

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 12th June 2018

The House met at 2.30 p.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR

DELEGATION FROM THE PARLIAMENT OF ZAMBIA

Hon. Speaker: Order, Hon. Members.

Hon. Members, I wish to introduce to you a delegation from the Parliament of Zambia. The Delegation, seated at the Speaker's Row, comprises of Members of the Committee of Privileges, Absences and Support Services. They are: Hon. Gary Nkombo (MP), who is the Vice Chairperson and Leader of delegation; Hon. Jacob Jack Mwiimbu (MP), who is the Leader of the Official Opposition and a Member; Hon. Maxwell Muma Kabanda (MP), Hon. Elizabeth Phiri (MP); Hon. George Muhali Imbuwa (MP); Hon. (Brig.) (Gen.) Sitwala Morgan Sitwala (MP); and Hon. George Kingsley Mwamba (MP).

The delegation is accompanied by Mr. Dominic Mwinamo who is a legal officer. The delegation is in the country for purposes of benchmarking with our Parliament; specifically with the Committee on Parliamentary Powers and Privileges on matters relating to the privileges and discipline of Members. On my own behalf and that of the House, I welcome them to the National Assembly and wish them fruitful engagements during their stay in the country.

I thank you.

(Several Members walked the aisle)

As I allow some to take their seats including the Member for Kirinyaga who does not appear to want to sit, allow me to recognise the presence, in the Speaker's Gallery, of students from the following institutions: Magomano Girls Secondary School, Kinangop Constituency, Nyandarua County; Ndung'u Njenga Boys Secondary School, Limuru Constituency, Kiambu County; Mwendandu High School, Kinangop Constituency, Nyandarua County; Kaare Secondary School, Maara Constituency, Tharaka Nithi County; and, Kambi Mawe Secondary School, Makueni Constituency, Makueni County. They are all welcome to observe proceedings in the National Assembly this afternoon.

(Several Members consulted at the Bar)

Members who are making their way in, you cannot purport to engage and do a debate at the door. You better go out or come in. When you come in, the rules are very clear.

PRESENTATION OF THE 2018/2019 BUDGET HIGHLIGHTS

Hon. Members, I wish to inform the House that pursuant to the provisions of Standing Order No. 244(c) on ‘‘Pronouncement of Budget Highlights and Revenue Raising Measures,’’ the Cabinet Secretary for the National Treasury will present the Budget Highlights and Revenue Raising Measures for the national Government for the Fiscal Year 2018/2019 on Thursday, 14th June 2018, from 3.00 p.m. Thereafter, you are all invited to a reception at the Parliament courtyard popularly referred to as ‘‘Ministers’ car Park’’.

In this regard, Hon. Members, you are requested to remove your vehicles parked at the so called ‘‘Ministers’ car Park’’, currently reserved for the House Leadership by tomorrow afternoon – Wednesday 13th June 2018 – as this area will be used for the reception after the Budget Statement. Parking will be provided at the COMESA Grounds, KICC and at the basement of the new wing of Parliament Buildings. Consequently, all vehicles should be driven to the designated car parking areas after dropping off Members at Parliament Buildings. These measures are intended to ease congestion at the main building and also create space for the guests. Your co-operation in this regard will be highly appreciated.

I thank you.

PAPERS LAID

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

The Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30th June, 2017 and the certificates therein:

- a) Receiver of Revenue (Recurrent) - the National Treasury.
- b) Receiver of Revenue (Development) - the National Treasury.
- c) Government Press Fund.
- d) Kenyatta National Hospital.
- e) Prison Industries Revolving Fund.
- f) Prison Farm Revolving Fund.
- g) Kenya Medical Research Institute.
- h) Kenya National Commission for UNESCO.
- i) Independent Policing Oversight Authority.
- j) State Department of Planning and Statistics – Ministry of Devolution and Planning.
- k) Kenya Literature Bureau.

The Reports of the Auditor-General and Financial Statements in respect of the following constituencies for the year ended 30th June, 2016 and the certificates therein:

- a) Kajiado South Constituency; and

b) Butula South Constituency.

I want to bring to the attention of the new Members that it is important that you pick a copy of the audited reports of your constituencies when it is presented in Parliament.

