whole contingent of Army lorries that are picking up people who do not have IDs. They are being harassed. Many of them have resorted to showing their left hand, which has the polio scar to be identified as Kenyans. Many of them have been beaten and taken into police custody because they do not have IDs. There are over 500,000 youth, elders and women who do not have IDs in Isiolo.

We have about 54,000 registered voters and over 500,000 who have not been registered. This denies them the right to vote, get services and employment opportunities. I have a case of seven university students who cannot access loans from the Higher Education Loans Board (HELB) because they do not have IDs. They have been sent home and have dropped out of school because they do not have IDs. This is discrimination. This is trying to curtail their rights to own IDs. In my constituency, I have encountered women who do not have IDs for their children because their fathers have refused to part with their IDs. This is a serious issue that also needs to be handled.

As we discuss the issue of IDs, there is double standard in policy formulation. We know quite a number of counties especially Isiolo, Marsabit and Moyale where, for example, a person who does not belong to the county or has not lived in the county for a long time should not be given an ID. We have people who have moved from different parts of this country to Isiolo, Marsabit and Moyale and they can easily get IDs because the vetting process favours them. Many of them have denied the local community job opportunities because the local communities cannot get IDs. We have police recruitment, judicial jobs and many others which the local community cannot access because we are sharing with other communities who have moved into the area and the vetting process supports them. This minority group which has been disadvantaged for many years should not be punished for things they have not called for. They should be given an opportunity to get IDs as soon as possible. It is easier to get a passport than getting an ID. Many parents are now flocking immigration offices to get passports for their children, so that they can register as voters. As I support this Motion, we should either give Kenyans IDs or we stop voter registration because it is not going to be fair. We are going to disadvantage areas that are supposed to be getting more voters.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Thank you, well spoken. Let us have Hon. Wanyonyi, Member for Kwanza.

Hon. F.K. Wanyonyi: Thank you, Hon. Temporary Deputy Speaker for the opportunity. After waiting for about five hours, I have finally got an opportunity and I want to thank you for it.

First and foremost, I want to thank Hon. Chris Wamalwa. He had pressure from his constituents and Kenyans because of the long wait. The import of this Motion is to decongest the National Registration Bureau where for years, IDs take a long time to be released to candidates. This Motion will go a long way to decentralise registration to the county, so that we can decongest the National Registration Bureau. As explained by many others, it takes a long time to get an ID. At the same time, these people do not even have materials. I have been asked many times to provide, for example, printing materials, which I have been doing in bundles. I buy and

take them to the clerks to print photographs of the applicants. I call them candidates because they are the ones waiting. Most of the time after the applications, they have to bring forms all the way to Nairobi.

In most cases, I have been requested to facilitate their movement to Nairobi. This, in itself, leads to inefficiency. Sometimes, there is corruption. People wait for four, five or sometimes eight months to get IDs.

By decentralising this process, we will also create jobs in the counties. Instead of having them in Nairobi, various counties will have clerks working in this office. When an ID has been processed, you find that photographs have been given wrong names. It is easier for us to correct it at the county level rather than after it has come to Nairobi. Sometimes it is thrown away. You find that some of the IDs take a long time because photographs were mismatched. For example, the face of Mr. Wanyonyi appears on an ID belonging to Jane Wambui. So, that kind of a thing has been there. That kind of inefficiency has caused delay.

We have cases where somebody travels all the way because they need the ID to process either a loan or sometimes get funds from the Uwezo Fund and other services. He is forced to come all the way to the NSSF Building in Nairobi. Going to the NSSF Building should be a thing of the past; we are in the 21st Century. Let us move to the county and decentralise services.

I have no other contribution to make, but because of those inconveniences, let us move to the county, decentralise the system, so that we can speed up delivery of services to our people.

I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Next on my request list is the Member for Kathiani, Hon. Mbui. Hon. Members, let us not repeat ourselves. Please, use your time well, so that we can give other Members an opportunity.

Hon. Mbui: Thank you, Hon. Temporary Deputy Speaker. I will try to do exactly that.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): I did not mean you. I just talked generally.

Hon. Mbui: I was on my feet when I heard.

Hon. Temporary Deputy Speaker, I want to begin by saying that about three days ago, I was in my constituency in a sub-location called Kauti. I had a nasty experience with some youth. One young man told me that he has been trying to get an ID for the longest time possible. I think he was implying that he has to part with some money to get this document. He was talking out of frustration. In the same meeting, I also talked to some women who also shared experiences of being made to part with money to get affidavits from legal officers, so that they could get IDs and change the names from their parents to their husbands.

The costs and the delays of getting IDs are a major problem in this country. I believe, as Members of Parliament and as representatives of the people, all of us here took an oath of office when we came that we were going to defend the Constitution of this country. If you allow me, I would want to point out Chapter 4 of the Constitution on the Bill of Rights. Note what it says about the rights of citizens of this country. Article 38(1) provides that every citizen is free to make political choices which include the right to form political parties and to participate in political party affairs. Article 38(2) provides that every citizen has a right to free and fair elections. Article 38(3) says every citizen has a right to be registered as a voter and to vote.

All these rights are banked on the fact that every citizen requires to have an ID. Without it, you cannot form political parties, you cannot participate in elections, you cannot vote and people cannot vote for you.

