

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 23rd August, 2016

The House met at 2.30 p.m.

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

PRAYERS

(Several Members stood at the Bar)

Hon. Deputy Speaker: Hon. Members, we are waiting for those at the door to settle down. We can now start business because we are properly constituted.

MESSAGE

APPROVAL OF THE MEDIATED BILLS

Hon. Deputy Speaker: Hon. Members, I have a Message to convey. Can those who are standing including Hon. Koinange sit down? Hon. Members, I have a Message from the Senate concerning the approval of the Mediated Version of the Community Land Bill, National Assembly Bill No.45 of 2015, the Land Laws (Amendment) Bill, National Assembly Bill No.55 of 2015 and the Water Bill, National Assembly Bill No.7 of 2014.

Hon. Members, Standing Order No.41 (4) requires the Speaker to report to the House any Message or Messages received from the Senate at the first convenient opportunity. In this regard, I wish to report to the House that on 22nd August, 2016, I received Messages from the Senate on the following three Bills:-

- (i) Approval of the Mediated Version of the Community Land Bill, National Assembly Bill No.45 of 2015;
- (ii) Approval of the Mediated Version of the Land Laws (Amendment) Bill, National Assembly Bill No.55 of 2015; and,
- (iii) Approval of the Mediated Version of the Water Bill, National Assembly Bill No.7 of 2014.

Hon. Members, you may recall that the National Assembly had approved the Mediated Versions of the Community Land Bill, National Assembly Bill No.45 of 2015 and the Land Laws (Amendment) Bill, National Assembly Bill No.55 of 2015 on Thursday, 4th August, 2016 and that of the Water Bill, National Assembly Bill No.7 of 2014 on Wednesday, 10th August, 2016.

Accordingly, I will now proceed to present the said Bills to His Excellency the President for assent in accordance with the provisions of Articles 110(5) and 113(3) of the Constitution.

PETITIONS

Hon. Deputy Speaker: Hon. Members, we have three petitions. They will be presented in the order in which they appear in the Order Paper. So, we will begin with the Petition by Hon. Sumra. You notice we have put Petitions in your Order Paper. The first Petition is by the Member for Embakasi South, Hon. Sumra.

ALLEGED NEGLIGENCE BY MOMBASA HOSPITAL

Hon. Sumra: Thank you very much, Hon. Deputy Speaker. Good afternoon all. I wish to present a Petition by the family of Mohamed Bakari on the negligence by Mombasa Hospital and failure to attend to a patient.

I, the undersigned, on behalf of family of the Mr. Mohamed Bakari and concerned Kenyans, draw the attention of the House to the following: -

THAT, Article 26(1) of the Constitution provides for the right to life while Article 43(1)(a) provides for the right to the highest attainable standard of health for every citizen;

THAT, some hospitals continuously violate the rights of patients by failure to provide emergency medical attention;

THAT, in the recent past, Mr. Mohamed Bakari was rushed to Saifee Hospital, which is a private hospital, following an emergency whereby he had ingested some poisonous substance;

THAT, following an assessment at Saifee Hospital, the patient, who was in critical condition was referred to Mombasa Hospital since the facility did not have adequate equipment and drugs to handle such kind of emergency;

THAT, on arrival at Mombasa Hospital, the hospital management informed the guardian that they had to make an initial deposit of Kshs300,000 prior to access of any service or admission;

THAT, the family and friends were able to raise Kshs100,000. However, the doctors declined to attend to the patient. In the meantime, the patient lay helpless in an ambulance for more than five hours;

THAT, the patient was only attended to after an influential and philanthropic person visited the hospital and pleaded with the management; and,

THAT, the matter presented in this Petition is not pending before any tribunal or court of law.

Therefore, your humble petitioners pray that the National Assembly, through the Departmental Committee on Health: -

- (i) starts an immediate probe into the matter and establishes why Mombasa Hospital failed to attend to Mr. Mohamed Bakari;
- (ii) ensures the establishment of mechanisms to guarantee that patients with emergency cases are attended to within the shortest time possible on arrival at any health facility be it public or private in the whole Republic of Kenya;
- (iii) ensures that the Petitioner's plight is addressed; and,
- (iv) makes any other order or direction that it deems fit in the circumstances of the case.

And your petitioners will forever pray.

Hon. Deputy Speaker, this is my Petition and I am requesting you, through the Departmental Committee on Health, that this hospital and its board come here so that patients who do not have money have a right of getting admitted in future.

Thank you very much.

Hon. Deputy Speaker: Hon. Member, the Petition stands committed to the Departmental Committee on Health.

Hon. Sumra: Hon. Deputy Speaker, it is both for private and public hospitals.

Hon. Deputy Speaker: Hon. Sumra, I did not get your statement. What is the last point you have made?

Hon. Sumra: Hon. Deputy Speaker, I was reminded by my Chairman that the Petition is for both private and public hospitals. However, my Petition is on Mombasa Hospital. The hospital needs to send someone to the Departmental Committee on Health to explain why Mr. Bakari was neglected to the extent of dying in an ambulance while awaiting to be attended to.

Hon. Deputy Speaker: Do not teach the Departmental Committee on Health on what it needs to do. Leave it to do its job the best way it knows. So, the Petition stands committed to the Departmental Committee on Health.

Hon. Members, the next Member to present a petition is the Member for Chuka/Igambang'ombe. You will make comments at the end of the three Petitions so that we save on time. Let us get the three petitions being presented first.

Hon. Member for Chuka/Igambang'ombe, you are sitting in a different position.

WAIVER OF DEBT OWED BY MERU SOUTH SACCO

Hon. Njuki: Thank you, Hon. Deputy Speaker. I know you are used to seeing me sitting behind Hon. Duale. I am running away from him. Thank you for the opportunity to present a Petition on behalf of the members of the Meru South Cooperative Savings and Credit Society Limited (MESACCO) on debt waiver.

I, the undersigned on behalf of members of Meru South Cooperative Savings and Credit Society Limited in Tharaka Nithi County draw the attention of the House to the following:-

THAT, Meru South Cooperative Savings and Credit Society was registered on 3rd May, 1972 under the provisions of the former Cooperative Societies Act;

THAT, the SACCO's membership was drawn from employees of the Meru South Cooperative Union, its affiliate societies and marketing unions;

THAT, in 1991, Meru South Cooperative Savings and Credit Society Limited borrowed a loan of Kshs36,677,385.50 from the Cooperative Bank of Kenya for construction of a building in Chuka Town, which was completed in 1995;

THAT, part of the loan was lent to members in the coffee farming sector;

THAT, in mid1996, the SACCO had raised Kshs22 million which was used as part payment of the loan and accruing interest;

THAT, in the late 1990s, there was collapse of the coffee industry leading to loss of jobs of most employees of coffee co-operative societies and those in the coffee sector;

THAT, most members of the SACCO were left jobless and were unable to repay their loans and consequently the SACCO was unable to service the bank loan;

THAT, due to the collapse of the coffee societies and unions within the area of operation, the Meru South Cooperative Savings and Credit Society is ailing and in dire need of revival; and,

THAT, the society has on numerous occasions sought assistance from the Ministry of Cooperative Development in order get a waiver on the existing loan balance of Kshs29,787,610 owed to the Cooperative Bank of Kenya.

Therefore, your humble petitioners pray that the National Assembly, through the Departmental Committee on Agriculture, Livestock and Cooperatives:-

- (i) intervenes to have the shares released to the stock market so as to enable the SACCO trade in the same and protect farmers from sudden loss of their hard-earned investments; and,
- (ii) makes any other order(s) deemed fit in the circumstances of the petitioners.

And your Petitioners will forever pray.

Hon. Deputy Speaker: Thank you, Hon. Muthomi Njuki. The third Petition is by Hon. Agostinho Neto. We agreed we get the Petitions first and then have a short time for brief comments.

DETENTION OF BERRETTA RERI'S BODY BY NAIROBI WOMEN'S HOSPITAL

Hon. Oyugi: Hon. Deputy Speaker, on behalf of the grandmother and concerned friends of the late Berretta Reri, an orphan girl, I draw the attention of the House to the following:-

THAT, Berretta Reri, aged 17, was orphaned at the age of seven in 2005, leaving her to be raised by her grandmother, Carren Achieng', who is a poor dressmaker in Ongata Rongai, Kajiado County;

THAT, in early 2015, the late Beretta, then a student at Mbagathi View Academy Secondary School developed some complications on her feet after being bitten by unknown insect while on a school trip, and that in October 2015, her condition deteriorated, requiring hospitalization at Nairobi Women Hospital, Rongai Branch;

THAT, in November, 2015, the management of Beretta's school allegedly opened an *M-Pesa* Paybill Account No.220685 under the name "Beretta Walk Initiative" to mobilise funds to clear her existing bill of Kshs717,929 and the proceeds from the opened Paybill Account were never paid to the hospital;

THAT, the school internally conducted fundraising from students which allegedly raised about Kshs60,000, but the money was never paid to the hospital;

THAT, towards the end of January, 2016, Beretta developed kidney failure and the hospital arranged to transfer her to Kenyatta National Hospital for continuous, cheaper treatment. However, without the consent of her grandmother, the late Berretta was instead taken to the Adams Arcade Branch of Nairobi Women Hospital, where she passed away on 9th February, 2016;

THAT, the deceased's body still lies at the hospital mortuary due to an outstanding bill and mortuary fees totalling to Kshs2,582,082.82 and still counting, which Beretta's grandmother is unable to raise, out of which the hospital has indicated it will only waive approximately Kshs500,000;

THAT, efforts to have the late Berretta's body released by the hospital for interment by the grandmother, and area leaders have not yielded fruit.

Therefore, your humble petitioners pray that the National Assembly, through the Departmental Committee on Health:-

- (i) investigates the circumstances under which the management of the Nairobi Women's Hospital transferred the deceased to its Adam's Arcade Branch instead of Kenyatta National Hospital, a cheaper public facility, without the grandmother's knowledge or approval;

- (ii) intervenes, through the Ministry of Health, to ensure that the hospital's management unconditionally releases the body of the late Berretta Reri to the grandmother for interment, and waives the outstanding hospital bills;
- (iii) investigates the alleged failure by the administration of Mbagathi View Academy Secondary School to pay the Kshs60,000 that was allegedly collected from the students and via the *M-Pesa* Paybill Account towards mitigating the deceased's hospital bills, and recommends punishment to those found culpable of misappropriating the said contributions; and,
- (iv) makes any other order or direction that it deems fit in the circumstances of the plight of the deceased child's grandmother.

And your Petitioners will forever pray.

I thank you.

Hon. Deputy Speaker: That is another Petition directed to the Departmental Committee on Health. Hon. Members, you may make very brief comments because we have a lot of business today. I also need Members in the House for Order Nos.8, 9 and 10. If you can, put your requests by pressing the intervention button.

Let us have Hon. Chris Wamalwa.

Hon. Wakhungu: Thank you, Hon. Deputy Speaker. I rise to comment on the Petition by Hon. Sumra, the Member for Embakasi South because Parliament cannot legislate in vain. I remember when we joined this Parliament, Hon. Koinange from Kiambu County moved a Motion pertaining to the treatment of emergency cases, whether you are in a private or public hospital. The issue of demanding payment of a deposit before treatment was done away with. We passed a resolution that a patient must be attended to. We should not lose patients because of selfish people. I call upon the Committee on Implementation - I saw Hon. Soipan somewhere - to follow up so that we can know the implementation status of the Motions that we pass.

Today, as we celebrate the anniversary of the late Vice-President, Wamalwa Kijana, I brought a Motion urging the Government to upgrade Kitale Technical Institute to Wamalwa Kijana University of Science and Technology. Up to now, the Government has not implemented that Motion. As we celebrate this hero, we call upon the Committee on Implementation to let us know the status of the Motions we pass. It seems we waste time on Motions. Do they have any meaning?

Hon. Deputy Speaker: Stick to the Petition, please.

Hon. Wakhungu: Hon. Deputy Speaker, it is my prayer that the relevant Committee looks into this and reports to this House within the stipulated time of 60 days.

I thank you.

Hon. Deputy Speaker: Thank you, Hon. Chris Wamalwa. Your point has been made.

Hon. Cyprian Iringo, state the Petition you are commenting on.

Hon. Kubai Iringo: Thank you, Hon. Deputy Speaker. I support the Petition by Hon. Muthomi Njuki with regard to waiver of SACCO debts. Many farmers and institutions which were established using coffee money have been in debt all along. They have been servicing very expensive debts. When the crop failed, many institutions were left with many debts and the burden was thrown to farmers. This has become a big problem in many institutions and some SACCOs collapsed.

I support the Petition because five or 10 years back, the Government tried to bail out some coffee societies, institutions and SACCOs and I do not see why the one Hon. Muthomi

Njuki is talking about has not been bailed out. In the same spirit, I support that this matter be looked into.

Thank you, Hon. Deputy Speaker.

(Hon. Onyonka consulted loudly with Hon. Gikaria and Hon. Bosire)

Hon. Deputy Speaker: Hon. Members, the level of consultations is too high. Hon. Onyonka, Hon. Gikaria and Hon. Bosire, we want low consultations so that we can hear the Members who are contributing.

The next person is Hon. Onyonka. That might stop the *kamukunji*.

Hon. Onyonka: Asante, Mhe. Naibu Spika. Ningependa kuchangia hili jambo muhimu ambalo limeletwa na Mhe. Sumra kuhusu Wakenya maskini wanaopelekwa hospitalini. Mgonjwa maskini akipelekwa hospitalini, madaktari wanakataa kumtibu.

Jukumu la kubadilisha sheria na kuhakikisha kuwa mambo kama haya yamerekebishwa ni la hili Bunge la Kenya. Kila wakati wagonjwa wanapelekwa hospitali na wanapoaga dunia, kama alivyosema Mhe. Neto, hospitali zinakatalia miili isipelekwe nyumbani. Ningependa kusihi Kamati ya Afya ilizungumzie suala hili ili suluhu ipatikane.

Asante, Mhe. Naibu Spika.

(Loud consultations)

Hon. Deputy Speaker: Order, Hon. Members! Your consultations are too loud.

Hon. Njogu Barua, you have the Floor.

Hon. Barua: Thank you, Hon. Deputy Speaker. I would like to take this opportunity to support the Petition by Hon. Muthomi Njuki on the waiver of debts owed by the Meru South SACCO. I would like to remind this House that during the Coalition Government, the SACCOs of Kirinyaga got a waiver of about Kshs1billion, but so far about Kshs300 million has not been availed to farmers. Farmers have continued to suffer because the banks which gave them loans cannot release their titles.

On the same note, two factories from Kirinyaga County; Kainamoi factory in Ngariama and Kianderi factory in Kirinyaga Central sold their coffee through the Kenya Planters Cooperative Union (KPCU) in 2008. So far, they have lost Kshs16 million and they are yet to be paid their dues. I support this Petition because farmers have continued to suffer in the hands of the people who are supposed to protect them.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Members, please, feel sufficiently represented by your colleagues because of the amount of business that we have today.

Before I proceed to the next Order, I want to recognize the presence of students from the following schools: In the Speaker's Gallery we have Sony Primary School, Awendo Constituency, Migori County and St John Secondary School, Kiminini Constituency, Trans-Nzoia County. You are welcome in the National Assembly.

In the Public Gallery we have Lumakanda Township, Lugari Constituency, Kakamega County; Chebelion Primary School, Chepalungu Constituency, Bomet County; my very own county and St. Anthony Primary School, Bahati Constituency, Nakuru County. You are all welcome in the National Assembly.

PAPERS LAID

Hon. Deputy Speaker: I believe, the Leader of the Majority Party has several Papers to lay.

Hon. A. B. Duale: Hon. Deputy Speaker, I beg to lay the following Papers on the Table:-

The Reports of the Auditor-General on the Financial Statements in respect of the following institutions for the year ended 30th June, 2015 and the Certificates therein:-

- 1) Lake Victoria North Water Services Board;
- 2) Chemilil Sugar Company Limited;
- 3) Nzoia Sugar Company Limited;
- 4) Kenya Revenue Authority; and,
- 5) Kenyatta International Convention Centre.

Hon. Deputy Speaker: Do we have any other Paper?

Proceed Hon. Joyce Emanikor.

Hon. (Ms.) Emanikor: Hon. Deputy Speaker, I beg to lay the following Papers on the Table:-

The Report of the Mediation Committee on the Forest Conservation and Management Bill, (National Assembly Bill No.49 of 2015).

The Report of the Mediation Committee on the Natural Resources (Classes of Transactions subject to Ratification) Bill (National Assembly Bill No. 54 of 2015).

Thank you, Hon. Deputy Speaker.

NOTICES OF MOTIONS

PROVISION OF NHIF COVER TO THE ELDERLY IN KENYA

Hon. Deputy Speaker: We have several notices of Motions. Let us start with Hon. Njogu Barua.