Hon. Speaker: There is indication that the leader of the delegation for the Inter-Parliamentary Union, Parliamentary Hearings in New York between 22nd and 23rd of February 2018 is to lay his Report. Hon. Jude Njomo, are you ready? On the machine you appear as Kang’ethe Njomo, but we also know you as Jude Njomo. There is confusion because as we try to look for Jude Njomo, we see Njomo Kang’ethe. Proceed.

Hon. Njomo: Thank you, Hon. Speaker.

I beg to lay the following Paper on the Table of the House:

The Report of the Kenya’s Parliamentary Delegation respecting its participation at the Inter-Parliamentary Union (IPU) Annual Parliamentary Hearings at the United Nations, New York, USA on 22nd – 23rd February, 2018.

Hon. Maore: On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Maore, you have not put your card. Where is your card?

Hon. Maore: (*Off record*)

Hon. Speaker: If Members do not come with their cards, how do they speak?

POINT OF ORDER

MANDATES OF COMMITTEES OF NATIONAL ASSEMBLY

Hon. Maore: Thank you, Hon. Speaker for your magnanimity. I beg to rise on a point of order, pursuant to Standing Order No. 83 with regard to the functions of the committees of this House, in particular the watchdog committees which are the Public Accounts (PAC), Public Investments Committees (PIC) and several other departmental committees also covered under Standing Order No 216(4) and (5) (e) and (g). If you tie that with the Constitution which creates and empowers the committees of this House, it gives the committees tremendous powers to call for evidence and also demand the public officers to provide information and evidence.

Article 125 of the Constitution gives the House of Parliament and any of its committees the same powers as the High Court. Article 165 says that the High Court shall have original jurisdiction in criminal and civil matters. The Committee happens to be extremely powerful and delicate when handling its affairs. Therefore, the point of order seeking the statement is directed to you. As you may be aware, the committees of any Parliament...

Hon. Speaker: Is it directed at me?

Hon. Maore: Yes, so that you can give guidance and direction. The committees of any House of Parliament are the turbines which move the House. They are the vehicles upon which the National Assembly is able to execute its functions effectively as per Article 95 of the Constitution.

As you ably quoted the other day, the 28th President of the USA, Woodrow Wilson, said: “Congress in session is congress in public exhibition, whilst Congress in committee rooms is Congress at work”.

It is the words of “public exhibition” and “Congress at work” that carries serious ramifications for any House of Parliament. Any time this House and its committees conduct its proceedings, we are all at public exhibition. So, the public is always on the lookout on what images this House portrays out there, which is a thin line between whether we are doing what the

Constitution bestowed upon us to perform our oversight representation and legislative roles or we are busy chasing headlights. The mandate of PAC and PIC and other departmental committees is clearly set out in our Standing Orders. For that reason, they are responsible for among other things examining reports of accounts of public investment and determining reports of the Auditor-General. Other departmental committees can also investigate; therefore they are on the same category.

However, I am worried by the recent trends of these committees and a few other departmental committees in the manner in which they have been conducting their activities. Nearly everyday committees appear reactionary and the agenda setting inarguably based on either trending media report or active investigations by other State agencies such as the Ethics and Anti-Corruption Commission (EACC), the Director of Public Prosecutions (DPP) and the Directorate of Criminal Investigation (DCI). Suffice to say that the committees are jumping into the traps of investigating what other relevant State organs are mandated to do by law. This is despite the fact that committees of this House have their mandates clearly cut out, a mandate which if properly executed they would work on areas where there has been a backlog including examining all the said reports of State Corporations.

Hon. Speaker: Nothing has happened.

Hon. Maore: Yes, Hon. Speaker. A case in point is the recent National Cereals and Produce Board (NCPB), National Youth Service (NYS) and Kenya Pipeline headlines about scandals in those departments, where there have been committees of this House falling into the trouble of inquiring what the DCI and EACC are seized of, indicating duplication of roles and probably wastage of public funds. Interestingly, the committees end up with recommendations to the effect that the DCI, or EACC or the DPP should investigate such matters, resulting into an exercise in futility noting that the DCI and EACC would already probably have been seized of the matters and investigations.