As a Member of Parliament who has accepted to defend the Constitution, I support that IDs come to our people in the nearest and easiest possible way. When IDs are issued in the city and bearing in mind the size of this country, there are a lot of delays in getting them. It is important that this function is decentralised and IDs are issued at the regional level, so that people can get IDs in the fastest way possible.

Hon. Temporary Deputy Speaker, since the advent of multipartyism, every election in Kenya has been contested. Every time after elections, people say they were rigged out and lost because of certain reasons. Immediately after the last general elections, as a Member of the Coalition for Reforms and Democracy (CORD), hundreds of IDs were released in my constituency. People got their IDs immediately after the elections meaning they did not vote yet they had already applied for them. The IDs were ready, but were held in the city. Decentralising this function will mean that IDs will be manufactured within our counties. Delays and IDs being kept until after elections will be a thing of the past and people will benefit. I believe that was a kind of rigging and we hope it does not happen again. I strongly support that we decentralise the issuance of IDs.

There are many other benefits of having IDs including carrying out *Mpesa* transactions and looking for job opportunities, which the Mover has clearly articulated.

I support and urge all Members to agree with us that we decentralise issuance of IDs.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Member for Kabuchai Constituency, Hon. James Mukwe.

Hon. Mukwe: Hon. Temporary Deputy Speaker, the issue of IDs is very important. Those who are mostly affected are the youth and newly married women.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Member for Kabuchai Constituency, please, lift your microphone so that you are on record.

Hon. Mukwe: Hon. Temporary Deputy Speaker, I recently heard on radio the Head of State giving a directive that those newly married women must be given IDs without being sent back to their fathers to get letters to access IDs. Chiefs have not adhered to that directive because these people are still being told to go back to their parents to get letters to allow them to get IDs. This is becoming difficult for the people. Students are not even accessing loans from HELB. IDs are very important.

As a Member earlier mentioned, after the 2013 elections, we received over 4,000 IDs in April. We questioned why such a thing was happening in certain constituencies. Some of my constituents who crossed to Uganda during the tribal clashes in 1982 and 1997 have come back, but it has been very difficult for them to get IDs because they are told they are not Kenyans. They are told that they are Ugandans yet they only ran away because of tribal clashes. Up to now, they are not resettled and some were evicted from their land. People who were evicted from their land in the 2007/2008 Post-Election Violence (PEV) have already been resettled yet these ones are still loitering in towns and shopping centres without anywhere to settle.

Members have talked about materials like printing papers and application forms. This even forced me to travel from my constituency during the recess to come to Nairobi to get application forms. By extension, we are also asked to give money to buy printing papers. So, we are asking why the Jubilee Government cannot fund the process.

Hon. Temporary Deputy Speaker, issuance of IDs must be decentralised, so that people access this important document in time. As of now, people are registering. Those who do not have IDs are not going to register and the process is going very slowly. We feel that if it is going

to be decentralised, most of our youth are going to get IDs. We have old people. If a 70 year old person loses an ID and goes for a replacement, it takes a lot of time. As it takes a lot of time, these people are demoralised. They never go back to look for the IDs because the process is too long. It is important that the issue of IDs is decentralised.

We are in the era of the *Al Shabaab* and if you are found loitering on the road at night, you are asked for an ID. If you do not have it, you are charged and even jailed for six months. This should not be the fault of the individual, but it is because the process takes too long.

In my constituency, some people applied for IDs in August last year, but up to now, they have not received them. When you ask why the process has delayed, you are told that materials are not available or that the process is taking too long in Nairobi. So, it is good for this process to be taken to the counties, so that people can access this important document.

With those few remarks, I support the Motion as amended.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): You support the Motion as amended. I have 16 requests, Hon. Members. I am sure we will all get time to speak. The first one is Hon. Francis Kilonzo, Member for Yatta.

Hon. Kilonzo: Thank you, Hon. Temporary Deputy Speaker. I rise to support this Motion as amended. I thank the Mover of the Motion, Hon. Chris Wamalwa.

It is the right of every Kenyan to own a national ID. Many of the speakers have alluded, and I agree with them, to the fact that IDs are everything. It is life in this country. Without an ID, you are not even a Kenyan. It means that people who have attained the age of 18 years and have not acquired this document are not Kenyans by law. It is very important that we decentralise the issuance of IDs, so that we can reduce the level of corruption attributed to the process.

I would urge that as we agree as a House to decentralise issuance of IDs, we should also ensure that there are better and improved ways of making sure the documents are obtained or issued at the lowest administrative unit, namely the sub-location. We should also have a mechanism of follow up to ensure that the document is accessed by every Kenyan within that particular locality. By doing that, we will make life easier for most of our people.

Lastly, Yatta is an expansive constituency. For the disadvantaged groups like women and the youth who do not have money in their pockets, it becomes a challenge for them to apply and follow up on the process especially when it entails travelling from one sub-location to the constituency. They spend days at the sub-county level trying to follow up on the process of the issuance of the document. By decentralising issuance of IDs, we will reduce distance and time wastage.

I support this Motion as amended.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, I must appreciate the interest from the Members. I have 11 requests. I appreciate the Members for Roysambu, Igembe North, Mosop, Wajir, Vihiga, Gilgil, Seme, Budalangi, Kimilili and Turkana East. Hon. Members, this is a House of rules and procedures. This Motion will continue for 20 minutes in the next sitting.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): It is now time to interrupt the business of the House. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 1.00 p.m.