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

THAT, aware that persons aged 65 and above who are estimated to be 1.93million according to the Kenya Bureau of Statistics, are more susceptible to disease and disability as they age; further aware that only a small fraction of the said population benefits from the monthly welfare programme for the aged, leaving a vast majority of them disadvantaged as they have no financial capability; cognizant of the fact that according to the 2012/2013 National Health Report of the Ministry of Health which states that 32 per cent of all domestic income in Kenya is spent on medical expenses; deeply concerned that the National Health Report also states that 2.6million Kenyans fall into poverty every year due to the burden of medical expenses; this House urges the Government to provide National Hospital Insurance Fund cover to all Kenyans aged 65 and above to reduce the heavy burden on families and increase the productivity of Kenyans as well as to ensure healthy lives and promote wellbeing for Kenyans of all ages in line with the sustainable development goals of the United Nations.

Hon. Deputy Speaker: Let us now have Hon. Joyce Emanikor.

APPROVAL OF THE MEDIATED VERSION OF FOREST
CONSERVATION AND MANAGEMENT BILL

Hon. (Ms.) Emanikor: Hon. Deputy Speaker, I beg to give notice of the following Motion:-

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order No. 150, this House adopts the Report of the Mediation Committee on its consideration of the Forest Conservation and Management Bill (National Assembly Bill No.49 of 2015), laid on the Table of the House today, Tuesday, 23rd August, 2016, and approves the mediated version of the Forest Conservation and Management Bill, 2015.

Hon. Deputy Speaker: Hon. Emanikor you have two Notices of Motions.

APPROVAL OF THE MEDIATED VERSION OF THE NATURAL RESOURCES
(CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL

Hon. (Ms.) Emanikor: Hon. Deputy Speaker, I beg to give notice of the following Motion:-

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order No.150, this House adopts the Report of the Mediation Committee on its consideration of the Natural Resources (Classes of Transactions Subject to Ratification) Bill, (National Assembly Bill No.54 of 2015) laid on the Table of the House today Tuesday, 23rd August, 2016, and approves the mediated version of the Natural Resources, (Classes of Transactions Subject to Ratification) Bill.

(Several Members withdrew from the Chamber)

Hon. Deputy Speaker: Order, Members! I can see Members retreating to committees. I would really indulge you to give us a short while to transact the business of utmost importance. Before you go to your committee meetings, give us some five minutes to get to that Order. Hon. Joyce, have you finished?

Hon. (Ms.) Emanikor: Yes, I have, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Nicholas Gumbo, are you giving notice of something of national importance?

NOTICE OF MOTION FOR ADJOURNMENT
UNDER STANDING ORDER NO.33(1)

APPRECIATION OF KENYA'S PERFORMANCE AT THE OLYMPIC GAMES

Hon. (Eng.) Gumbo: Thank you, Hon. Deputy Speaker. I wish to request for the adjournment of the House, on a definite matter of urgent national importance.

Pursuant to the provisions of Standing Order 33(1), I wish to seek leave to move the adjournment of the House for the purpose of congratulating Kenya's world-conquering athletes for their sterling performance in the just concluded 2016 Olympic Games held in Rio de Janeiro, Brazil.

Hon. Deputy Speaker, during the championship, Kenyan athletes garnered a total of 13 medals. That is six gold medals, six silver medals and one bronze medal despite facing a myriad of challenges such as unsubstantiated doping allegations against our athletes and logistical pitfalls including extreme lethargy, incompetence and appalling ineptitude by Kenya's athletics managers.

(Loud consultations)

Hon. Deputy Speaker: Order, Members! Hon. Members, the consultations are really too high. The Leader of the Minority Party and the Member for Ijara are leading that. We cannot hear the matter of national importance that Hon. (Eng.) Gumbo is prosecuting.

Hon. (Eng.) Gumbo: Yes, indeed, we have to question their patriotism, Hon. Deputy Speaker. Our athletes' superlative performance has, once again, been re-affirmed to the whole world that Kenya is, indeed, an unrivalled athletics power house.

Whereas it would have been most opportune to debate this important matter to coincide with the day of the grand return of our athletics heroes and heroines, I seek the adjournment of this House to allow the National Assembly to appreciate and laud the exploits of our Kenyan athletes for their excellent performance in Rio de Janeiro.

I wish to seek leave of the House to discuss this matter.

Hon. Deputy Speaker: Do you have Members supporting your Motion for Adjournment?

Hon. (Eng.) Gumbo: Yes.

(Several Members stood up in their places)

Hon. Deputy Speaker: Clearly, you are more than 30. You may sit down. Therefore, we will give you that chance to give accolades to our team from 5.30 p.m. today for one hour.

Let us move on to the next Order.

STATEMENTS

DELAYED DISBURSEMENT OF FUNDS BY THE NGCDF BOARD

Hon. S.S. Ahmed: Hon. Deputy Speaker, pursuant to Standing Order No.43, I wish to make a general Statement regarding the delayed disbursements of the National Government Constituencies Development Fund (NGCDF)

Bearing in mind the uncertainty of the arrears of Kshs4,976,750,005 still outstanding from the National Treasury under the NGCDF, it is clear that the Board is not in a position to release full disbursements to all the 290 constituencies for the 2015/2016 Financial Year.

Further, the Board has been using the current disbursements to clear arrears in the previous financial years hence there is a risk of funding for the 2016/2017 Financial Year to be used to pay the outstanding Kshs4,976,750,005 which the National Treasury is still holding. The National Treasury should also include the sum of Kshs10 billion to cater for the deficit created by the court ruling.

This is, therefore, to urge the Cabinet Secretary (CS) for the National Treasury to urgently present a Supplementary Budget to cater for the said deficit of Kshs14,976,750,005

being the Kshs4,976,950,005 arrears and the Kshs10 billion so that the NGCDF Board releases the funds it has been holding since May, 2016.

We also raise concern that the NGCDF Committee seems not to be very keen on following up this matter.

Thank you very much.

Hon. Deputy Speaker: Hon. Members I can see that, that is a Statement that will clearly be answered by the CS in conjunction with the Board. So, can we leave it to the Leader of the Majority Party to invite the CS? This is a matter that involves all of us. The Hon. Member has the discretion to make it a Question that can be answered in this Chamber in the usual manner that we do because it concerns each and every Member here.

In the interest of time, the Leader of the Majority Party, do you want to say something about this?

Hon. A.B. Duale: Hon. Deputy Speaker, Hon. Shakeel needs to check with his account. Since Friday, a number of constituencies, including mine, have been receiving money but, I will ask the CDF Board to furnish me with the list which I will table tomorrow afternoon.

Hon. Deputy Speaker: The Leader of the Majority Party will table the list tomorrow.

Hon. Members: On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, Hon. Mbadi and Hon. Olago? I will start with Hon. Mbadi. Do it very quickly.

Hon. Ng'ongo: Hon. Deputy Speaker, the Leader of the Majority Party did not really understand what Hon. Shakeel raised. The point here is that there are arrears of the NGCDF that have not been released to the Board by the National Treasury. Therefore, what the Board is doing is using the current allocation or releases to pay arrears that have been accumulated over the years. In a sense, it is like you are digging a hole to fill another one and you will create even a bigger one.

I wanted to correct Hon. Shabbir that we do not even need a Supplementary Budget. If you look at the provisions of the Public Finance Management Act, you will find that it is clear that any money put aside to a fund does not lapse with the end of the financial year. So, what the National Treasury needs to do is to give the NGCDF Board the arrears to pay those constituencies that have not received the money.

My constituency has actually received the entire allocation for 2015/2016, but I got what Hon. Shakeel is saying that the National Treasury has been holding arrears that belong to the NGCDF Board.

Thank you.

Hon. Deputy Speaker: I said Hon. Olago should be the next. We do not want to take too long on this, Hon. Members.

Hon. Aluoch: Thank you, Hon. Deputy Speaker. Last week, in this House, the Leader of the Majority Party lambasted the Chairman of the NGCDF Committee and he was right. He also lambasted the Board of the NGCDF and he was right. The initiative that has been taken by Hon. Shakeel should have been taken up by Hon. Lessonet. It seems now that the Chairman of the NGCDF Committee has totally failed this House. Time has come for us to consider passing a vote of no confidence on him if he cannot act.

I am informed that he wants to be a governor of some county. He has now started thinking about governors and not the NGCDF. He is not thinking like us. If he cannot think like us, then he should leave us alone.

Thank you.

(Loud consultations)

Hon. Deputy Speaker: Order, Members! Is Hon. Lessonet in the House? Is his deputy in the House?

Order, Members! Do not cast aspersions on other Members. Hon. Gichigi, I hope you will not go the same route as Hon. Olago. Hon. Members, we do not remove Chairs of Committees on the Floor of the House. That is not our responsibility. Each Committee knows how that is done. I hope your contribution is not related to that.

Hon. Gichigi: It is a completely different issue, Hon. Deputy Speaker. As our Leader of the Majority Party asks the Board and the CS to come, we obviously need to call a *Kamukunji*. This is because there needs to be clarity.

As we speak, the National Treasury owes about Kshs5 billion from the previous years and yet it says that it has cleared the last financial year. So, the money that has actually been given to us is for this financial year but, there is still a balance of Kshs5 billion. This means that even if all constituencies are ready to receive their money they will not receive the Kshs5 billion.

Hon. Members, you need to remember that in this financial year, there is the Kshs10 billion that was upheld by the court. If you add the Kshs10 billion to the Kshs5 billion it will total Kshs15 billion. This translates to Kshs51 million per constituency that will not be available this financial year. There are ways of dealing with this issue, if the National Treasury is involved although the National Treasury says that it will not give out the money. Since the NGCDF Board says that it does not have money to give to everybody, it becomes an urgent issue which needs to be dealt with. It is important that as the Leader of the Majority Party speaks with National Treasury and the NGCDF Board, we get those answers in this House.

Hon. Deputy Speaker: That is what we are asking the Leader of the Majority Party because the matter interests everybody. We should hold a session in the Chamber where all Hon. Members, the NGCDF Board and the CS for the National Treasury participate so that we can clear this matter once and for all.

Hon. Gumbo has a statement to make.

INVITATION OF MEMBERS TO THE SECOND AFROPAC CONFERENCE

Hon. (Eng.) Gumbo: Thank you, Hon. Deputy Speaker. I rise pursuant to Standing Order No.43 to make a general statement with regard to an invitation to Members of the National Assembly to the Second African Organisation of Public Accounts Committees (AFROPAC) conference and Annual General Meeting (AGM).

Thank you for the opportunity to invite Hon. Members of this House to the AFROPAC. AFROPAC is an organisation of Public Accounts Committees of African legislatures whose objectives include the following:-

- (i) to enhance parliamentary oversight and financial accountability in Africa;
- (ii) to share experiences amongst its members;
- (iii) to promote professional, technical development and cooperation among members of AFROPAC and other bodies such as the Pan-African Parliament and the African Organisation of Supreme Audit Institutions (AFROSAI); and,
- (iv) to promote and maintain relations with national, regional and international institutions and promote transparency.

This year's theme will be on curbing illicit financial flows in Africa. The guest of honour will be His Excellency Hon. Uhuru Kenyatta, who will open the Conference on Monday, 29th August, 2016 at Safari Park. All Members are invited.

The organisation has invited Her Excellency Ellen Johnson Sirleaf, President of Liberia and Hon. Thabo Mbeki, former President of South Africa, as an expert in this field, to headline the conference.

It is estimated that Africa loses about 50 billion of its capital flight due to illicit financial flows. It is, therefore, a matter of great concern to all African countries including Kenya.

Hon. Deputy Speaker, I am happy to note that you will host the opening day of the conference. Being the Parliament hosting and with the profile of the event, it is my pleasant duty to invite all Hon. Members of Parliament to the conference which runs from Monday, 29th August to 2nd September 2016.

I also extend invitation to the Hon. Members to the opening cocktail dinner that will be hosted at Safari Park Hotel.

Hon. Deputy Speaker: The Leader of the Majority Party, did you have a statement as well?

Hon. A.B. Duale: Hon. Deputy Speaker, I have a Statement. On the matter of the NGCDF, I will consult the CS for the National Treasury. At the same time, Hon. Members should be concerned that up to now, the allocation criterion and the figures have not been tabled in the House for 2016/2017.

EXAMINATION OF AUDITED ACCOUNTS OF POLITICAL PARTIES

As Members are aware, on Thursday, 21st April, 2016, I rose on a point of order seeking guidance from the Speaker on the manner of consideration and examination of audited reports of political parties as required by the Political Parties Act.

It was suggested that the Public Accounts Committee (PAC) examines the political parties' audited accounts. Alternatively, the House or the Committee establishes a small committee to exclusively deal with the audited reports of the political parties, which I tabled the whole of last year and early this year.

Even after your direction on 4th May, 2016 that PAC has a duty to the House to see that the political parties' audited accounts are examined and reports tabled in the National Assembly for consideration, the Committee has not tabled any audited reports of political parties.

I still feel that the matter regarding the examination of political parties' audited accounts is very valid and important to this nation. In order for us to build a strong and accountable democracy, it is necessary that as political parties aspire for leadership, they account to the people of Kenya how they have used the resources they received from the taxpayers.

Since last week, Members of this House have been receiving threats regarding membership fees to various political parties including Muungano Party, Chama Cha Uzalendo and KANU. They have sent letters to their members that they must pay their dues. Even as we contribute to our parties, it is important that the political parties' audited accounts and their examination by this House are effectively expedited. This is because some of these parties are already receiving funds from the Political Parties Fund and yet they have not accounted for the money in their custody.

I, therefore, request the Chair of the PAC to give priority to the examination and subsequent tabling of the reports on the audited accounts of political parties.

Hon. Deputy Speaker: Have you determined whether we are properly constituted? You have got the gist of what he wants from you, Hon. Gumbo. Do you want to respond on the spot?

Hon. (Eng.) Gumbo: Yes, Hon. Deputy Speaker. I thank the Leader of the Majority Party for being at the forefront in ensuring that political parties are accountable in the use of public funds. We hoped to have tabled this report by now. As you know, we had a constitutional deadline to clear the 2013/2014 audited reports. I assure the Leader of the Majority Party and the House that the matter is before us as a priority. We hope to conclude it in the next couple of weeks.

I thank the Leader of the Majority Party.

Hon. Deputy Speaker: Hon. Members, let us move to the next Order.

MOTION

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON
THE SENATE AMENDMENTS TO THE PROTECTION OF TRADITIONAL
KNOWLEDGE AND CULTURAL EXPRESSION BILL

THAT, the House do agree with the Report of the Committee of the whole House on its consideration of the Senate Amendments to Protection of the Traditional Knowledge and Cultural Expressions Bill (National Assembly Bill No.48 of 2015).

Hon. Deputy Speaker: Hon. Members, this Report was sufficiently debated and concluded. The only thing that remained was putting the Question.

(Question put and agreed to)

BILLS

Second Reading

THE FINANCE BILL

(Hon. Langat on 18.8.2016)

(Debate concluded on 18.8.2016 – Morning Sitting)

Hon. Deputy Speaker: Hon. Members, again this Bill had been debated and concluded.

(Question put and agreed to)

*(The Bill was read a Second Time and committed
to a Committee of the whole House tomorrow)*

Third Reading

THE KENYA ROADS BILL

(Question put and agreed to)

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

Hon. Deputy Speaker: Let us move on to the next Order.

Hon. Bowen: On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Bowen, what is your point of order?

Hon. Bowen: The Member for Emurua Dikirr has just crossed the Floor without following due rules of this House. He should go back and show respect to the Deputy Speaker.

(Laughter)

Hon. Deputy Speaker: Hon. Bowen, just leave the Deputy Speaker's job alone.

Hon. (Eng.) Gumbo: On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. (Eng.) Gumbo, what is your point of order?

Hon. (Eng.) Gumbo: Hon. Deputy Speaker, the Title of the Kenya Roads Bill was amended to include the Kenya National Urban Roads Authority while the Title which has just been read out only talks about the Kenya National Highways Authority (KeNHA) and the Kenya National Secondary Roads Authority (KeNSRA). Will it be right for our records to have a title which does not represent the Bill?

Hon. (Eng.) Mahamud will agree with me that there was reintroduction of the Kenya National Urban Roads Authority but that is not what has been read. The Third Reading should be repeated to take into account the fact that we now have the Kenya National Urban Roads Authority.

Hon. Deputy Speaker: Hon. (Eng.) Gumbo, are you talking about what the Clerk has just read out?

Hon. (Eng.) Gumbo: Yes, Hon. Deputy Speaker.

Hon. Deputy Speaker: It is noted and it shall be corrected. Thank you for paying attention.

Next Order!

SPECIAL MOTION

APPROVAL OF DEPLOYMENT OF KENYA DEFENCE FORCES TO SOUTH SUDAN

THAT, pursuant to the provisions of Article 240(8)(a) of the Constitution and Section 18 of the Kenya Defence Forces Act, 2012, this House approves the deployment of the Kenya Defence Forces (KDF) for the purpose of regional peace support operations under the United Nations Mission in South Sudan (UNMISS) following an urgent requirement for troops.