So, committees are right now reacting not just to headlines but to what I would call confusion of mandate by the Senate where we have seen some of our committees jumping into the ship of the Senate in terms of investigations yet the mandate is clear and well enshrined in the Constitution. Instead of concentrating on audited reports, accounts of the National Government Constituencies Development Fund (NG-CDF) and political parties and specialised funds and originating investigations, we are scavenging for headlines. While it is good to be seen to be working, what value would parallel investigations add?

I just wanted to give examples of what the 9th and 10th Parliaments did, of which I was a Member. You find that watchdog committees went ahead and investigated agencies. When they did the investigations, there was headline or precedent-setting originating from the committees. The examples I wanted to give are about the Japanese Embassy and the National Hospital Insurance Fund (NHIF) scam in the 9th and 10th Parliaments, respectively.

In conclusion, I seek your guidance that in this regard, we restore the ever-drifting shape of committees by ensuring that they stick to their mandates and where there are ongoing investigations committees should, as far as possible, allow for conclusion of investigations by the relevant State agencies, and maybe engage the State agencies in terms of requesting for

submission of progress reports. Of course, that should be submitted in camera so as not to prejudice ongoing investigations.

Hon. Speaker, kindly guide us on how the committees of this House should conduct their activities where there are ongoing investigations and how they should execute their functions as espoused in the Standing Orders and the Constitution.

Thank you, Hon. Speaker.

Hon. Speaker: I see some interest in this. The first one is the Member for Kisumu West.

Hon. Aluoch: Thank you, Hon. Speaker, for giving me a chance to ventilate on this issue raised by Hon. Maore. He has raised, indeed, serious issues but in my understanding of his issues in a way that demeans the committees.

My understanding is that, although committees have the same powers as the High Court, that power must be exercised judiciously, with discretion. Indeed, I have had the chance in the past to serve in the Public Investments Committee. Before a matter is taken up by a committee, I expect that members, particularly the leadership of the committees, would know exactly how they should go about the matter that is before them. It is not possible and it is not right to say that committees should not take up matters that appear in the media. They have the discretion to take up matters from whatever source. It can come to them from the media, it can come to them from an informer, it can come to them from interested parties.

(Applause)

It should not appear that Hon. Maore would like to muzzle these committees, particularly PIC and PAC. I believe that these committees are manned by men and women who know what their duties are. Indeed, if there is a committee that feels that this is intimidating to them, the right way to go about it is to sit down together so that they share whether they should proceed or not. But the manner in which Hon. Maore brings it up before the House is, in my view, meant to muzzle the committees and that is not right.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Tongaren.

Hon. (Dr.) Simiyu: Thank you, Hon. Speaker. I wish to echo what Hon. Olago Aluoch has said. I happen to have been privileged that from the 10th to the 11th and now this Parliament, I was once on PIC, I have been on PAC and I am still on PAC. In fact, what Hon. Maore is saying is not entirely true. The times I have been on PAC, whatever investigations we have done have been based on the Auditor-General's report. In fact, in the NYS I investigation, we requested for a special audit by the Auditor-General, which was then presented to the committee then we proceeded with the investigations. So, there is no time that PAC has done anything away from the Auditor-General's reports.

Perhaps what Hon. Maore might be looking at was when we appeared to be delving into the NYS II case. But that was also based on Auditor-General's report for those financial years. Those reports are with us. So, it is not true to say that we are doing it for the media or whatever.

That is not entirely true. Moreover, for PAC it is very important that we stay abreast of the Auditor-General's reports because once they are adopted by this House it is when the share of revenue for the counties is determined. So, it is not entirely true to say that PAC has been chasing the cameras and so on. That is not true. Every investigation we have done, since the last Parliament, has been based on the reports of Auditor-General.

Thank you, Hon. Speaker.

Hon. Speaker: Just a minute. There is nothing wrong if a Member, a politician, is chasing cameras. I know cameras do something to practising politicians. But we will address the matter, Hon. Eseli.

Hon. Ichung'wah.

Hon. Ichung'wah: Thank you, Hon. Speaker. To some extent, I tend to agree with Hon. Maoka Maore, we must safeguard the mandate of this House in terms of being a House that oversees ministries, departments and agencies of the Government. I would really want Hon. Maoka Maore to tell this House when he brought the matter of Goldenberg and Anglo Leasing whether those matters were audit questions before this House.

Number two, this House acts to supplement the work of other investigative agencies. I will give you a case example in the 11th Parliament and I say this with a lot of authority because I was the Vice-Chair of PIC. The EACC and DCI were actively investigating the loss of about Kshs400 million under the National Youth Enterprise Fund. It was not until PIC, in record three weeks, summoned witnesses in Room 7 and we were able to trace who stole the money, and what assets were bought. And it was on the basis of our report that was adopted in this House that the DCI and the DPP acted, arrested people and charged them in court. Even His Excellency the President relieved the then chair of that board of his duties on the basis of the report that we adopted in this House.

Therefore, if we muzzle ourselves as a House—that we have to wait until the Auditor-General submits a report to this House for us to act—indeed we will just be shooting ourselves in the foot on our role to oversee ourselves.

Lastly, in our own report, the Budget and Appropriations Committee Report, which we adopted last week, we have recommended that this House, especially the departmental committees, not just the two oversight committees, that if we are to stem the cancer of corruption in this country we must start from following up on how our Budget allocations are implemented. If then we must hold the departmental committee to wait for the Auditor-General's reports to be able to know that a certain agency or ministry is misusing public funds, to be honest we will just be shooting ourselves in the foot.

Therefore, as much as Hon. Maore is agitated here and speaking about what is under active investigations, even the DCI will be investigating the matter.

You remember the NYS I was under investigation by the DCI, yet the EACC came in to investigate. This is what is called a multi-agency approach. This National Assembly should be part and parcel of that multi-agency approach to investigating issues. So, we cannot deny this House an opportunity to interrogate monies that we are allocating to those agencies in

Government on the basis that people are scavenging for information. It is that scavenging before TV cameras that has made people crack.

Otherwise, nobody gets to interrogate those statements that are written behind closed doors in the DCI and the EACC. Those cameras intimidate people. I am sorry to be speaking about someone who is departed. I remember the case of the late Catherine Nambuye, may the Lord rest her soul in eternal peace. The lady broke down in front of TV cameras here. That is what eventually made her crack and give information that otherwise would never have been got if it was being done behind closed doors in the DCI or EACC. Let the public also interrogate those people as the Members of Parliament interrogate in committee rooms in front of those TV cameras. Let Kenyans see these people who are misappropriating their money. That is not intimidating them. It is an effort to ensure that there is transparency and accountability also in the way that Parliament and any other investigative agency carries out its work.

Therefore, I would strongly oppose what my neighbour and colleague here, Hon. Maoka Maore, is suggesting that as a House we should muzzle ourselves.

Never, *hakuna na haiwezekani, gutire!*

(Laughter)

Hon. Speaker: Hon. Ichung'wah, you know the official language of the House. Member for Ugunja, Chairman of the Public Accounts Committee.

Hon. Wandayi: Thank you, Hon. Speaker. First, I find the point of order by our friend and colleague, Hon. Maoka Maore, really intriguing. This is because the Public Accounts Committee that I am currently privileged to lead is very conscious of its mandate under the Standing Orders. Public Accounts Committee is created under Standing Order 205. It is true as has been canvassed by my other colleagues that we deal with matters that have been raised by the Auditor-General. As I speak PAC has an established programme. We have a schedule of appearances before us that runs up to September. If it happens that by the time we are interrogating specific accounts an issue arises in public domain, it is basically a coincidence.

It must also be understood that as PAC we do not live in isolation. If an accounting officer comes before us to respond to issues raised in the reports and at the same time there is an issue that is in the public domain, we must question him on the issues that are in the public domain as at that particular moment. Therefore, let us be very careful in the way we want to go about the business of this Committee. If we entertain the notion that is being propagated by Hon. Maoka Maore, we shall have done injustice to these committees and the public in general.

Thank you, Hon. Speaker.

Hon. Speaker: Let us have the Hon. Leader of the Majority Party.

Hon. A.B. Duale: Hon. Speaker, I did not want to speak on a Motion that was brought by a chair of a committee. However, it is upon all of us to protect the rights and the powers given to this House.