Hon. A.B. Duale: Hon. Deputy Speaker, through your indulgence, I wish to withdraw this Special Motion for a number of reasons. Following a high level meeting with the United States Secretary of State and Foreign Ministers from the Intergovernmental Authority on Development (IGAD), we are still dealing with the logistics.

Next week, we will inform the House on the actual number of troops that Kenya and the other countries will send. I wish to postpone this Motion and move it to next week after consultations are finalised.

Hon. Deputy Speaker: I think that is in order. We can postpone the Motion until we have clarity.

(Motion deferred)

MOTION

ADOPTION OF PIC REPORT ON FINANCIAL MISMANAGEMENT OF THE YOUTH ENTERPRISE DEVELOPMENT FUND

THAT, this House adopts the Report of the Public Investments Committee on the Inquiry into allegations of Fraud and Financial Mismanagement at the Youth Enterprise Development Fund, laid on the Table of the House on Wednesday, May 04, 2016.

(Hon. Keynan on 17.8.2016)

(Resumption of Debate interrupted on 18.8.2016 – Afternoon Sitting)

Hon. Deputy Speaker: Hon. (Ms.) Winnie Karimi had a balance of eight minutes. Is she in the House?

Hon. Member: No.

Hon. Deputy Speaker: Then let us have, Hon. (Dr.) Kimani Njuguna.

Hon. H.K. Njuguna: Thank you, Hon. Deputy Speaker. I want to support the Report. Mismanagement of public money is a very serious matter in this country. In the last 15 years, we have had several scandals starting with the Anglo Leasing, which to date has never been concluded; the maize scandal; acquisition of cemetery land by the then Nairobi City Council in 2010 and, the National Youth Service (NYS) scandal. We are now talking about the YEDF scandal and yet these are billions of taxpayers' money.

I have mentioned in the past that when Kenya got Independence in 1963, we were at par with a country like Malaysia but today, it is three times the size of our economy because of good management of its public funds. It is a very serious matter when we set aside funds to assist the youth, because we think it is a core area in terms of employment, development and giving them entrepreneurial skills for the same funds to be mismanaged to the extent that the youth cannot even access them for their intended purposes.

I am trying to collaborate this with whatever else has been happening, for instance, in the Women Enterprise Development Fund and the NYS where the public lost a lot of money. Kenyans are now demanding for social and economic justice because the taxpayers' money is at stake.

The recommendations by the PIC should be implemented. We have passed many recommendations in this House but they are gathering dust elsewhere because they are not implemented. If we want to drive this country to the envisaged Vision 2030 and catch up with

the Asian Tigers, then we must make sure that we have transparency and accountability in the way public money is used.

There is cry among the youth in my constituency that we do not mind their welfare. The culprits must be brought to book and made to account for these funds. They should be prosecuted. Failure to bring the culprits to book encourages impunity. We are the only ones who should stop this. If culprits are not punished when they are involved in a scandal, it encourages impunity in other public offices. This culture should stop. We need to make sure that the culprits who mismanaged the YEDF are brought to book.

I support the Motion.

Hon. Deputy Speaker: Let us now hear Hon. Ken Okoth.

Hon. Okoth: Thank you, Hon. Deputy Speaker.

I represent the people of Kibra Constituency and Nairobi in general. Many young people expect to get a chance through the Youth Enterprise Development Fund, the Women Enterprise Development Fund and the Uwezo Fund. These were the opportunities to help young people, women and vulnerable groups get loans and funding for their businesses as individuals or groups. This is meant to economically lift them.

If you look at the Jubilee Manifesto, you will find that it talks about *uchumi* and inclusiveness in the economic life of this nation. When you see funds from a project that was started under the Kibaki regime being mismanaged and being stolen, that is theft, denial, killing of dreams, hopes and ambitions of our young people, it is really a double tragedy in very many ways.

First of all, the young people who could get the money to do business are denied that opportunity. Therefore, they cannot create employment; they cannot provide competitive services and they cannot pay taxes to the Government. This is the case and yet this money is just being taken away and mismanaged. For instance, the money is unprocedurally and unquestionably managed.

It is not good to hear accounts of Government being operated by one signatory in a bank like Chase when we have a serious bank like Cooperative Bank which is Government-owned. Cooperative Bank has Government shareholding and it is a stable bank. It is very painful to see the levels to which people entrusted with public good can abuse the trust that has been placed in them.

My prayer is that the Office of the Director of Public Prosecutions (DPP), once investigations are complete, pushes aggressively not only for the prosecution and the jailing of these people but also for the recovery of those funds which were lost. That is so, so that young people can use them or have access to that money in the revolving fund. That will enable them get more loans.

We know that amendments to the Uwezo Fund Bill have been proposed to combine the WEF, the YEDF and the Uwezo Fund to benefit from the Kshs5 billion from the last elections. An amount of Kshs5 billion had been set aside for the presidential runoff.

If we streamline and put this together, we must make sure that this House vets annually or twice or thrice a year the reports and status of the work of the YEDF, WEF and the Uwezo Fund. That is to make sure that the right beneficiaries are benefitting and those funds are being run in an accountable way. That is because young people are today not guaranteed of getting jobs in the old way. This is where after school, you lined up for a job at a factory or for a white collar job. These days, the young people have to go out and be entrepreneurs. We have young people in my constituency who all they are asking for is a bridging loan of about Kshs20,000 or Kshs40,

000 to get a passport, licence, their health checkups and guarantees to go and work in Bahrain, Dubai or other countries. When the YEDF is mismanaged, they lose all those opportunities.

There is a silver lining behind every cloud. We have come from a season of shame, embarrassment and disappointment in how the YEDF has been managed. Now, we have a new head of the Fund, that is Ronnie Osumba who is my friend. I am proud of his work so far. He seems to be setting a good tone. We need to hold him accountable and give him support. We need to make sure that any corruption and mismanagement that was at the YEDF gets changed now. If he, with his team, need power and authority to employ new people, that will be important.

Last but not least, even as we wish Ronnie Osumba and his team better leadership at the Youth Fund, all the people who stole from this Fund stole away from the dreams, hopes and ambitions of our young people. There is nothing worse than stealing dreams, hopes, and ambitions of young people who are the bedrock, have talent and the opportunity to build this country and take it to the next level.

I hope those people will not be considered sacred cows or untouchables. These are people who took away Kshs 63 million, Kshs90-something million and Kshs180 million at one point. Those people must be held accountable.

Hon. Deputy Speaker, I would like to tell you today that if any young person dares steal a goat, cow or even a simple cell phone in your constituency, he or she will be arrested and will spend a long time in jail. This is the case and yet the thieves who took away hundreds of millions from the YEDF and stole from our young people, not just that money but the opportunity to use that money to build themselves, be independent, reduce crime rate and reduce the poverty rate in this country are comfortably moving around this country. We do not know, maybe some of them have even left the country. I will be curious to know the status of their cases, how many have valid diplomatic passports and if they can travel in and out of the country at will.

Those people must be brought to book and their assets confiscated. The full amount they took plus interest must be returned to the Fund.

With those few remarks, I beg to support.

Hon. Deputy Speaker: Before we get the next speaker, I want to take this chance to welcome visitors. In the Public Gallery, we have Kathagara Primary School from Chuka/Igambang'ombe Constituency in Tharaka Nithi County; Mogogosiet Primary School, Konoin Constituency in Bomet County and Omobera Seventh Day Adventist (SDA) Boys Primary School from Bomachoge Borabu Constituency in Kisii County. Is that true? Is that not from Nyamira County? We also have Londiani Central Primary School, Kipkelion East Constituency in Kericho County and Abundant Hope Academy in Soy Constituency, Uasin Gishu County. You are all welcome to the National Assembly.

In the Speaker's Gallery, we have Manyatta High School from Awendo Constituency in Migori County and St. Aloys Ojola Primary School, Kisumu West Constituency in Kisumu County. You are all welcome to the National Assembly.

(Applause)

Are you on a point of order, Hon. Olago?

Hon. Aluoch: Hon. Deputy Speaker, I want to support this Motion. It was very ably articulated by my Chairman, Hon. Keynan of Eldas Constituency.

Very quickly, I want to say that this Special Report demonstrates the impunity of senior civil servants conniving with the private sector to steal public funds. That is what comes out from this Report very clearly. If you look at the Report, you will find that a company by the name of Quorandum Limited whose Managing Director (MD) is one Kamau Ngamua was conniving and stating, without a blink of an eye, that he hired a consultancy firm from the United States of America (USA) to assist in coming up with the responsibility that was given to the company by the YEDF. He even mentioned a name of a company and a consultant based in the USA. Immediately, since I have the privilege of serving in this Committee, we established that the firm he was referring to did not exist in the USA. The consultant he was referring to is somebody who had died.

This is a very serious issue. I wish to add my voice to those who voted in the Report to say that the persons who were found to have been the perpetrators of these crimes, from the CEO of the Fund, the Chairman of the Fund and the companies through which they were siphoning the funds, should be investigated and charged with the offences as recommended. But most importantly, while carrying out these investigations, we made recommendations that can help the President and other appointing authorities in deciding what type of people to be appointed to head parastatals.

On page 515 of the Report, we have certain recommendations. These recommendations are in consonance with what the Government calls “Mwongozo” - the code of governance for State corporations. One of them is that anybody to be appointed to a board of a parastatal should hold a minimum qualification of a degree relevant to what they are going to do in the parastatal.

Secondly, that person must have proven business management and other relevant professional experience.

Thirdly, that person should have served in a senior management position for, at least, six years before that appointment. Fourthly, that person should not have served the same entity as an employee in the preceding five years. Fifthly, the person should meet the requirements of Chapter 6 of the Constitution on integrity. Sixthly, that person must meet the requirements of the “fit and proper test”.

Hon. Deputy Speaker, we came up with these recommendations because in many investigations we have carried out in the PIC, we find that those who have been appointed to these positions are people who have not been tested. They are also men and women who do not have relevant experience. This is the case and yet they do not have time to be trained. So, they end up looting the coffers of these institutions because they are either ignorant or they are plain dishonest.

If these recommendations are considered by the Government and other appointing authorities, we will have better performing boards of our parastatals that are manned by men and women of integrity, are properly qualified and are experienced.

I support the Report.

Hon. Deputy Speaker: Hon. David Gikaria, you have the Floor.

Hon. Gikaria: Thank you, Hon. Deputy Speaker, for giving me this opportunity to support this Motion. I also thank Hon. Keynan for the good work he has done. It is unfortunate.

I attended the International Youth Day early this month in Nakuru and the cry of the young people regarding the Fund and their welfare was echoed by every speaker who rose to air their frustrations. They said that monies are set aside for purposes of assisting young people to establish businesses and do other development issues.

This country is blessed with young Kenyans who have brilliant ideas on entrepreneurship and they can advance and do business if they are given an opportunity with the introduction of the YEDF, which was supposed to assist young people. Every member here will tell you that when they do their strategic plan for their NGCDF, one of the main problems that arise in every constituency in the whole Republic is unemployment. The idea of coming up with the YEDF was to assist bridge that gap by reducing the percentage of unemployed young people. Our young people struggle to do their careers so that they can be responsible Kenyans who can raise their families. It is very unfortunate that the same young people who have been given an opportunity to protect their money are the same ones who misuse it.

A study that was done the other day indicated that a big percentage of young people who were asked how they would like to get rich said they do not care. They just said that as long as they are rich within the shortest possible time, the better for them. It means that this is the ideology that even young Kenyans have developed now. It does not matter how you get the money as long as you get it. It is unfortunate that this is happening.

As it has been said by other speakers, the law needs to take its course. It is unfortunate that Government agencies, which have been bestowed with that responsibility to investigate and take the culprits to court, do a shoddy investigation which aids the very same people. The suspects use the same money to corrupt their way during investigations even in the judicial system.

It is very unfortunate that stolen money can be used to aid and direct an investigation so that by the time it goes to the Judiciary, there is no supporting evidence beyond reasonable doubt that those people had stolen. So, they find their way and they get released. We need to thoroughly scrutinise the appointees to our Government agencies when they are brought here for vetting. The Office of the DPP, the Ethics and Anti-Corruption Commission (EACC) and other departments should do credible investigations.

It is unfortunate that a whole organisation can transact serious business involving a huge amount of money without getting approval. Sometimes, we wonder that this happens within organisations with internal audit departments and other internal mechanisms which are supposed to highlight some of these issues before they happen. It is unfortunate that most of the internal audit departments are, again, compromised or have a hand in the same aspect. How do you not obtain approval, payment is done and the internal department does not air that kind of issue? In future, Parliament needs to enhance the capacity of internal audit departments in all public institutions so that they can detect any misappropriation of public funds.

The other day, we passed a Bill to protect whistle blowers. This is going to assist. If you see something and you do not give information, you are also culpable. If you give that information, the law is going to protect you. These are the things that will assist.

We have seen in the past that Parliament, just before its dissolution, passes very many Bills and legislations. These Bills are passed without proper scrutiny. I think in this Parliament we need to have a provision that if a Bill is brought before this House, particularly during the electioneering period like next year, we need to give a limit that that Bill should be passed within a certain timeframe. I know there is a law that says Bills should take 90 days. However, it is important for us because the Bill that established the YEDF was established in a year that we were headed for elections.

There was Regulation No.12(2) on the YEDF under Order No.63 of 2007, which provided that the YEDF will deposit its money that is not being used. What is the purpose of us giving money to the YEDF which is supposed to loan the young people? I doubt whether we

have that kind of excess money within the YEDF. It is important for us to look at the laws, particularly those that are brought just a year before elections. We should scrutinise them and not just pass regulations or legislation that will give some leeway to some banks. We might be blaming the two young Kenyans, but they read the law and saw the loophole they could use and they used it. They will just say that they were allowed by the law to do that. So, it is important for us to look at the legislation that is brought during the electioneering period.

I did a strategic plan for 10 years in my NGCDF, assuming I will be re-elected.

Another Member of Parliament may come and do the same strategic plan for purposes of pocketing money. These are things that need to be critically looked into so that we do not allow people to get money, because a strategic plan has a lifespan. If you want to spend, you must indicate that other issues have arisen and there is need to change it. I hope that the culprits who misappropriated the YEDF will be taken to court. We have a Report which needs to be taken to the investigating agencies so that we can get justice.

With those few remarks, I support the Report.

Hon. Deputy Speaker: Hon. Rachel Amolo.

Hon. (Ms.) Amolo: Thank you, Hon. Deputy Speaker. The findings of the PIC on the financial mismanagement at the YEDF are very annoying, especially when you look at the big number of youths in this country looking for funds to start micro and small businesses. We have a Board that is mismanaging the Fund by not giving the youth what they need so that they can employ themselves. The YEDF was started to fund the youth. They are expected to borrow money from the Fund to engage themselves in small businesses. The youth do not have the kind of collateral sought by commercial banks in order for them to borrow money. It is shameful that we have a Board that cannot manage the YEDF.

I support one of the MPs who said that before people are appointed Chairs of the YEDF, they must be investigated. We have to know their record and ascertain whether they qualify to manage any money in this country. Mismanagement of public funds is as a result of somebody not having had any experience in managing money. I think they are even unable to manage small funds in their houses. It will be unfair to give such responsibility to a poor financial manager.

The other thing is that the youth need to be informed on where the money is but the YEDF administrators are busy mismanaging the money, including paying people who have other interests and who are not youth. They pay other organisations that are not related to the YEDF. The youth should be given opportunity to know where their funds are. If you go to Kakamega County, you will find quite a number of youths who are looking for funds yet we have the YEDF, from which they should be borrowing money and repaying it a lower interest rate.

Therefore, the people who were involved in this scam should be arrested. Their bank accounts should be frozen so that the money can be taken back to the YEDF to enable the youth in Kenya to continue doing their businesses, so that they can change their lifestyles.

With those remarks, I support.

Hon. Deputy Speaker: Hon. Cyprian Iringo.

Hon. Kubai Iringo: Thank you, Hon. Deputy Speaker, for giving me the opportunity to contribute to the Motion.

Hon. Deputy Speaker, it is sad when we are talking of fraud and misappropriation of money in this country.

It has become normal for people to use the offices they have been appointed to serve in to misappropriate public funds. It is annoying in that in this particular case, the youth were used as a bait to get money from the public coffers in order for that money to be misappropriated by

people to enrich themselves. They hid money under their blankets or mattresses for their own use under the guise that it was going to benefit the youth.

Many youths have been frustrated because they were recruited by the same people in the NYS and in the Ministry for jobs which at first were very attractive. They were to be paid about Kshs350 per day and Kshs100 was to be saved. Most of the constituencies where the youth were recruited to date have not received that money. Even the original weekly payments and the balance that was supposed to be deposited somewhere has not been seen. It ended up to the Kshs97 million that we are talking about.

Using our youth to get money for personal use is something we should condemn in the strongest terms. A lot of money has been lost in this country through fraud where institutions are started and briefcase companies formed overnight just to target a certain amount of money that has been allocated for public purposes. We have had scandals that have been investigated in this country, like this one, on which reports were tabled in Parliament or with other Arms of the Government. Those reports have never seen the light of day.

The people who have been accused of such offences are walking on the streets. Money which would have saved thousands of Kenyans, or raised them above the poverty line, has been misappropriated by a few people who are freely walking on the streets while petty offenders are languishing in jail. It is high time we brought morality to our systems and have leaders of good morals and integrity in public office. Once you are bequeathed with an office to run, with the task of bringing development in this country or implementing Government programmes, you should own up and be accountable.

As a deterrent measure, I would recommend that whoever is found culpable in this matter and in many other matters, should be brought to book. We need to clean the house. If that money is recovered, be it in real estate or whatever form, let the properties be sold so that the youth can get the money as promised. We got stories of how equipment was bought for the defunct Kazi Kwa Vijana Programme. Spades, gloves, boots and other pieces of equipment were bought at 100 times above their value. People who never owned shops or knew how to display wares in shops before opened small shops, bought items from factories and deposited them at the youth centres. They then got paid and closed shop. That is very unfortunate. If this Report has evaluated all these issues and named the persons who were culpable, let them be brought to book and be made to pay back the money so that the youth can get back their money. At the end of the day, they will be an example to others.

Hon. Deputy Speaker, fraud is not only rife at the YEDF but also in other institutions in this country. There is the Triton oil scandal, the Chicken Gate scandal and the infamous Goldenberg scandal. For how long shall we live in this scenario in this country? Other countries are ahead of us because the resources that are supposed to be spent on development projects to move this country forward end up in individuals' pockets. We started the development journey with many other countries but we are mark timing because only about 30 per cent of funds meant for development in this country go to development. About 70 per cent end up in the pockets of the people who implement development projects. When will we become a developed country? When will we absorb the many youths who leave school annually? They loiter on the streets of Nairobi and many other towns, as well as in the villages, without any jobs. Very few individuals use the money that should have been used to establish business enterprises to accommodate the youths. It is high time that we, as leaders, and other people in public offices, brought back sanity and protected public funds for the benefit of the future generations of this country.

With those remarks, I support the Motion.

Hon. Deputy Speaker: Is Hon. Mohamed Sumra not in?

Hon. Nicholas Gumbo!

Hon. Kajwang’: His card is the only one that is here, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. John Mbadi.

Hon. Ng’ongo: Thank you, Hon. Deputy Speaker. I also join my colleagues in expressing my frustrations regarding the way good initiatives and intentions are abused in this country. Sometimes I ask myself whether when we come up with initiatives to help the youth, women and other vulnerable members of our society to improve their economic wellbeing, we lose focus during the implementation stage of such initiatives. Is it because we rush to create these funds? What makes these funds so vulnerable to misappropriation? The answer lies in our preparation, including the legislations that we come up with and the financial management systems that we put in place to ensure that these funds are properly managed.

I have looked at the Report of the PIC. I congratulate the Committee, which is led by Hon. Keynan. They did a good job in unearthing this matter. What is coming out clearly is that Parliament appropriated money. A decision was made primarily by two individuals – Ms. Catherine Nambuye and Mr. Bruce Odhiambo – to withdraw money that was to be lent to our youths. The money was transferred to a fixed deposit account. The duo are the only people who can tell us why they put Kshs400 million into a fixed deposit account. Mr. Bruce Odhiambo and Ms. Nambuye decided to make Ms. Nambuye the sole signatory – something which does not happen in Government institutions.

When deposit matured and the money became available for use, they decided to pay somebody believed to be a consultant, but who is basically an individual called Mukuria Ngamau. The gentleman went ahead and spent the taxpayers’ money at will. He bought an apartment in Lavington for Kshs48.5 million. People will think that he is a very hardworking individual but the truth is that he is living nice in Lavington on the sweat of the Kenyan taxpayer. He is living on money which was supposed to be lent to the youth of this country to help them get out of poverty. The gentleman decided to pay a debt of Kshs18 million he owed Great Lakes Limited. God knows what he got from that place. He also spent Kshs9.24 million to purchase an excavator from an international company and shipped it into the country to do business. I can go on and on.

There was blatant theft of public money. The people who stole the money cannot hide. The details are there. The Committee has done a commendable job. I want to thank this Committee for writing a Report which is not ambiguous. It is very clear. Anyone can read the Report and understand what happened. There is impunity that is developing in this country. It is taking root and people do not care anymore. Public officers no longer engage their intellect as they steal taxpayers’ money because they know that no one will take them anywhere. I want to put it on record that if our investigative agencies tasked with fighting corruption cannot get the three Kenyans jailed, Kenyans should not continue paying them anymore. There is no reason for paying people at the Ethics and Anti-Corruption Commission (EACC), and at the Office of the Director of Public Prosecutions (DPP), if those institutions cannot prosecute a simple case like this one, where individuals conspired to steal taxpayers’ money without even attempting to cover their tracks. If these cases cannot be prosecuted successfully, I do not see why we should pay Mr. Tobiko and his team. We should disband that office and accept the fact that, as a country, we are unable to fight corruption.

Hon. Deputy Speaker, this is not an isolated case. We have so many similar cases at the affirmative action funds that we have set up. I know that the Public Accounts Committee (PAC)

is still investigating this matter. I am sure that their report will come to this House. I do not want to discuss the report before it is brought to the Floor of the House. What is happening at the National Youth Service (NYS) is worse than what happened at the YEDF. The commercial banks have joined this conspiracy. Theft of public funds in this country happens with the collusion of commercial banks. This is shown by the rate at which people withdraw cash. A big amount of money gets into an account today and on the following day it is withdrawn in its entirety, in cash. In fact, you find people withdrawing Kshs80 million in cash. A sum of Kshs80 million in cash is about 80 litres of water. Carrying Kshs80 million in cash is like carrying four 20-litre jerry cans of water. I wonder how many of us here can carry four 20-litre jerry cans of water and leave a banking hall with that load. You can be scared to even carry one. It means that some commercial banks collude with fraudsters to take away our money.

The Anti-Money Laundering Bill that we passed here a few years back is not helping. I want to ask the Central Bank of Kenya (CBK) to be more punitive to commercial banks that engage in such malpractices. Some of them are notorious and known. If you want to steal money, you open accounts in some specific banks in this country. In this case, Chase Bank played a clear role in aiding and abetting corruption.

This Ministry was headed by Ms. Ann Waiguru. It is interesting that the former CS presided over looting of funds from the NYS, the YEDF and I do not know where else. I have not heard any action taken against her. The lady should be in prison by now. I do not see why she should be walking around scot-free and even contemplating running for a public office in this country. The impunity that is taking root in this country must be stopped at whatever cost. The only way to do it effectively is to start from the top. I would want to ask the President to form a multi-sectoral committee. I see him inviting people to State House. The people of Kenya want to hear the progress that the committee has made in terms of fighting corruption. We want to know the big fish with serious cases. We are not interested in cases that have been filed in court for Public Relations purposes and hoodwinking Kenyans to believe that something is happening on corruption. I would want to see people being prosecuted properly in court, with proper evidence being adduced because the evidence is there.

You do not expect a salonist to steal Kshs1 billion from public coffers without the help of big people, or Mr. Ngamao to have the confidence of taking our money on his own. That building in Lavington must be given back to the people of Kenya. Even if he lives there with his family, they must be evicted so that the ownership of the house can revert to the taxpayers.

Hon. Sumra: On a point of information, Hon. Deputy Speaker.

Hon. Deputy Speaker: What are you clarifying, Hon. Sumra?

Hon. Sumra: Hon. Deputy Speaker, I want to tell my good friend that he does not know much about money. A sum of Kshs80 million is not equivalent to four 20-litre jerry; it is equivalent to a Canter truck-load. If he does not know about money, he should ask me.

Hon. Deputy Speaker: It should be a what?

Hon. Sumra: A sum of Kshs80 million in Kshs200 notes should be a lorry-load.

Hon. Deputy Speaker: So, what he is saying is less? It should be more?

Hon. Sumra: Yes, four 20-litre jerry cans for Kshs80 million is so small space. It should fill a Canter truck load. I am glad he has spoke about money. He should take some to the bank.

Hon. Deputy Speaker: You do not have a chance to speak; you are just clarifying.

Next is Hon. Esther Murugi but before she speaks, I want to recognise the presence of students from Nasserpuria Primary Schools from Mvita Constituency, Mombasa County, who are seated in the Public Gallery.

We also have Dr. Santos Raja visiting from India, courtesy of Hon. Sumra of Embakasi South Constituency.

You are all welcome to the National Assembly.

Hon. (Ms.) Mathenge: Thank you, Hon. Deputy Speaker. I also want to support the PIC Report.

I hope this Report will not go to the archives, but rather action will be taken. We have had very many Reports on corruption and other issues but after tabling them in this House, they just go to the archives. The Committee has done its work but the people who are supposed to implement do not follow-up.

The YEDF was formed to provide the young men and women of his country with start-up capital to engage themselves in small businesses. Unfortunately, only a few gentlemen and ladies are benefiting from this money through the back door, leaving the rest of the youth to languish in abject poverty. We should not just be talking about the YEDF. Anybody else who has misappropriated public funds should be jailed and the keys thrown in the Indian Ocean because such people are giving Kenya a bad name.

Lately, we were been ranked number four in the world corruption index yet not so long ago, we used to be very far from corruption. My fear is on the kind of children we bringing up. If the management of the YEDF is stealing, then you should not expect the youth to repay the loans they have been advanced by the same Fund. They will also default. At the end, the YEDF will not fulfil the purpose for which it has been established. A lot has been said, but I want to ask the PIC to follow-up and ensure that all the funds given by the Government for good use is indeed used for that purpose, and appropriate action is taken against anybody who has misappropriated public funds. Just like Hon. Mbadi has said, any assets that have been bought using funds stolen from the YEDF must be confiscated and given back to the youth fund in order to avoid another cycle of corruption. I am sure, this is what is happening. Assets are confiscated and then halfway through, another cycle of corruption starts.

This reminds me of when we were talking about the NYS scandal. For some of us in this House, our constituents were sent to harass us for saying the truth. Corruption is not just about those who are charged with responsibilities. All of us should look into our inner selves and find out if we are corrupt or if we are doing what is right.

As I support this Motion, I recommend that the culprits in this matter should be jailed the keys to their cells thrown away. That is the absolute bottom line that we can accommodate.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Aghostinho Neto.

Hon. Oyugi: Thank you, Hon. Deputy Speaker. I support the adoption of this Report.

I will start by telling by good friend, Hon. Mbadi, that the word 'impunity' simply means someone engaging in atrocious crimes knowing very well that they will not be punished.

In this country we have elevated corruption to a level of its own. It looks very nice and well for one to be corrupt, make money, live very well and travel around the country. It is like those of us who work hard are lesser human beings. The youth in this country are suffering a lot. In the rural village I come from, Kshs1, 000 makes a lot of difference in a family. It means that a family will have tomatoes, fish and *ugali* on their table. In some cases, it means life and death.

Hon. Deputy Speaker, it is horrendous that people who have stolen as much as Kshs180 million walk scot-free on the streets of our cities, wearing beautiful jewellery and expensive Italian suits. That sort of crime cannot go unpunished. My colleagues have spoken very well to

the specifics of the action that ought to be taken against the people who were in-charge of YEDF. I commend the PIC because they have come up with a well done Report.

I would like to speak not to the persons who allegedly engaged in these atrocious crimes, but to what in my view are institutional issues which the PIC recommended. Firstly, the PIC recommends that the National Treasury should constitute a multi-agency team composed of various persons to look at the performance of various projects undertaken by the YEDF since its inception. This recommendation tells me that probably there was no framework for monitoring the application of the money given to the YEDF. This is in itself is worrying. How would we not know how much money has been disbursed and what impact it has had on our youth? There should have been a framework for monitoring how much money has been disbursed to the youth and ascertaining the impact that the money has had on the beneficiaries as well as the country.

Secondly, in this Report the PIC talks about the proceeds of crime, anti-money laundering law and the creation of a financial reporting centre. The Committee proposes amendment of the law that constitutes the Financial Reporting Centre (FRC). I appeal to the members of the Committee, as their own initiative because they understand the facts, to move this amendment so that we do not leave it in the hope that someone else will do it whereas Parliament can do it.

What I would like to speak to more is the third recommendation, which talks about confirmation of the CEO of the YEDF. There are several organisations in this country with people given roles in acting capacity for so long. When someone is made an acting CEO for so long, it creates appetite for theft. It makes them feel like they are not entirely answerable. I can name several organisations which still have acting CEOs. The CS in charge of youth affairs must move with speed to either confirm the acting CEO or engage in the process of ensuring that we recruit one to run the YEDF in a proper and organised manner.

The fourth recommendation of the PIC gives the Attorney-General (AG) the responsibility of submitting draft legislation to the National Assembly not later than two months from the adoption of this Report. This is a task which should be taken up by members of the Committee because they know which sections of the law should be amended. The Committee should not leave this work to the AG because we know the procedure. It is much easier for the Committee to move an amendment to legislation and have it fast-tracked.

The fifth recommendation speaks to the Auditor-General undertaking a forensic audit. It shows that a breakdown had arisen. It is requesting that the Auditor-General shows how much money has been appropriated by the National Assembly to the YEDF since its inception. This is almost “cut” and “paste” of what the first recommendation speaks to. Right now, this House does not have a record of how much money we have given to the YEDF. That is why there ought to be a framework within which funds that we appropriate to the YEDF ought to be substantiated.

On the recommendation that speaks to the AG reporting back in not less than two months after the adoption of this Report, with the implementation of the FRC and the Assets Recovery Agency (ARA), I think the Committee should move on its own motion. The danger with giving roles to other bodies is that sometimes there is laxity in the performance of that duty. The PIC knows where we have a problem. If at all it is the fast-tracking of the FRC and the ARA, these are activities the PIC ought not to delegate. They should be the ones taking them up.

On the seventh recommendation, with regard to Chase Bank not having engaged in due diligence with regard to money laundering, that is also as a result of the sixth recommendation, which is on issues of FRC and ARA. If the Committee dealt with those two Acts back to back, it would make more sense because it would save us a lot of work.

The 10th recommendation talks about the circular dated 18th July 2007, issued by the former Head of the Civil Service and Secretary to the Cabinet, Amb. Francis Muthaura. The circular bars members of the inspectorate from sitting in boards of state corporations unless they are invited. The number of times public officers have used circulars, memos and regulations to disregard Acts of Parliament are several. We need the Committee on Implementation to help public officers understand and appreciate that Cabinet memos or ministerial memos or regulations cannot supersede what is contained in legislation. Under Article 95 of the Constitution, Parliament has been given the sole authority to make anything with a force of law. Even in circumstances where such authority is delegated, it ought to be with the approval of the National Assembly. It is not pretty for a CS sitting somewhere else to make or bar people from sitting in these institutions by the authority of a memo. That is why the Committee on Implementation ought to proceed in a manner that will help officers in the public service to understand their roles with regard to legislation and regulations.

The 11th recommendation is with regard to reforms in parastatals like the Women Enterprise Development Fund (WEDF), Uwezo Fund (UF) and the Micro and Small Enterprises Authority. One of my colleagues, without anticipating debate, has proposed legislation. We need to bring all these Funds into one house where they can be executed properly. These Funds have been created for purposes of helping the women and young people of this country. The mechanisms with which they should be borrowed and the grants made available should be easy to deal with. The amount of unemployment these Funds ought to be dealing with is immense. Therefore, we should not make it very difficult for the young people of this country to access grants and loans. In this country, one person can steal a whopping Kshs400 million. This is the amount of money which should have been given to our young people in form of grants, not even loans. Even when funds are said to be available in form of loans, the stringent requirements that are put in place by the funds administrators are prohibitive. Let us put all the Funds under one piece of legislation and make it easier to administer them to ensure that the young people of this country access the loans.

Lastly, I would like to speak to the 14th recommendation, where the Committee purports to direct the Director of Criminal Investigations (DCI) on what to do. Whereas I respect and agree with this recommendation, the Committee should have limited itself--

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Your time is over. Other hon. Members also want to contribute.

Next on my request list is Hon. Sabina Chege.

Hon. (Ms.) S.W. Chege: Thank you, Hon. Temporary Deputy Speaker. I would like to support this Report.

Issues affecting the youth are very sensitive and close to my heart because a larger population of this nation are young people. If we do not take care of our young people, we are throwing this country away.

As I moved around Murang'a County campaigning, I was saddened to notice that many of the youth were not even aware of the existence of the YEDF. I have made a lot of efforts as a Member of Parliament to go to the ground and educate the youth on how to access this Fund. The saddest bit is when this money does not reach the people it was intended for. We are aware, from this Report, that a lot of people were involved in malpractices and mismanagement of the YEDF. It is very sad, as my colleagues have already indicated; that the big fish in this country run away with a lot of money, and they are never caught. It is high time the courts did their bit to ensure that these people to go through the prosecution process. The Government has goodwill,

especially towards young people. A lot of money has been put aside to take care of young people, but there are people who take advantage of it. It is sad that the money that the Government commits to young people does not reach them.