Article 95 (1) and (2) states thus and I really want Hon. Maoka Maore to read it:

The National Assembly represents the people of the constituencies and special interests in the National Assembly.

The National Assembly deliberates on and resolves issues of concern to the people.

Hon. Maore was in the 9th Parliament. In the history of Kenya, all major corruption scandals and whistle blowing was done in Parliament. It was him who used the privilege he enjoyed then to come and raise the issue of Anglo-Leasing and that is how it came to be one of the biggest scams. Hon. Jillo Falana of Saku and his team were the ones who raised the red flag in the Chamber on Goldenberg scandal.

Just the other day a judge denied this House and its membership the privilege they enjoy within the precincts of Parliament. It is very sad if we are going to deny. We get to our constituents who talk to us. The people of Kenya in their thousands send us petitions as whistle blowers. Hon. Speaker, the Parliament through the Departmental Committee on Lands received a very conclusive dossier by a whistle blower on the Ruaraka land scandal. So, let us not shut the door to the public. These same institutions that Hon. Maore is talking about are a creation of the Constitution and they report to this House. The EACC reports to this House and the Auditor General reports to this House. We are the ones who do their budget.

So, the Hon. Chair of PAC is dealing with the audited accounts of the Financial Year 2014/2015 and 2015/2016. What about the money which will be lost in 2016/2017 and 2017/2018? So, we keep quiet and wait for the Attorney General to bring his Report? No, that is not how Parliament should work. Along that line, when public servants are called to the House they must come. I want you to enforce that law because unless we enforce the Standing Orders, the Constitution and the mandate given to us as the representatives of the people of Kenya we will be judged harshly.

Hon. Speaker, last time when we were passing the Supplementary Estimates II and you were in the USA, we denied the Cabinet Secretary for Finance the provisions of Article 223 in sanitising and regularising the Kshs1.5 million Ruaraka land scam which he paid using Article 223.

However, the Budget and Appropriations Committee under the leadership of Hon. Ichung'wah and the House in general, we said until the Departmental Committee on Lands does a conclusive report on the matter, Parliament would not be in order to sanitise that payment.

Hon. Speaker, today, those of us who spoke on that day are vindicated. What could have happened if Parliament sanitised that money and regularised that payment of Ksh1.5 billion? It is common knowledge today and I am sure the Chairman of BAC said that until the Departmental Committee on Lands conclude its report...

Hon. Speaker, what Parliamentary committees do including the oversight ones is that they recommend actions to the respective institutions such as the Director of DPP, EACC, DCI Auditor General, Controller of Budget and in the event they do not comply with that recommendation, that is why we have a committee called Committee on Implementation which

follows up the implementation of House resolutions by the Executive and independent institutions and commissions.

So, Hon. Speaker, in giving us direction on this matter, you must expound it and say to the House and the nation the provisions of the Constitution and the Standing Orders in as far as the mandate of this House is concerned.

None of us here wants to do a witch-hunt. If you are corrupt, you are corrupt and you cannot be saved. Let us make sure that Committees of this House can bite and recommend that they bring their Reports faster. The only problem mentioned by Hon. Maore which I can support is on time take to investigate a matter. I am sure Hon. Wandayi will differ with me this time. Let investigations be concluded.

As you can recall, investigations on NYS I took five years. Let us have timelines. If we are seized of a matter, we should ensure that the Report is brought on time. Then, the House Business Committee (HBC) chaired by the Speaker will ensure that Report is debated in the House and concluded. Hon. Maoka Maore today, I think you are on the wrong side of history.

Hon. Maore: On a point of order, Hon. Speaker.

Hon. Speaker: Let us hear, Hon. Maoka Maore.

Hon. Maore: On a point of order, Hon. Speaker. I raised a Statement and I want to accuse my distracters including those who are almost annoyed, of collective amnesia. I stated the issues under investigation. I was not in any way trying to prevent anybody who wants to be a whistle-blower. I know we are not very keen on whistle-blowing. I stated matters under investigation and that is the gist of my entire story. For, those who want to twist or make it popular I have no problem with them.

Hon. Speaker: Like Hon. Wandayi indicated, sometimes witnesses will be invited before any Committee to address specific issues but, obviously they are likely to come about matters incidental thereto and connected therewith. I am sure what Hon. Wandayi was addressing was on those lines. That, sometimes there will be matters which may be incidental to what is being addressed and in some loose way connected therewith. You cannot shy away from those kinds of matters. Hon. John Mbadi wants to say something.