My recommendation is that the YEDF, the WEDF and the Affirmative Action Fund be merged so that the funds can be managed under one kitty. The process of audit and follow-up to establish who got the money, and ensuring that the money gets to the intended persons, should be clear. It is sad that a lot of money goes to the same groups of people from the WEDF, the YEDF, the AAF and the Uwezo Fund. I hope that Hon. Bowen's Bill passes. We shall be moving amendments to merge all these Funds into a single kitty. Hopefully, the position of the County Member of Parliament can then be charged with the responsibility of overseeing the management of that Fund.

Hon. Temporary Deputy Speaker, we need to relook at our values. It is wrong for somebody to go ahead and enter into a deal with money that was committed to assisting vulnerable members of our society. When you sit comfortably in a nice home that you know you acquired through wrong deals, it is not fair. We need to relook at our values, especially in terms of education. I am glad about the fact that for the past few weeks a lot of students have been coming to this House to learn and emulate what we do here. We need to teach our children about values in our schools from an early age. If we do so, the students who are here today will become good leaders of tomorrow. When we entrust them with public funds in the future, they will be in a position to handle them well. It is sad to see so many young people, who have been entrusted with the responsibility of managing their own fund by the Government, not doing what they are supposed to do. It is a shame!

Hon. Temporary Deputy Speaker, young people who misappropriate funds should not be given a chance to sit on any board of a public institution or occupy any Government office. This must serve as a lesson to all of us so that when we are given a responsibility we do it well.

I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, because of time constraints, I will give opportunity to only one Member before I call upon the mover to reply.

Hon. Ghati!

Hon. (Ms.) Ghati: Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to support the PIC Report on the fraud at the YEDF.

We have known for a long time that the intention of the YEDF, just like the Women Enterprise Development Fund (WEDF), the Uwezo Fund and others, has been to take care of the best interests of the youth of this country. I feel very pained when I read that over Kshs180 million from the YEDF cannot be accounted for. Who speaks for young people in this country? We have a lot of idiots in this country who purport to speak for young people. I am very sure that if we scrutinize the record of awarded tenders at the YEDF we will find out that the companies that benefited from those tenders are not led by young people. I am sure that the companies that benefited are led by a few idiots who cannot account for this money. It is wrong. Young people in this country have no voice. Young people in this country have no opportunities. Young people in this country have no employment. It is wrong and painful to see an avenue that has been created with the good intentions of helping the youth in this country being distorted by a few people.

Hon. Temporary Deputy Speaker, Kshs180 million is an amount of money that can revolutionize and modernize hospitals in this country. The other day you saw what happened in my county of Migori. Young people are now being used all over by politicians to cause chaos.

The youth can use money from the YEDF to create jobs for themselves. We need to look for ways of empowering the youth. There are more opportunities that exist for women than there are for young people. Has this country really recognized young people? There are opportunities for women in terms of special seats in the county assemblies, but how many opportunities do we have for the youth? We only have two slots for them: a male youth and a female youth. The other slots in the county assemblies are reserved for women. Young people in this country do not have opportunities.

In this country we have Government officers who steal public resources with a lot of impunity. We are not going to accept that. It is wrong and inhuman to steal so much money in the name of the youth. The youth in this country are the target of every ill that is committed. It is no longer acceptable for a young person to steal money and live lavishly. It is no longer nice. It has reached a point where everyone must carry their own cross. In this Report it is indicated that the CEO and Mr. Bruce Odhiambo took the money and put it in a fixed account. Obviously, the money earned interest. We have not been told about the particular interest. If they put Kshs400 million into a fixed deposit account, it is obvious that the money earned interest. They must have shared the interest amongst themselves. It is wrong and inhuman.

I want to urge the Director of Public Prosecutions to ensure that the people who have been mentioned adversely in this Report are prosecuted to teach other Kenyans a lesson. We are not going to condone impunity. It is wrong. We want to give to the youth, the women and people with disabilities what rightfully belongs to them.

With those few remarks, I support the Report and thank Hon. Keynan for a job well done.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, before I call upon the mover to reply, allow me to welcome pupils and teachers from Nyakwerima Primary School from Borabu Constituency, Nyamira County, who are seated in the Public Gallery.

You are all welcome to observe the proceedings of the National Assembly.

(Applause)

I now call upon the mover to reply.

Hon. Keynan: Hon. Temporary Deputy Speaker, before I make some comments allow me to donate two minutes to the Member for Kesses and two minutes to Hon. Beatrice Nyaga.

(Loud consultations)

Hon. A.B. Duale: Is he really in order?

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Yes, it is in order for him to donate part of his time because the time for debate is officially over.

Hon. Keynan, who are you donating part of your time to?

Hon. Keynan: Hon. Temporary Deputy Speaker, I thought I had 30 minutes. Indeed, the mover has 30 minutes. I am donating two minutes to the Member for Kesses and two minutes to Hon. Beatrice Nyaga.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Keynan, you have 10 minutes. Plan with those minutes.

Hon. A.B. Duale: You have 10 minutes!

Hon. Keynan: Hon. Temporary Deputy Speaker, the Leader of the Majority Party should respect the rules of this House. The mover, in replying, has 30 minutes at his disposal; unless the

rules of this House have changed. I have 30 minutes to reply, out of which I wish to donate two minutes to the Member for Siaya County; two minutes to Hon. Beatrice Nyaga; and two minutes to the Member for Kesses.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Keynan, we have less time than what you have actually indicated.

Hon. J.K. Bett: Hon. Temporary Deputy Speaker, I would like to thank the Chairman of the PIC for giving me this opportunity to add my voice to the fight against the corruption and fraud that took place at the YEDF. What happened at the YEDF is a clear demonstration that people engage in corruption with impunity in this country. The habit has taken root in this country. The YEDF is one of the ways through which the youth would have got jobs. We are all aware of the magnitude of the problem of unemployment in this country.

The malpractices that took place at the YEDF, including single-sourcing, inflation of prices of goods and services during procurement, and non-payment for delivered goods and rendered services is a clear demonstration of the corrupt activities that are mentioned in this Report. I am calling upon the Ethics and Anti-Corruption Commission, the DPP and the Auditor-General to take the necessary steps so that those who presided over these corrupt activities can be prosecuted by law. All the proceeds that were got from that corruption should be repatriated to the state so that they can be deployed in other ways.

Hon. Temporary Deputy Speaker, at this rate, the Vision 2030 and the objective of attaining a double digit economic growth will remain a mirage. If we are going to siphon public resources at this rate, it will not be possible for us to attain anything.

With those remarks, I support the Report and congratulate the PIC.

Hon. (Ms.) Ombaka: Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity.

The YEDF, just like the Uwezo Fund and other funds that have been created in this country, has a purpose. Its purpose is to economically empower young people. When we talk about young people, we have in mind young girls and boys and by extension, people living with disabilities. These are vulnerable people whose lives we intend to improve. The impacts of stealing money meant for young people are as follows: They become violent because they have no funds; they become thieves and beggars. That is what we are suffering from today. If you walk around my county, you will find young people who have no funds. They have heard of the YEDF but they cannot access it. I have trained them on how to apply for the money. I have even told them what to do. They are ready to borrow and use the money but they are frustrated because there is no money to give them. That is why it is now very difficult for elected leaders to walk around the market places. If you go there, young people will follow you all over the place, asking you to give them a little money to take home yet these are people should have been empowered through the YEDF.

Some of them have initiated wonderful projects in their villages, including poultry farming, making soaps, rearing fish. Others have started innovative projects that need support. Some of the projects are collapsing because the youth have put a lot of hope in the YEDF but they have never got a single cent out of it. We are creating a community of young people who are going to become robbers and beggars. We keep talking about young people being leaders of tomorrow. How can you be a leader of tomorrow when you are a beggar or when money meant for your empowerment has been stolen? That is why I repeat what others have said – that the culprits, whose names have been published in this Report, must be investigated.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Ombaka, your two minutes are over.

Ms. Nyaga, please plan for your two minutes.

Hon. (Ms) B.N. Nyaga: Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity. I sit in the PIC.

I want to thank my very able Chairman for the good job that we have done. The YEDF was meant to assist the youth of this country but the people who were given the responsibility of taking care of the Fund have not done what was expected of them. They have misappropriated the money that was meant for empowerment of our youth to enable them build stable families that can take care of themselves. The youth, who are supposed to assist in developing this country's economy, cannot do so because of the greedy individuals who have stolen their funds to enrich themselves and their families. The culprits are very rich people, but they have taken away the money meant for the development of the youth of this country. The youth cannot develop themselves because the people who were given the responsibility of administering the YEDF took away the money that was meant to be lent out to the youth.

In our Report, we have recommended that the EACC and the Directorate of Criminal Investigations should do their jobs and give a report within two months so that the perpetrators of this crime can be taken to court. Whatever they took should be given back to the youth so that they build their future and the future of this country.

With those remarks, I support the Report.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, before other beneficiaries make their contribution, allow me to welcome students from Sony Sugar Complex from Awendo Constituency, Migori County, and Nasserpuria Primary School from Mvita Constituency, Mombasa County, who are seated in the Public Gallery.

You are welcome.

The other beneficiary is the Member for Borabu. You have two minutes.

Hon. Momanyi: Thank you, Hon. Temporary Deputy Speaker, for giving me this chance to support this wonderful Report, which has been compiled by my friend, Hon. Keynan.

Indeed, the youth of this country have been taken for a ride for a very long time. This is money meant to assist the youth to empower themselves so that they can live like other Kenyans. We have had quite a number of cases where people just take away public money and nobody follows them. The committees of this House write reports with clear recommendations but nothing happens. It is my wish that this Report is implemented. As my colleagues have said, whoever benefited from the corrupt deals should be brought to book. The culprits should be taken to court. Whatever money is recovered should be given back to the state to ensure that it is reverted back to the YEDF for use by the youths, who are always misused by most of our senior politicians to cause chaos.

While supporting this Report, I recommend that we should have in place a system of ensuring that recommendations contained in such reports are fully implemented.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, I now call upon the mover to reply.

Hon. Keynan: Hon. Temporary Deputy Speaker, I take this opportunity to thank all the Members who have patiently waited to get opportunity to contribute to this Report.

In 1968, long before a number of the hon. Members who are serving in this august House were born, Kenya was a donor nation. Forty-eighty years down the line, some of the countries to

whom we donated money are enjoying GDPs of unprecedented levels. Take the example of South Korea. Her GDP today is almost 50 times more than that of Kenya. Other examples are Malaysia, Indonesia and Thailand, among many other countries.

There is one thing I have always wanted to say. In 1968 Kenya hosted the first batch of public health officers from the Republic of Botswana, which was newly created then. We trained the officers at the Kenya Meat Commission (KMC). Almost 50 years down the line, the KMC is a shell while Botswana Meat Commission supplies processed meat not only to Africa but also to the entire European Union (EU) countries. We are in a sorry state of affairs.

Hon. Temporary Deputy Speaker, I do not know why the red light is on. I have barely started replying. I know I have about 15 minutes.

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

Hon. Keynan: Hon. Temporary Deputy Speaker, my time has to be respected. I have 30 minutes. I have donated 10 minutes. I believe I still have 20 minutes but I will take the shortest time possible.

What I am trying to say, because this is a House of rules and the rules must be respected, is that---

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Keynan, no one has disrespected the rules of this House. I can protect Members.

Hon. Keynan: Thank you. I believe I have your protection. I will take the shortest time possible. This great Republic cries for the attention and commitment of each and every leader. The youth of the Republic of Kenya are supposed to emulate us in every aspect – socially, politically, economically and spiritually. The kind of example that we provide as leaders is wanting. When you appoint a jester and a charlatan to head a critical agency like the YEDF, what do you expect? Mr. Bruce Odhiambo did not qualify for appointment as the chairperson of this critical youth oriented organisation. To the best of my knowledge, Mr. Bruce Odhiambo is a charlatan. He is the kind of individual you would invite to social gatherings just for laughs. When you have such an individual heading a critical organisation, it defeats the very essence of having such an important institution tailor-made to serve the economic interests of the youth of the Republic of Kenya.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Keynan, there is a point of order by the Member for Tongaren.

Hon. (Dr.) Simiyu: Hon. Temporary Deputy Speaker, is the Chairman of PIC in order to say that the Chairman of the YEDF was not qualified when we know that he was indeed qualified, having gone to St. Mary's School?

Hon. Keynan: Hon. Temporary Deputy Speaker, I am sure that my good friend knows that being an old boy of St. Mary's School does not mean that one is qualified. He might have failed at the first entry-level. I urge my brother to read this Report. From our investigations, we concluded that Dominic Bruce Odhiambo was the least qualified person to be appointed to serve as the Chair of the youth-based YEDF. Therefore, I support my statement. That is the truth. His only basic qualification was that he went to St. Mary's School. I do not consider that to be a qualification because St. Mary's School is just like any other good school.

What are we trying to tell the youth of the Republic of Kenya? What are we telling them to emulate from us, as the leadership of this country? I am glad that the Leader of the Majority Party is here, because he speaks for so many people. I want him to hear this clearly.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Keynan, continue replying. Forget about the Leader of the Majority Party.

Hon. Keynan: I withdraw my reference to the Leader of the Majority Party.

Hon. A.B. Duale: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us hear the Leader of the Majority Party, Hon. Keynan.

Hon. A.B. Duale: Hon. Temporary Deputy Speaker, Hon. Keynan is a seasoned Member of this House. He knows that there is something called the HANSARD, which is the true record of this House. It does not matter whether I am here or in my constituency, I will know what he said by reading the HANSARD. Is it in order for him to speak as if I am the one who stole the money from the YEDF? I am not the one. I want to confirm that I am among the very few political leaders in this country who have never been mentioned or tainted in corrupt dealings. I eat my sweat.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Leader of the Majority Party, we appreciated your arrival although Hon. Keynan withdrew his statement.

Ho. Keynan: --- (*Off-record*)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Keynan, it is good to listen when the presiding Chair addresses the House, so that we all communicate.

Carry on.

Hon. Keynan: Hon. Temporary Deputy Speaker, I will never say that my good friend, and former schoolmate, has stolen but I expect him to use his position to defend the rights of the youth of the Republic of Kenya.

This was not only a conspiracy but outright theft of public funds. It was a conspiracy involving three individuals – a court jester called Dominic Bruce Odhiambo, a lady called Catherine Namuye and a conman by the name of Mukuria Ngamau. First, they convened a Board meeting and obtained the minutes. They later on tampered with those minutes in order to have an individual as the sole signatory to a bank account of an entity of the Government of Kenya. Where on earth does that happen? Even in privately owned companies, you do not allow an individual to be the sole signatory to a bank account. They opened a fixed deposit account with Chase Bank and put in money that was legitimately set aside by the Government for lending out to the youth in order to engage them in economic activities. The money was tied in a fixed deposit account – something which the culprits were not authorised to do. They eventually used that money to award a contract to a purported consultant for services which did not exist.

One of the things that somebody alluded to, which we later realized was correct, was that the company that was purposed to have provided the ICT consultancy services did not exist. In fact, one of the persons mentioned, Mr. Reeve, died a long time ago. When we dug into the background of Mr. Reeve, we discovered that he was a church person. I am not sure he even had a computer. When we asked them to show us how much they transferred, we were told that the money was wired through a locally-owned bank. We went to the bank and they said that they never had such an account. There was so much cash paid out at the counter.

Eventually, we did something that no other Committee in the legislative history of Parliament has ever done. We went out of our way to check the cash-flow. We realised that part of the proceeds of this money was used to buy a very luxurious apartment in Lavington. We told the Directorate of Criminal Investigations (DCI) that the cash that was used by Mr. Ngamau was from the YEDF. We asked them to seize the assets, arrest the culprits and take them to court. It is like the DCI officers were following us. They were waiting for us to make a decision. On the day after the accounts had been emptied, the DCI got a prohibition order from court. The account was empty and the money was gone. What would you do?

Article 1 of the Constitution equates representation to our sovereignty. We must be prepared to bite the bullet and rise in order to protect the rights of our youth. Without this, I am afraid to say that we do not have a country. This country must be protected. I am saddened to say that Kenya today is isolated regionally. Once upon a time, Kenya was the leading economic, security and infrastructural hub. Today you only need to compare the economic activities at the Bole International Airport in Addis Ababa with similar activities at the Jomo Kenyatta International Airport (JKIA) to appreciate what is going on. Today, the East African Community is about to collapse simply because of our corruption and bad behaviour. You saw what the big man of Zimbabwe said about Kenya. Look at the economic activities. The Standard Gauge Railway (SGR), a critical project that was tailor-made for the entire East African region, has been reduced to a Kenyan project. That is not what we need. The oil pipeline from Mombasa to Kisumu was supposed to be a flagship Vision 2030 project. It has been reduced to a Kenyan phenomenon.

In 2000, through the efforts of former President Moi, Southern Sudan was our baby. One of the fundamental commitments that we made in 2000 was to tarmac the road from Lokichogio to Juba. Twenty years down the line, the Ugandans have done theirs from Kampala to Juba. We have not done ours. Today, Southern Sudan, which was supposed to be our baby, slowly became the baby of our neighbour, Uganda, which benefitted them economically.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): There is an intervention, Hon. Keynan.