Hon. Ng'ongo: Thank you, Hon. Speaker. This is a very interesting statement which Hon. Maoka Maore has sought. Actually, he was asking for your direction and I do not know which direction you will give on this one.

When it comes to the issue of the media, I want to agree with you that there is nothing wrong when we act in a certain way that is captured by the media. As politicians we make our name by being seen or heard. If I was not heard through the media Kenyans would not know who John Mbadi is. I am known today because the media has highlighted my character, person and content in my head. I do not know the problem Hon. Maoka Maore has with appearing in the media.

I want to agree with my colleagues that as a House, we have a responsibility. The reason why we are elected here is because Kenyans, the rest of the world and all democracies, citizens said there should be no taxation without representation. We have cardinal responsibility to

oversee the Executive. In fact, Hon. Maore's request that for any matter under investigation we should not look into it is equal to saying that we allow the Executive to oversee itself. Yet, the Constitution provides that it is Parliament which is supposed to oversee the Executive. Therefore, this should come out clearly.

I thought what Hon. Maore would have spoken to is the issue of duplication of responsibility. As a matter of fact, that is where I probably have a problem. For example, take a country like Uganda during their PAC sittings police officers are usually in the adjacent room. So, if a witness gives evidence and the Committee is convinced that either the witness is misleading the Committee or implicated they are arrested right away. In fact, I think that is the direction we should take as a country, to deter corruption.

We need to give the oversight committees like PAC and PIC powers to prosecute. They should take these people to court on the spot so that our Reports do not gather dust in the shelves. Hon. Speaker, you will agree with me because you have memory of this House. There are a number of Government officers who have been implicated and Committee Reports have recommended their prosecution but nothing has happened. So, we should take that direction.

I want to raise a point which I think Hon. Maoka Maore will allude to. When it comes to investigations, and a matter has come up, we should be very clear. I know PAC is responsible for examination of accounts showing the appropriations of the sum voted by the House to meet the public expenditure and such other accounts laid before the House as the Committee may think fit. If you read the entire provision of this section it says "as the committee may think fit". But, the bottom line is that PAC is supposed to examine accounts. I thought Hon. Maoka Maore had evidence that this watchdog committees are looking into matters which the Auditor General has not looked into.

I was a Member of PAC in the last Parliament. When we wanted to investigate NYS 1, I remember it come out in the media and many of my colleagues wanted to grab and investigate it. My advice to them which carried the day and I thank God for it, was for us to ask the Auditor General to do a special audit. If a matter comes up and PAC and PIC wants to deal with it and it has not appeared in the Auditor General's Report, the two Committees can ask for a special audit. One thing which we should also discourage especially from the oversight committees is dealing with rumors and allegations. They should deal with concrete recommendations for the Auditor General. My request is that the Liaison Committee should work on a good formula where if a matter is not in the Auditor General's Report then a departmental committee should look into it. For example, we have the Ruaraka case which has been disposed of by the Departmental Committee on Lands because it has not been audited but just transacted.

Finally, Hon. Speaker I am throwing a request to you to discuss with your counterpart at the Senate. When Committees sit we spend public money and it needs to be spent prudently. It does not make sense when a Committee of National Assembly is investigating a matter and the same matter is being investigated by another Committee at the Senate. Even in the National Assembly we can have two Committees dealing with the same matter. This, to me, is a waste of public resources. Like now, we have the case of the Ruaraka land, where PAC of the Senate is

dealing with it and the Departmental Committee on Lands of the National Assembly has concluded the matter. What if the recommendations of the two Committees are at variance, which one will be implemented? To me, I thought that is what Hon. Maoka Maore should have raised instead of trying to condemn those Committees which I think have been doing their work.

Thank you, Hon. Speaker. I also want to agree with the Leader of the Majority Party that Hon. Maoka Maore a very seasoned Member today did not get it right.

Hon. Members: Put the Question.

Hon. Speaker: Hon. Members, I have heard some of you saying put the Question. There was no Question. In the former days when there were Questions, they were not put. So after 3.30 p.m. is when business would commence. So, even this was not business. Since the matter was directed at me, I will be able, notwithstanding Hon. Mbadi's misgivings... The issues are quite clear and we will give guidance. Of course, as far as I am concerned, the mandates of the departmental committees are well clearly set out in Standing Order No. 216. Those of the PAC and the PIC are clearly set out in Standing Order Nos. 205 and 206, but I think we will just need to work in committees so as to avoid conflict. We will give appropriate direction in a considered Communication to be delivered.

Of course, Hon. Members, we are still on an allotted day. Just to alert those of you who may have forgotten, on an allotted day like today the House sits up to 7.30 p.m. I know there some who are likely now to start rising to go and do other things. Please, it is an allotted day. It is a day of Supply. Therefore, the House sits slightly longer than usual. We will move to the next Order.

PROCEDURAL MOTION

LIMITATION OF DEBATE IN THE COMMITTEE OF SUPPLY

Hon. Speaker: Let us have the Leader of the Majority Party.

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

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that during the Committee of Supply, after proposing the Question on a particular Vote, the Chairperson may allow debate, which is to be confined to that Vote, but such debate shall not exceed thirty (30) minutes and that thereafter the Chairperson shall forthwith propose the question for the programmes contained in that Vote.

Hon. Speaker, I wish to say it from the outset that this Motion was to be in the House last week. It was part of the Procedural Motions we passed last Tuesday. It is continuation of the Motion we passed last week regarding how we deal with the matter of the annual estimates. What this Procedural Motion means is as follows:

That when we go to the Committee of Supply, the Clerk-at-the-Table will call the vote...

(Loud consultations)

Hon. Speaker: Hon. Members, even those who were in the 11th Parliament, I think it is important that now we follow this because even in the 11th Parliament we did not do the specific Supply processes as should have been the case. Therefore, nobody should claim that they have experience. If you have experience in doing the wrong thing, of course, that is not experience. Not that it was wrong, but we think that for the House really to get seized and be seen to be dealing with the issues properly, this is the better option that we, as leadership, have adopted – that we go to Supply in the manner that is going to be explained. If there are Members who may desire to ask questions, then you can ask questions.

In the former days, which Hon. Maoka Maore may remember, whenever we went to the Committee of Supply, those of us who used to still sit in the HBC, we used to select not more than 10 ministries. You recall those days the ministries were not even that many. We used to select only 10 ministries because in supply you could never do more than 10. What were Members discussing? They were discussing votes and items. Many Members never understood what items, sub-votes, vote heads and things like those were. I think it is good that we really pay attention to this because as a budget-making House we really need to have proper grasp of what it is that the leadership intends us to begin doing this financial year.

Therefore, I was appealing to the House that you listen to what the Leader of the Majority Party is going to say and whoever is going to second and any other that may wish to contribute. This is because when you go to the schedule, as opposed to the old system of item, sub votes and others, you will be dealing with programmes.

(Hon. Wanjala, Hon. Wangari Mwaniki and Hon. Bowen consulted loudly)

Now those ones are laughing like that Member for Budalangi. You see he is busy from the streets. Member for Budalangi, Member for Kigumo and Member for Marakwet East, please, I am sure none of you can claim to even know this. Just listen. Allow this to be moved so that when it comes to Members debating in the Committee of Supply a particular programme, if you are opposed to funds being allocated to that specific programme, as opposed to the old days of item this-and-that, which used to be described in very dubious language, now you have an opportunity of, when you rise in your place, claiming to either support or object. That way, everybody will know what it is that you are objecting or supporting. So, please, let us try this new system that the Leader of the Majority Party is moving.

Hon. A.B. Duale: Thank you, Hon. Speaker. There are very few Members who served in the 8th, 9th and 10th Parliaments. They are hardly 20. So, it is good that we follow this new system.

So, when we go to the Committee of Supply, the Clerk-at-the-Table will call the vote and the Chair will propose the Question for the global figure to be allocated to that particular vote or ministry. At this point, the Chair may allow debate on that particular vote, item or programme, for example, the State Department for Immigration. This stage is similar to that allowed when a clause is proposed in the Committee of the whole House and any amendment to that clause. So, it is similar to when we are in the Committee of the whole House dealing with a particular piece of legislation.