Hon. Keynan: Hon. Temporary Deputy Speaker, there is nobody who is used to engaging in clean business will want to associate with individuals who are used to doing business in the wrong way. As a country, we must be prepared to rise and stop this trend of killing our economy.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Keynan, you are a very old Member of this House. When the Speaker talks of a point of intervention and you keep talking, it is disorderly conduct. You have to be on record to be sorry. Can you do it?

Hon. Keynan: Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order, Hon. Keynan! I will rule you out of order because you do not listen. You have been told that there is an intervention. Can you be on record as having apologised?

Hon. Keynan: I did not get what you said, Hon. Temporary Deputy Speaker.

Hon. A. B. Duale: Say you are sorry.

Hon. Keynan: Hon. Temporary Deputy Speaker, I withdraw.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): There was an intervention by the Leader of the Majority Party.

Hon. A.B. Duale: Hon. Temporary Deputy Speaker, I welcomed this guy to Moi University when he was a fresher.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. A.B. Duale, he is an hon. Member. He is not a guy.

Hon. A.B. Duale: Hon. Temporary Deputy Speaker, I listened to the Chairman of the PIC. I am a bit disturbed because he made a serious statement that has no relationship with this Report. He said that South Sudan, a sovereign nation and one of the smallest states in Africa, was once a baby of Kenya but she is now a baby of Uganda. Can he substantiate his statement?

Hon. Okoth: --- (*Off-record*)

Hon. A.B. Duale: Hon. Temporary Deputy Speaker, I am not at a Kibera Line Four ODM rally. The Member for Kibra is responding to me as if I am at a Kibera Line Four ODM rally.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): He is not on record. You are on the Floor.

Hon. A.B. Duale: Hon. Temporary Deputy Speaker, this is the august House. Young children are looking at us. This is a House of rules. Hon. Keynan must substantiate or withdraw his statement because it infringes on the rights of this House as an important institution concerned with the foreign policy of the Republic of Kenya.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Keynan, we are reminded of relevance. Can you substantiate your statement?

Hon. Keynan: Hon. Temporary Deputy Speaker, I am an expert and student of International Relations. Whatever I say is something which is properly weighed, considered and understood. Kenya is a leading diplomatic hub in this region. I can proudly commend former President Moi for the part he played in the realisation of the lasting peace that led to the birth of the youngest state in Africa. To that extent, I am proudly indebted to the former of President and the people of Kenya for the commitment, resources and time.

Logically, because we contributed emotionally, financially, spiritually, economically and militarily, we should have been the first beneficiary of the economic gains accruing from the newly independent state of South Sudan. If we tarmacked the Lodwar-Lokichogio-Juba Road, it would have opened up that part of Kenya that has been neglected for so many years. I said that Ugandans did their part. We must be prepared to jealously at all times promote, project and protect the image of Kenya as an independent and sovereign state. We must work towards realising that particularly objective as the duly elected representatives of the people of Kenya.

Pursuant to Article 1 of our Constitution, our diplomatic *modus operandi* has changed. The rules of the game have changed. We are no longer interested in political ideologies and conspiracy. We are interested in economic diplomacy because it will benefit the people of Kenya. This should be the emphasis because we need jobs. Engagement and promotion of economic of diplomacy will address the well-being of the people of Kenya. Students of International Relations will agree with me that economic diplomacy is the essence of international relations in all spheres of governance structures. We are no longer interested in the political ideologies of communism and capitalism. We should be concerned about the opportunities that our foreign relation contacts give us in terms of the economic well-being of the citizens of Kenya. That should be the essence of our diplomatic engagement with other actors. That is why today we can have diplomatic engagements with Cuba, South Korea and China. How do we benefit from such relationships? International Relations is no longer about belonging to ideological blocs and allied or non-allied movements, based on petty and parochial politics. That era is gone. We are now talking about promotion and protection of regional blocs.

Hon. Temporary Deputy Speaker, I alluded to the fact that Kenya is not an ordinary nation. It pains me to see individuals who do not understand the essence of the Kenyan people coming out to soil our name. We are rated as the fourth most corrupt nation in the world. It is not me who authored that report. I am not sure whether it is right or wrong. It pains me to see Kenya tagged alongside failed states. Because we have been entrusted with the leadership of this House, I do not want this Report to go to the archives. This Report was an outright threat. The Members of the Committee, including the Leader of the Minority Party, went out of their way to come up with this beautiful Report.

I would like to appeal to three agencies: Our own Committee on Implementation. I was in the last Parliament and when we were reviewing the Standing Orders, we felt that it was critical to have an ad hoc Committee to deal with implementation of the resolutions of this House. Shockingly, I do not see status reports of how decisions of this House are being implemented.

The framers of the current Constitution, in their own wisdom, decided to create a number of state agencies to be funded by the taxpayers. They include the Office of the Director of Public Prosecutions and the Directorate of Criminal Investigations Department (CID). These institutions must not wait to be prodded by anybody to do their work. They must be willing at all times to seize any opportunity to protect the integrity of this country. Therefore, the three fraudsters, namely, Ms. Catherine Namuye, Mr. Dominic Bruce Odhiambo and Mr. Mukuria, must be charged in court. The Members of PIC, and by extension this House, have done their part. Action should be taken. The CID should arrest these people, confiscate their properties and let us have our money back.

I want to thank all the Members who contributed to this Report. Because we are what we want to be, we must stand for the rights of our youth. Once upon a time, we were all youth. At some point, I was among the youngest Members of this House, but I may now be among the oldest. History changes and we should stand for the rights of our youth.

With those remarks, I beg to move and pray that the members of the implementation agencies who are listening to us today will start implementing the recommendations contained in this Report from this evening.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, I will not put the Question for obvious reasons. Therefore, I order that the Question be put during the most appropriate time.

Next Order!

BILL

Second Reading

THE UNIVERSITIES (AMENDMENT) BILL

Hon. A.B. Duale: Hon. Speaker, I beg to move that the Universities (Amendment) Bill (National Assembly Bill No.67 of 2016) be now read a Second Time.

Hon. Temporary Deputy Speaker, it is like Hon. Keynan has taken a thunder. Very few people know Hon. Adan Keynan but he will be known once I write my book. He, together with Hon. William Ruto and Hon. Raila Odinga, will each occupy two chapters. They have played a very big role in what I am today.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Leader of the Majority Party, for the sake of the HANSARD, is what you are saying about the Universities (Amendment) Bill?

Hon. A.B. Duale: Yes, this Bill has been around for over a year.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Order Paper shows that we should be dealing with the Universities (Amendment) Bill (National Assembly Bill No.67 of 2015).

Please, proceed and move debate on the Bill.

Hon. A.B. Duale: Hon. Temporary Deputy Speaker, this Bill has been before the House for over a year. That is why I am confused. The main objective of this Bill is to make minor

amendments to the Universities Act, 2012. It has nothing to do with the Youth Fund. I want to make sure that the people who are going to report should know that Hon. Keynan did reply. That was the end of the Motion on the Report of PIC. What is before us now is a Bill. The amendments that came from stakeholders, the universities and the Ministry of Education, Science and Technology could not be carried in the Statute Law (Miscellaneous Amendments) Bill because they were very important in their own way. They were minor in nature, but stakeholders were to be involved.

This amendment Bill deals with accreditation of universities and approval of their academic programmes. It deals with the nomination of representatives from the public and private universities to be members of the Commission so that we can get equal representation. They are very minor things.

Clause 1 of the Bill seeks to amend Section 2 of the Act so as to provide for a distinction between accreditation of universities and approval of academic programmes. Which comes first? That distinction is being made very clearly in Clause 1. If you look at the back of the Bill, it gives Members the amendments to the principal Act. It is shown at the back of the Bill.

Clause 3 of the Bill seeks to amend Section 5 of the principal Act to empower the Commission and give it the powers to give accreditation and, at the same time, approve academic programmes. The major problem that is facing our country today is corruption, and it is not corruption in terms of stealing. Corruption has also gone into universities where anybody who has money will open a university or a branch, create his own programmes, and then swindle many Kenyan parents of their hard-earned money. So, Clause 3 is basically empowering the Commission for Higher Education and gives it the powers to accredit universities and approve university programmes in Kenya. So, all the courses which are being done in the universities must be approved.

Clause 4 of the Bill seeks to amend Section 6 of the Act to include a nominee of the public universities and a nominee of the private universities to be members of the Commission. If powers will be given to the Commission, then it must be a representative of the stakeholders. That is why we are saying that one person representing the public universities and one person representing the private universities must sit in the Commission for Higher Education.

Clause 5 of the Bill seeks to amend the Act by inserting a new sub-section 5A to address issues of conflict in law. What does it deal with in the approval of the academic programmes offered by the universities and colleges? How does it do that? It bestows this role on the Commission despite any contrary provision. So, whether you are in a private or a public university, the role of approving the university programmes will squarely lie with the Commission as a regulator. The Commission is playing the role of a regulator. Clause 7 of the Bill seeks to empower our local chartered universities. Our chartered local universities are empowered to develop and implement new academic programmes upon approval by the Commission. So, any university or institution of higher learning can have its own programmes that must be approved by the regulator, which is the Commission.

Clause 10 of the Bill seeks to amend Section 23 of the Act so as to require university councils to obtain prior approval of the Cabinet Secretary (CS) before making any regulations or statutes under this Act. If you look at the Statutory Instruments Act, it is very clear that it is only the CSs that can bring regulations or statutes to the National Assembly. So, Clause 10 of the Bill is just trying to amend Section 23 of the Act so as to make it mandatory for university councils to obtain the approval of the CS for Education for this matter before they can make any regulations.

Clause 11 of the Bill seeks to amend Section 35 of the Act. This is a condition to require universities to obtain approval of the Commission where they intend to establish governance organs, for instance, a board of trustees. If a university wants to have a board of trustees, then the Commission must be involved as a regulator.

Clause 16 of the Bill seeks to amend Section 54 of the Act. This is just to clarify the provisions relating to the funding of public universities and the issuance of conditional grants to private universities. So, Clause 15 amends Section 54 of the current Act just to clarify what will happen in terms of the provisions of the law when we want to fund the public universities and when we want to issue conditional grants to private universities.

Finally, Clause 16 of the Bill seeks to amend Section 56 of the parent Act. What does it do? It clarifies the role of the Commission and the role of the universities in admission and placement of students in colleges. That is being clarified. What is the role of the Commission and what is the role of the universities when it comes to admission and placement of students in universities and colleges?

Clause 17 of the Bill seeks to provide a transitional provision before this law is assented to and comes into effect. This is a common feature in all Bills. It provides a transitional provision in order to preserve the academic programmes previously accredited or approved by the Commission. As we debate this Bill, there are certain functions that the Commission is already doing. So, to save that, Clause 17 has transitional provision to preserve academic programmes.

Before I finish, it is very important to say that the universities of the yester years are not the universities of today. Some of us were lucky because we went to universities where we were given *boom* – money. The State was funding us. It was very hard to tell the son or daughter of a Minister from the son of a poor nomadic herder like me. Some of us used the little stipend we used to get to educate our brothers and sisters. Today, life in our public universities is very horrifying. The children of the rich are driving in limousines and the children of peasant Kenyans are struggling to make ends meet. It is the obligation of Government and this House to make sure that we provide state funding for our Kenyans who want to go to universities. The first time I paid back my loan is when I became a Member of Parliament in 2008. That is because after I left university, I decided to do my own businesses like running a kiosk and many other things. So, they could not trace me. But these days, they can trace everybody.

Kenyans who passed through the universities and took loans have paid back. It is a system that is used everywhere in the world. I think the 11th Parliament will go into history if we introduce budgetary provisions through the Higher Education Loans Board (HELB) so that each and every son and daughter of this country can get state funding to get university education.

We can have free primary and secondary education. But, I am sure if we have a funding for state universities like it happens if a citizen gets free medical care, free education and, maybe, free housing; ultimately, that is when a nation says it has attained its growth and democratic levels.

With those many remarks, I ask the Chairlady of the Departmental Committee on Education, Research and Technology, the great lady from Murang'a County, Hon. (Ms.) Sabina Chege, to speak after me and then Hon. Keynan. For whatever it takes, he spoke very passionately. I hope he will stop corruption in our country.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Sabina, you will have four minutes to second, unless you carry it forward.

Hon. (Ms) S.W. Chege: Thank you, Hon. Temporary Deputy Speaker. I thank the Leader of the Majority Party for moving the Bill. This is a Bill that has taken us time, as a Committee, to speak to the stakeholders because it is a very important Bill. The Bill focuses on the quality of education in our higher institutions of learning.

There has been a lot of conflict and confusion especially between the professional bodies and the Commission. We need to streamline operations whereby, once the accreditation of universities is done by the Commission, there is a proper way when the professional body should come in. We have had cases where professional bodies say: "Such an institution is not suitable to host students."

Actually, they even give a demand letter to close such an institution where the Commission has already given a go-ahead. So, it is a very important Bill so that we have clear roles. We need to know what the role of the Commission is to university education. At the same time, what is the role of the professional bodies that are also key in looking at what our students are being trained on?

It is also important for me to mention that our universities now need to wake up. They need to look at what is happening in the world and work with the private sector. That is so that they produce graduates who are ready for the market. I feel sad every time I see each and every university graduating 10,000 students. You will see they are ready to go to the job market. If they are not well prepared to join that job market, it is bad. We also have the private sector trying to look for some specific professionals, but they cannot get them from our universities. So, it is high time our universities started working closely with the private sector to make sure they produce what is ready for the market.

Hon. Temporary Deputy Speaker, there is something else that came up about funding of the universities. I want to mention to this House that the Government of Kenya (GoK), especially the Jubilee Government, has noted with a lot of concern the number of students who qualify to join university after Form Four. They do not get a chance to join university because we are only taking 74,000 students. The number of students who got C+ (plus) and above is 168, 000.

I want to really thank the President of the Republic of Kenya, His Excellency President Uhuru Muigai Kenyatta and his Government for considering an addition of 10,000 students whom the Government will take care of. It will pay their school fees in private universities. What the President did is, for one, to encourage private universities to expand and have good structures. It is not just going to be any private university. There must be some standards for a university to qualify for the Government to sponsor students to those universities. On the funding initiatives that the Government has done, it is really commendable that we have 10,000 more students joining our universities.

We have also heard the issue about appointments of the vice-chancellors of the universities. It is now clear in this Bill on the qualifications and how it is going to be done. This will help so that we do not have people feeling they were not considered when they qualified for positions.

It is important to note that the recent Report that was raised by Hon. Kaparo on ethnicity in our universities is worrying. I hope our universities, when hiring, will consider that anybody who is qualified from---

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order, Hon. Sabina Chege, who is the Chairlady of the Departmental Committee on Education, Research and Technology! You will have six minutes because this is your area. I am sure you have much to say in your seconding. You will have six minutes in the next available time to debate the same.

MOTION FOR ADJOURNMENT

APPRECIATION OF KENYA'S PERFORMANCE AT THE OLYMPIC GAMES

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, the time is now 5.30 p.m. With the direction from the Hon. Speaker, we will have a Motion for Adjournment on a definite matter of urgent national importance, pursuant to our Standing Order No.33.

I, therefore, call upon the Mover of the Motion, Hon. Gumbo.

Hon. (Eng.) Gumbo: Thank you, Hon. Temporary Deputy Speaker.

Pursuant to the provisions of Standing Order No. 33(1), I wish to seek leave to move an adjournment of the House for the purpose of congratulating our Kenyan world-conquering athletes for their sterling performance in the just concluded 2016 Olympic Games held in Rio de Janeiro, Brazil.

Hon. Temporary Deputy Speaker, during the championship, Kenyan athletes garnered a total of 13 medals. They were six gold medals, six silver medals and one bronze medal. Those medals were won despite facing a myriad of challenges such as unsubstantiated doping allegations against our athletes and logistical pitfalls.

The other challenge our athletes faced included extreme lethargy, incompetence and appalling ineptitude and, indeed, elements of corruption by Kenya's managers of athletics. Our athletes have once again shown a demonstrated superlative performance and, thus, reaffirmed to the world that Kenya is, indeed, an unrivalled athletic powerhouse.

Whereas it would have been most opportune for the debate on this important matter to coincide with the day there is a grand return of our athletics heroes, this is such an important matter that we really must discuss at this point.

Every day, our athletes are living examples that the excitement of winning is always greater than the fear of losing. Indeed, our athletes shall always be the finest examples of what patience, persistence and perspiration can achieve.

It is for this reason that I wish to use the Floor of this House to congratulate, particularly our medal winners in Rio. They are David Rudisha in the 800 metres men, Eliud Kipchoge in the men marathon, Conseslus Kipruto 3,000 metres steeplechase men, Vivian Jepkemoi Cheruiyot 5,000 metres women, Jemimah Sumgong marathon women and Faith Kipyegon, 1,500 metres women.

Our silver medallists were Julius Yego in javelin, Bernard Mucheru Tumuti in 400 metres hurdles, Paul Kipng'etich in 10,000 metres men, Vivian Cheruiyot in 10,000 metres women, Hellen Obiri in the 5,000 metres women and Vivian Jepkemoi in the 3,000 metres steeplechase women.

Of course, we should not forget our bronze medallist Margaret Nyairera Wambui who won the bronze medal in the 800 metres women.

I think we are so used to winning that we, perhaps, fail to notice that, in spite, of all the odds our athletes faced in Rio, Kenya made history when Jemimah Sumgong and Eliud Kipchoge won the marathon women and marathon men, respectively. That made Kenya the first country in the history of the Olympics to have won the gold medal in both the men and women marathons.

(Applause)

On victory and when you sometimes win so often, it is difficult to appreciate what you have achieved. But, it is said: "Victory is sweetest when you have known defeat." I have been following the Olympics closely. I was very impressed that when Fiji, a small island nation, won their first Olympic gold medal in the seven's rugby team, their Prime Minister, Mr. Frank Bainimarama, declared a national holiday to celebrate that achievement.

Hon. Temporary Deputy Speaker, life's real failure and tragedy is when you do not realize how close you are to success when you give up. Our athletes have consistently refused to give up and, in so doing, they have hoisted our flag high all the time.

It is also worth to note that this achievement of our athletes follows in the footsteps of great Kenyan men and women who have trail-blazed over the years since we became a Republic in 1964. I would be failing not to mention those great Kenyans who have achieved so much for our country, led by our pioneer gold medalist Naftali Temu in 1968 in Mexico City. Those Olympic Games also saw our great Kipchoge Keino and Amos Biwott winning gold medals in the 1,500 meters and the 3,000 steeplechase.

Over time, up to the time we went to Rio, this great nation has won a total of 31 gold medals in the Olympics, 38 silver medals and 29 bronze medals and, in total, 98 medals. That medal haul is much more than the entire medals haul for the whole of Africa multiplied by two. So, I think our athletes are the true heroes of our nation. When our athletes compete, they compete as Kenyans and not as representatives of our various communities. We too support them as Kenyan patriots. I remember on Saturday morning I was up very early with my daughter who is also a very big athletic buff, when the 5,000 meters race was going on and our two ladies, Vivian Jepkemoi Cheruiyot and Helen Onsando Obiri were competing against the apparently invincible Ethiopian Almaz Ayana. As the gap was widening to about 200 meters, I remember vividly the commentator saying that the chasing Kenyan pack are like wounded greyhounds chasing a very fast rabbit.

Hon. Temporary Speaker, I can tell you the joy in my house when first Vivian Cheruiyot and then Hellen Obiri passed the Ethiopian, was so much that everybody who was sleeping was forced to wake up and cheer with us.

This is what our athletes do to us. We support them and appreciate them as Kenyans. Our Olympic winners are the true heroes of this great nation and they should be treated as such. Indeed, I want to use the Floor of this House to appeal to His Excellency the President, at the end of this year, when he is giving national honours, to award glittering national honours to all those heroes and heroines who have proved that, indeed, Kenya can fight with the best in the world on matters athletics.

Time permitting, if I will be here next year, I will be proposing that, in subsequent budgets and in every Olympic year, this House should devote a generous budget to guarantee generous cash rewards to all our athletes who win medals at the international stage. As a House, we must say that never again should a gold medal winner at the Olympics ever live and die in poverty like the fate that befell our pioneer gold medalist, Mr. Naftali Temu who, unfortunately, despite being the first Kenyan to win a gold medal at the Olympics, died an extremely poor man in a general ward at Kenyatta National Hospital (KNH).

I have said that life's real failure and tragedy is when you do not realize how close you are to success when you give up. It is, therefore, such a pity that, as our athletes toil every day to place Kenya on the world map, some greedy selfish individuals only see their exploits as the opportunities for self-gain and plunder. This is why as a House, we must condemn this extreme

lethargy, incompetence, appalling ineptitude and corruption perpetuated by our athletics managers and it should be severely punished. As I conclude, I want to single out the great Kenyan athlete Mr. Kipchoge Keino. He is no doubt a foremost legend of Kenya, East Africa and the world as a whole. However, at 76 years, Mr. Keino must now accept that he must hand over the management of athletics to younger Kenyans. That is because, clearly, he is not in charge of National Olympics Committee of Kenya (NOCK), if what we saw in Rio is what is happening in NOCK. If that lethargy, ineptitude and corruption is what can happen under his leadership--- He has had such a glittering career and I think it is time for Mr. Keino to accept that there is time to work and time to rest.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Thank you, Hon. Members. Before I open the Floor for debate, allow me give you some direction pursuant to our own Standing Order No. 33(4) on adjournment on definite matter of urgent national importance. It states:-

“No Member speaking on a matter under this Standing Order shall speak for more than five minutes without the leave of the House, except that the Mover may speak for ten minutes.”

So, Members, please, confine yourselves to five minutes. The first one goes to Hon. Isaack Mwaura.

Hon. Mwaura: Thank you, Hon. Temporary Deputy Speaker. I want to join the Mover, the incoming Governor of Siaya, Hon. (Eng.) Gumbo, in congratulating Kenyans who have done us very proud by winning so many medals in the midst of great competition. I am reminded of the year 2004 when Kenya won position one, two, three and four in the men’s 3,000 steeplechase and it was ecstatic. If you look at our recent performances, we have been competing for space with the who’s who in the global arena. When you look at the table, the United States of America (USA) tops followed by Great Britain, China and then the other countries that follow are the superpowers, the Great Seven (G7) countries.

Sometimes, I wish those parameters would also apply, for example, Kenya being number two when it comes to athletics medals already won. I kept on looking at that table. We moved from position 32 and the highest position we became was number 13. Then we platooned at number 15 and it is really good. If you travel across the world, when you say you are a Kenyan, you are reminded that Kenya is a country of great runners. I remember President George W. Bush Junior saying that his hero is Paul Tergat. Imagine a President of the USA saying that his hero is a Kenyan. No wonder he was succeeded by a part Kenyan by the name Barack Obama.

When you start seeing the consequences of dual citizenship, where individuals who are not celebrated at home and who are not rewarded accordingly being wooed to run for countries such as Bahrain, it is a shame for our country. When you hear stories about officials selling sports kits from Nike, our Cabinet Secretary (CS) confessing that he has also become a victim of cartels, the bureaucracy of the Ministry of Sports, Culture and Arts, you find people who have been there forever, allegations of human trafficking and people complaining, like in the case of Paralympics and, indeed, the Olympics that officials are more than the athletes, we have a group of 80 and 250 officials alone, it is a great shame for this country.

Those are individuals who trained under very severe circumstances. They are not given the proper support that they require and yet, they are the ones who keep on taking our country high up. In other parameters like corruption, as we may have heard from the Youth Enterprise Development Fund, which I was privileged to be there during the launch so many years ago, we rank No. 4 as the most corrupt country in the world and yet, we are No. 2 in athletics. However,

our athletes continue to suffer. Those are young people with ambitions. As a country, we have failed to galvanise this resource by ensuring that we have sports tourism, where people will come to run with us and keep fit. That is because we are a running nation. We have failed to mobilise resources to create stadia and other sporting facilities. I am sure many countries would participate and benefit from this. There has always been the argument around the cost of hosting the Olympics. About US\$16 billion was used by Brazil to host the Olympics. It is a humongous sum, but the pride of hosting nations, having your name up there and the national psyche that is motivated by that one win must not be gainsaid. We need to take advantage of our talents. I congratulate our team, but we must learn the lessons so that we can make Kenya a great nation high up there in the spirit of our athletes.

Hon. Temporary Deputy Speaker, I congratulate them.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, allow me appreciate and recognise the First Chairperson of the Speaker's Panel, Member for Kuresoi North.

Hon. Cheboi: I thank you very much, Hon. Temporary Deputy Speaker. I take this opportunity to congratulate the team that went to the Olympics in Rio de Janeiro in Brazil. I am one of the very proud Members of this House. Other than the fact that Kenya got quite a number of medals, my constituency managed to produce some of the many medals. Mr. Paul Tanui comes from Kamara in my constituency. We also have Mr. Ferguson Rotich who was the fifth in 800 metres. He is also from my constituency. We also have Faith Chepngentich who comes from the neighbouring Kuresoi South Constituency. I am very proud of them. More so, the gentleman who managed the entire team is called Mr. Soi. He comes from my constituency. I must take this opportunity to congratulate him because many people may not realise the kind of work he has done. Those gold medals that the athletes have won are made from Kuresoi.

I will speak as an experienced athlete. I am a retired marathoner.

(Laughter)

I am not joking about this because it is on record in this House. I participated in five consecutive half-marathons in Poland representing this Parliament. That can be a *gumbaru ya marathon* because I did not run when I was in school. When I came to this House and realised not very many of those gentlemen and ladies were fast, I decided to give myself that opportunity. In 2003, 2004 and 2005, I was the bronze medallist in Africa representing this Parliament.

(Applause)

If I were to take that bronze medal, I would have taken it for life. The unfortunate bit is that the person who beat me and took the gold was Hon. (Maj.-Gen.) Nkaisery, who is close to 20 years older than me. I am very proud of him. So, I speak as an experienced athlete. I know how much effort is put into making it in international fora in athletics. Athletics is a very important component of a country, in terms of the economy, social well-being and the political bit. The only time when Kenyans are extremely patriotic and act beyond tribes is when there are sports and competitions, particularly athletics because we do very well. Secondly, it is rugby which also participated in the Rio de Janeiro. When they are participating, Kenyans are one. The National Cohesion and Integration Commission (NCIC) led by Hon. Kaparo should move very quickly and tap into this serious area to improve the social cohesion in our country. When we

had the World Athletics Championship in Kenya in 2007, I participated very strongly in Mombasa. I was among the Members of Parliament who went to Mombasa. The World Athletics Championship almost changed the economic well-being of this country in tourism. There are quite a number of people who came to Mombasa at that time and did not know that Africa, and Kenya in particular, is very good in the good sides they can enjoy. Those are the areas that we should tap in and encourage our Kenyan brothers and sisters who participate in athletics. They bring us glory and political strength.

In conclusion, let us not dwell too much in the failings of one or two officials. Let us serve ourselves in the beauty of the gold medals which we managed to get from the Olympics. They are the highest in the history of our country. The only time that we were close to this was in 1998, when I was in Form Four. We got five gold medals. We have six gold medals this time. We should use betting processes like Sportspesa to improve public good, including sports. That is what all other countries in the world are doing. I thank the team and congratulate the officials led by Mr. Soi. I wish them well.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): We must appreciate the passion that Hon. Cheboi has for his people. We congratulate the people of Kuresoi North for winning gold medals, and for electing an experienced marathoner. They should also know how good you are, and the positions you hold in the House. Congratulations Hon. Cheboi. We did not know you are a marathoner, but the House knows you very well.

Hon. Johana Kipyegon, your card has been there. I thought you wanted to contribute to the previous business.

Hon. Kipyegon: Thank you, Hon. Temporary Deputy Speaker. I also want to take this opportunity to congratulate the Kenyan team for winning the medals and the great job they did in Rio de Janeiro. They had the best performance ever in the history of this country. Before Kenya went to participate in the Olympics, we faced a lot of challenges, especially by the international communities who wanted to disqualify us based on doping theories. It was because they knew Kenya would be the best. I want to thank the country and the athletes who put Kenya as No. 2 in the athletics in the whole world. I also want to thank them and congratulate them for being No. 1 in Africa.

Kenya is an amazing State in matters of athletics. I want to congratulate members from my county like the great athletes like Rudisha and his colleagues who made our county proud for bringing us gold medals and others for making it to the finals. I also thank most of the athletes because it was the first time for one athlete to win two medals. Ms. Vivian Cheruiyot won gold and silver medals. It was also the first time that we had the first woman marathoner to win gold. It was won by Ms. Sumgong. Some records were broken for the first time after a long time by Ms. Vivian Cheruiyot and Mr. Conseslus Kipruto. Mr. Kipchoge brought back our gold medal which was won by the late Wanjiru in 2004. I would wish to urge other Kenyans not to condemn but to realize that there are challenges in athletics. For the first time, we could not even manage to have any medal in the men 1,500 meters after our great man Asbel Kiprop, finished in the sixth position. We do not want to condemn him, but let us just try and understand that, at times, one may succeed or fail and failure is part of success. I wish to thank all those great men and women who went to Rio to bring us medals.

There was also another issue of a lady called Jebet, who won gold and was supposedly meant to be Kenyan. But she was running for Bahrain. Many Kenyans also decided to condemn her and said she was not patriotic. There are times when athletes ran for other countries, because

of the challenges they face in this country, which cannot accommodate their livelihood. You can imagine they wake up around 3.00 a.m. in the morning and sweat hard with mucous on their faces as they run; only to be paid about Kshs1 million which cannot even cater for the problems they face.

This country needs to look deeply on how to motivate our athletes to avoid temptation. Yego was tempted by another country, which wanted to pay him Kshs1 billion. He had a great heart and said he was patriotic and did not go. There are others who come from very poor backgrounds and get tempted, by being paid Kshs52 million for a single medal. This is very tempting when one imagines they will come back to this country and die poor even if you were a great athlete.

This country needs to invest in athletics because we get a lot of medals. Before I finish, I must also talk about the failures by the Ministry of Sports, Culture and the Arts. I want to take this opportunity to tell the CS for Sports, Culture and the Arts that he must prepare a proper report to give to this House. We do not agree with the situation that happened in Rio. We cannot allow our country to go down and our athletes to suffer while they are winning medals for us. Those are people we do not pay. They run for this country and we need to take care of their welfare. The CS for Sports, Culture and the Arts must bring a proper explanation as to why such things happened in Rio - like athletes and managers who failed to access facilities.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, it is important for the public to know that athletes can be Members of Parliament. Allow me to give this chance to Hon. Elijah Lagat who was an athlete.

Hon. Lagat: Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to congratulate the team. I would wish the Members to know that I also ran in the Sydney Olympics in 2000 after winning twice in the Boston, New York and London Marathons, and Berlin Marathon in 1997 and breaking a world record in the 10,000 meters and cross country.

I congratulate the team and tell Hon. Members that Eliud Kipchoge is one of my products, the winner of gold in marathon. Jemimah Jelagat Sumgong is from my constituency. Mr. Coneslus Kipruto, the 3,000 metres gold champion in steeplechase just recently graduated from Kosirai High School in my place. The three gold medals that we are talking about come from my constituency. I own half of the medals from the Rio Olympics. Those are my investments because I invest in school children during school holidays by taking them to camps to train.

There are some of the things we get as MPs after investing in sports. You can invest a lot and other people go and watch your team. I know in this House there were many members who went. I was on the list after producing so many athletes, but I was left. Other people were not taking even one athlete, but they travelled to Rio. It is so painful and I want to tell this House that the medals we got, in as much as we are congratulating the team, are not enough. The athletes faced a lot of challenges. Some of them went without uniform. One athlete would use his or her uniform and give another one the next day, while Nike gave out 250 bags of uniform. But they never reached the athletes. It is so painful that the 52 athletes failed to get their uniform out of the 250 bags because they were taken by officials; some of whom own shops.

I remember in London 2012, Ezekiel Kemboi used a ladies uniform. As you know, ladies shorts do not have lining. He was not given his uniform. When I participated in the Sydney Olympics, I was given an extra large uniform and size 14 shoes and I am size 6. It is a challenge because, normally, before travelling to Olympics or world championships, they write a list of the

sizes but, shockingly, some athletes are given different sizes. Those are the challenges we are saying need to be corrected.

I am also a member of the Departmental Committee on Labour and Social Welfare and I contributed almost half of the World Anti-Doping Agency (WADA) laws because I understand the challenges that are faced by athletes, especially because of doping. It affects them and two years ago, we lost about five athletes. Those are the things we are fighting so that our athletes can live for long. We know there are some of them who have been doping but, as for now, some of them have changed because doping laws have become a serious issue.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let me add him two more minutes.

Hon. Lagat: Hon. Temporary Deputy Speaker, where we need to concentrate as a country is the management of athletics. The current managers have stayed for too long and there is nothing new they are bringing in. We also know that there are athletes who have retired and have a lot of experience like Paul Tergat, John Ngugi and Moses Kiptanui. Why not make use of those people? We feel bitter when we see in the Olympics other countries bringing their former champions to award their athletes while, for Kenya, we do not have any former athlete rewarding others.

It means the wrong people are going and former athletes are left behind. Those are the people who have a lot of experience and can advise the young generation. Another serious issue is that the current athletes do not want to further their education. In the 1998 South Korea Olympics, Paul Ereng won a gold medal in 800 meters; Peter Rono won gold in 1,500 meters and Julius Kariuki won 3,000 meters steeplechase, and they were students in the United States of America (USA).

The current generation of athletes do not attain university education. That is what we need to concentrate on because when signing agreements with managers, they have to understand what they are doing and if their level of education is too low, they cannot understand. We need them to get university education so that they can understand what they are signing to avoid being conned by managers.

This is the opportunity that this country has to change the management of sports so that we can get better people to lead the team. Six gold medals are not enough. We can get even more than 10 gold medals. We can get more silver and bronze medals. What Ezekiel Kemboi and Asbel Kiprop did were small mistakes which can be corrected. Otherwise, I want to congratulate the team.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Member for Kibra.

Hon. Okoth: Thank you, Hon. Temporary Deputy Speaker. I used to be a cross country runner in high school, but I never won any medals. So, I am in deep respect for and celebration of the accomplishment of our athletes. Kibra is home to the Kenya National Rugby Sevens Team. While they did not bring back a medal, they flew our flag out there in a proud way and opened new territory for us. I hope that even as many Members have talked about our emphasis on athletics, we also need to look at other sports and opportunities such as badminton, archery and swimming. Those are the areas where we can get a lot of champions. Kibra Constituency produced Olympics Gold boxing medal twice through Omar Kasongo and Wangila Napunyi. I think there are other opportunities beyond running that can get us a long way. Julius Yego has proved this.

As I make my remarks and reflections on the Olympics, I want to say a big thank you to the National Police Service (NPS) and the Kenya Defence Forces (KDF). Hon. Lagat has just explained to us how he participated in the Sidney Olympics. He has talked about runners who won medals because they were students on scholarship in the US, as well as getting their running training. There was a time before that when sports in this country was supported by corporations like Kenya Posts and Telecommunications Corporation, Kenya Commercial Bank and National Bank. When we think about sports like basketball, we have to look at the role of the private sector and corporates. Which of them can participate and help to create and nurture the next generation of talents?

Recently, there was a big brouhaha in this House about betting and that Kenyan companies such as Sportspesa had billions of shillings to invest in teams such as Hull City and Southampton in the English Premier League. You ask yourself: What would Kshs6 billion of investment of charity money and donations from charity sweepstakes and the gambling sector in Kenya do for what we need to develop our sports? I think we need to look at the corporate sector, charity sweepstakes and gambling and betting and ensure that they are run in a manner that proceeds are ploughed back into charities within the country and programmes of social benefit, including the performing arts, hospitals for the poor and schools for everybody, not just profit-making for the sake of profit-making in ways that do not make a difference.

Last but not least, there is corruption in the way the National Olympic Committee of Kenya conducts its work. That has been lamented and I want to add onto it on record that it is time for people like Kipchoge Keino – a real legend – to step aside and say their season of excellence on the track and their season of mentorship and sports ambassadorship are gone. Let a new generation of people rise and take leadership. I encourage the President who had some tough words about this team that went to the Olympics and mismanaged the opportunities there and the Cabinet Secretary for Sports, let us see them engaging and persuading. If we could ask members of the Independent Electoral and Boundaries Commission to go home and they have agreed, I think it is time to say even NOCK must go home. Let us get new people who have fresh ideas and who can think as we prepare for Tokyo 2020, not just on the budget for that year's Olympics, but a budget that must be done every year for our sports academies. A team like Great Britain is already pumping Kshs300 million every year in the plan for the next Olympics.

They have been doing that since the London Olympics. The just concluded Olympics were better for Team Great Britain than the London Olympics. Why? It is because of constant engagement. We need young people who can cycle and shoot. We need people to participate in all the games, including shot put and discus. Maybe, some of us will have a chance if you put us in some Olympic games like chess, but that has not been included yet. There is a lot of hope and I congratulate and salute our athletes. I thank them for bringing honour and pride to our country despite the disappointing management that let them down.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Thank you. I know that the ladies did an exemplary job as well.

Hon. (Ms.) Musyoka: Thank you, Hon. Temporary Deputy Speaker. I thank the Mover of this Motion. I would also like to join my colleagues in congratulating the athletes. They make us proud by winning those many medals. They brought glory to this country. They have raised the name of Kenya high by their performance. I thank them for their perseverance. It is a great joy for all of us and we should praise, thank and honour them in the highest manner this nation can afford.

It is sad that most of them had to go through hardships; it is sad that corruption has found its way in the field of athletics. It is unfortunate that those who do the running and the hard work suffer while others are having a good time. We have to change the way we do things in this country. We have to address the issue of corruption, especially in athletics. We need to invest more in our athletes. When Kenyans relocate from Kenya to other countries as academicians, we talk of brain-drain. When athletes and other talented Kenyans relocate, there is a talent-drain from this country. It is really sad when we see Kenyans winning for other countries. We could have received more gold medals if we contained all our athletes in our country. We, therefore, need to invest more in athletics and give honour to our athletes for what they do because they make us proud.

In as much I have never won a gold medal, everywhere I go, as a Kenyan, I receive a lot of honour because of those athletes. Therefore, the Jubilee Government should leave a legacy by straightening out matters of corruption in athletics. It should also encourage Kenyans to honour those great men and women in the best way possible.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, you do not have to exhaust your five minutes so that the other Members can get an opportunity to contribute. I have eleven requests.

Hon. Members: Three minutes.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): I cannot order the three minutes from here because you know at what point we do it. Do it from your end.

Hon. Sunjeev.

Hon. (Ms.) Sunjeev: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity.

I rise to salute the Olympic champions who represented our great country. I salute members of their families. They have gone through hardship and have, indeed, sacrificed their time to raise children who are now great people for they represented our country in Rio. If you had a chance to look at the media recently, you probably saw the conditions in which the families of the athletes are living in. It is about time those people who are very deserving got more than a pat on the back.

Hon. Temporary Deputy Speaker, I wish the 2020 Olympics would be held in Kenya and not in Japan. That will be just the most amazing thing that would ever happen to our country. The attitude we can achieve will be actually glorifying. Today, Kenya is a global name. Our National Anthem has been praised as being a lovely and soothing tune.

What hurts most is the knowledge that somebody was out there selling the sports kits that belong to the athletes who have been running so hard. Personally, if I see somebody wearing a kit meant for the athletes at the Olympics, I will wonder where the person got it from. I believe that there is somebody selling it out there, if there is somebody who has bought it. We need to be more self-conscious as a society to know what we are doing.

International games promote international peace and harmony. Countries come to a standstill as they watch and cheer. This is commendable for us. A year ago, I attempted to bring an amendment on the Floor of the House which was proposing to curb double taxation on our athletes but, for some reason or another, it did not go through. The reason for that amendment was to help the athletes make and earn more and bring back more and it will belong to them and the country. For some reason, it did not go through. I urge the President to do something. I hope

that we can make an initiative to reward those athletes so that we motivate them more because they have carried our flag so high.

As we speak, the Kenya Defence Forces have promoted Ms. Jemima Sumgong from Senior Private to Corporal for earning a gold medal in Rio de Janeiro. That is commendable and I wish her well.

Once again, what happened in Rio de Janeiro must be looked into so that come 2020, we are better prepared for it. I salute the people who ran for us and represented us in Rio de Janeiro.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Silverse Anami, give your comments and avoid repetition.

Hon. Anami: Thank you very much, Hon. Temporary Deputy Speaker. I would like to join in congratulating the great Kenyans who raised our profile very high internationally at the Olympics.

I would like to particularly thank the individual sportsmen who put in commitment and also appreciate the others as a group that managed to get us up to where they got us. But the question we ask ourselves is that with such great success, what do we do with it? With such creative and very intelligent people of our country, what do we do with them? We have celebrities and instruments that will facilitate promotion of those talents and inspiration of the young generation so that they can cut an edge out of this and make our country even greater than it is. I have in mind athletes like Tegla Lorupe. What she is doing is wonderful, but no one recognises it. I have also in mind great sportsman like Joe Kadenge and Patrick Shirazi. Those people have done us a lot of pride, but we have forgotten them. It is high time this House opened an inquiry into the activities in Rio de Janeiro because it is on record that our sportsmen suffered. It is very demotivating and immoral for anyone to do the things we heard were done. Our rugby sevens team was poised to win. However, because of the treatment they got, they did not win. We should also thank them and congratulate them for the effort they made. We need to open an inquiry to find out what really happened and who is responsible for it. This people should be brought to account.

We have a great nation. The diversity we have in this country is an opportunity for us to celebrate and even make greater achievements. We have seen that one constituency is able to produce several gold medals. We need to seize the opportunity and spread it out. Last weekend, I had the opportunity to participate in the Tharaka Nithi Cultural Festival. We saw a lot of talent out there. It is high time we created an opportunity for cultural exchange. Cultural exchange across the country will make Kenyans appreciate each other and succeed at international level.

Surprisingly, the Ministry of Sports, Culture and the Arts was not there. It is the Ministry of Tourism that was around. We need to find out what is happening in this Ministry. I have had an opportunity to work there before. There are very hardworking officers out there. The management needs to be investigated from the top. We need to find out who is pushing those corrupt practices and who must be responsible for them. The Cabinet Secretary (CS) must be asked to go home. The President appointed this gentleman with a lot of hope. It is high time that the tyranny of numbers that we enjoy in this House impeached this gentleman because of the behaviour in Rio. I recommend impeachment of the CS.

Hon. Members: No! No!

Hon. Anami: When you touch Jubilee, that is what you hear.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order, Members! Hon. Members, please, be philanthropic to your friends.

Let us have the Member for Nandi Hills. You can use one minute.

Hon. Alfred Keter: Thank you so much, Hon. Temporary Deputy Speaker. I will take a very short time considering that we are about to adjourn.

Thank you so much for giving me this opportunity. I thank the athletes who made Kenya proud. It is very interesting that some of them went out of the country to get better pay in terms of what they earn from athletics. It is sad. Last weekend, I met one of the ladies who ran for Bahrain. She is from Nandi County. She won a gold medal in the 3,000 metres steeplechase. It is important for us as a country to see how much input we contribute to athletics. It is individual effort that makes most of those athletes succeed and win the gold and silver medals.

We must focus as Parliament to find out who let us down, especially the officials who run the Sports Ministry. They really let us down. We must petition Parliament so that we see how to improve in terms of athletics. Let me save time for others.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Member for Kipipiri, you can now contribute.

Hon. Gichigi: Ahsante sana, Mheshimiwa Naibu Spika wa Muda. Hata mimi nachukua nafasi hii kuwapongeza washindi walioshindia Kenya katika michezo ya Olimpiki. Ningetaka kuomba Serikali ikague mambo yanayofanyika katika shule zetu. Nilipoandaa mkutano na walimu wanaosimamia michezo, niligundua kuwa hatuna vifaa vya michezo katika shule zetu. Hivyo basi, hatutaweza kupata dhahabu nyingi kutoka sehemu nyingi nchini.

Kama Kamati ya Leba, tutachunguza yale yaliyofanyika kule Rio ili kuhakikisha kuwa hayatafanyika tena.

Ni lazima tuhakikishe kuwa pesa zinazopatikana katika michezo ya bahati nasibu zitumike humu nchini ili kukuza michezo.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Kisoi.

Hon. Kisoi: Thank you, Hon. Temporary Deputy Speaker. Without much ado, I want to take this opportunity to thank, congratulate and appreciate the Kenyan heroes and heroines who put our country on the world map. They did a commendable job. As a sportsman, I understand it takes a lot to prepare for a sporting event. They did us proud and we must take an initiative and make a very decisive mark to invest immensely in sports because it is the only way we can nurture talent. We should start mentoring programmes to inspire the young people.

Sporting activities are also important for national cohesion. I want to appreciate them for what they did to this country.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Macharia.

Hon. Macharia: I was wondering why I went behind the queue.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Please proceed.

Hon. Macharia: I would like to congratulate the team that went to Rio. I would like to request responsible bodies to look into what happened and why items like uniforms got lost.

I would like to urge the Government to take athletics seriously because it is the only field we have to show. In terms of tourism, lions are found everywhere, but we have proved that we are a powerhouse in athletics. What happened in Rio should never happen again.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. (Ms.) Chebet, a namesake of one of the athletes.

Hon. (Ms.) Chebet: Thank you, Hon. Temporary Deputy Speaker. I want to congratulate our athletes for making us proud, particularly Ms. Vivian Cheruiyot, who comes from my county. She has done well many times. Elgeyo Marakwet is the county of champions because we produce athletes in great numbers. The Government should recognise, motivate and give them fair treatment. They sacrifice a lot of time and energy to prepare.

Last year, I was one of the champions during the parliamentary sports in Rwanda. I ran and brought three medals; two bronzes and one silver. I know what it takes to prepare for a sporting activity. By 5.00 a.m., I was in the field practising. We need fair treatment for our athletes.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): We have one minute left but, if you use it well, you can persuade me to add two or three minutes for the sake of the Members. Member of Parliament for Ndhiwa.

Hon. Oyugi: Thank you, I would like to request you to use provisions of Standing Order No. 1 to make sure that all the Members in the queue can say something.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Neto, you only have a minute to make your contribution.

Hon. Oyugi: As the Vice-Chairman of Bunge Football Club, I would like to congratulate the Kenya Olympic Team for a job well done.

I would also like to encourage the Kenya Olympic Team to consider participating in a variety of sports in the next Olympics other than athletics because, that way, we will win more gold medals.

Secondly, I would like to encourage the Kenyan team during the next Olympics to brand Kenya properly. Team members should know that their chance at the Olympics is international platforms where you can say everything else you want to tell the world about Kenya. I think it is a good moment to do that.

I hope you are going to give a chance to my colleagues. I would like to request the Committee on Labour and Social Welfare not to always just talk here. I hope my friend, Hon. Gichigi is listening.

The Committee on Labour and Social Welfare needs to ensure the management of the athletes is fairly improved. They should work very hard. The discipline they put in is too much. They should not be harassed by a cartel of money-hungry Kenyans who misuse their ways of life. This management ought to be protected and engrained in law.

Lastly, we really need to use the aspects of the Sports Act to make sure there is more money to sponsor the athletes.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Okay, Hon. Members. At my discretion and because of the interests of Members, I will add four more minutes. I will manage you now.

Let us have the Hon. Member for Kakamega County, Hon. Rachel.

Hon. (Ms.) Amolo: Ahsante Naibu Spika wa Muda. Nasimama kuwapa shangwe Wakenya ambao walihudhuria michezo ya Olimpiki katika nchi ya Brazil. Tunasema asanteni sana na pongezi kwa kazi nzuri mliyofanya. Sisi kama wanaspoti katika Bunge letu la Kitaifa la Kenya na nikiwa Mwenyekiti katika ule mchezo wa voliboli, tunasema pongezi sana.

Tunaoimba Serikali yetu iiangalie mambo ya wachezaji wanapoenda kutuwakilisha katika zile nchi za mbali. Ni vizuri tuangalia hali yao, vile watakaa kule wanaenda na vile watarudi baada ya kuhudhuria hiyo michezo ili walete sifa katika nchi yetu.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Zakayo Cheruiyot of Kuresoi South Constituency, you have one minute.

Hon. Cheruiyot: Thank you, Hon. Temporary Deputy Speaker. Mine is to congratulate the team which performed very well. This country has a lot of potential in athletics.

As a country, we are not really putting the best use of our resources. I would like to give you the example of Olenguruone Stadium, which has been under construction for the last five years. Progress is hopeless and very low.

I congratulate our daughter Faith Chepng'etich from Kuresoi South. We are proud of her. She practised under horrible conditions.

Congratulations for our team.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Nyikal and Hon. Rose Museo of Makueni County, just a comment each.

Hon. (Dr.) Nyikal: Thank you, Hon. Temporary Deputy Speaker. I must congratulate our athletes. They did us proud.

Two, I think it is time we diversified into field events as well. We have done well in track events. We need to diversify.

Three, we must condemn all the acts of corruption and mismanagement that occurred. Four, we must really promote those athletes wherever they are working. We ask the Cabinet Secretary (CS) concerned to do that.

Finally, the CS must develop programmes to take care of the welfare of the athletes while they are active and even when they are in retirement.

Thank you, Hon. Temporary Deputy Speaker. .

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Rose Museo, your card has been disconnected. I do not know whether you still want to make a comment or you have withdrawn.

Give her the *daktari's* microphone for just a second. They are working on it. Just for a minute or less. Use Dr. Musyoka's microphone for one minute.

(Hon. (Ms.) Mumo moved to Hon. (Ms.) Musyoka's place)

Hon. (Ms.) Mumo: Ahsante Naibu Spika wa Muda kwa kunipa nafasi hii. Nachukua nafasi hii kuwapa hongera wanariadha wetu ambao walikuwa Rio. Tunasema ni ahsante kwa walivyofanya. Kweli, wametufanya kuwa na furaha kubwa. Ningependa pia kumrudishia shukrani mwanariadha Rudisha ambaye aliweza kufanya jambo la kipekee ambalo tulilifurahia sana kama Wakenya.

Kwa wote walioweza kushiriki, pongezi.

Sisi kama viongozi, hatukupenda mambo ya ufisadi yalioendelea na kuwatesa watoto walioenda kule Rio.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Your minute is spent, Hon. Museo. Hon. Members, I do not have any other request.

The time being 6.34 p.m., this House stands adjourned until tomorrow, Wednesday, 24th August 2016 at 9.30 a.m.

The House rose at 6.34 p.m.