Thirdly, after that, the Chair will propose the Question for specific programmes in that clause. As a matter of fact, this is where the amendment as contained in the Order Paper will be moved. I am sure if you look at the Order Paper, there are a number of amendments from the Budget and Appropriations Committee (BAC).

So, this Motion is meant to regulate our timing during the Committee of Supply. It is 30 minutes that is given to Members. It can be less than 30 minutes but it cannot be more than 30 minutes. This is because if you look at the Order Paper, we are going to deal with over 65 votes of various departments and ministries. This gives the representatives of the people of Kenya the powers given to them in the budget-making process.

You remember in the 10th Parliament, the current President was the Minister for Finance and the technical team in the ministry brought a budget that had so many errors. That is why now the powers lie in this House; that we go vote by vote where there is guillotine or mob justice, we look at vote by vote, approve it and those with amendments will also be convinced by the BAC why they are doing those amendments. If there are individual Members who have amendments then they must convince the House before we vote on that particular vote.

So, the Motion is just meant to regulate our time during the Committee of Supply. However, it is also our understanding that the debate will only take place where there are any amendments proposed as reflected in the Order Paper. So, where there are no amendments then the work would be very easy. This is just a Procedural Motion telling our colleagues that in the next few days... We will continue with it. On Thursday, we will not have the Committee of Supply because the Cabinet Secretary will give his highlights in the Budget and then next Tuesday we will continue with this Committee of Supply until we conclude within the six days provided for in the Motion that we passed last week.

With those many remarks, I really want to give this chance now to the actual owner of this business, the Chairman of BAC, to second.

Hon. Speaker: Hon. Ichung'wah.

Hon. Ichung'wah: Thank you, Hon. Speaker. I rise to second that Procedural Motion. As the Leader of the Majority Party has clearly articulated, it is a process. There are a total of 67 votes. If we were to take more than the proposed 30 minutes, we will spend a lot of time.

I urge Members that for those votes where there are no amendments, they should hasten to conclude debate and allow the Chair to put the Question on that particular vote so that we complete this exercise, hopefully by tomorrow morning.

There is the County Allocation of Revenue Bill which we just discussed in the Committee this morning. Hopefully, we will table it tomorrow morning and consider it in the afternoon. I urge Members to pass this Procedural Motion.

I beg to second.

(Question proposed)

Hon. Members: Put the Question!

Hon. Speaker: My assumption is that everybody has understood and that we will proceed that way.

(Question put and agreed to)

I am informed, Hon. Members, that there are about 67 votes. It is for that reason that it was necessary to table that Procedural Motion so that you will know how to proceed.

Let us move to the next Order.

MOTION

CONSIDERATION OF REPORT AND THIRD READING

THE PETROLEUM (EXPLORATION, DEVELOPMENT AND PRODUCTION) BILL

Hon. Speaker: Hon. Members, debate on this Bill was concluded and what remained was for the Question to be put. This is the Report of the Committee of the whole House on the Petroleum (Exploration, Development and Production) Bill (National Assembly Bill No.48 of 2017).

(Question put and agreed to)

Hon. A.B. Duale: Hon. Speaker, today, we have the Member for Kisumu Central.

Hon. Speaker: Yes. He has been rarely seen in the House.

Hon. A.B. Duale: Yes, it is very rare to find him here but today he has a script.

Hon. Speaker, I beg to move that the Petroleum (Exploration, Development and Production) Bill (National Assembly Bill No.48 of 2017) be now read the Third Time. I also request Hon. Pukose, the Vice-Chairman of the Departmental Committee on Energy, to second.

(Hon. (Dr.) Pukose spoke off the microphone)

Hon. Speaker: Hon. Members, I may not be of much assistance in the area that Hon. Pukose wants me to intervene. If your card is not working, please, approach the Clerks-at-the-Table so that they give you appropriate advice.

Hon. (Dr.) Pukose: Thank you, Hon. Speaker. Technology has challenges.

I beg to second the Leader of the Majority Party on the Petroleum (Exploration, Development and Production) Bill (National Assembly Bill No.48 of 2017). This is a very important Bill that will look into the issues of petroleum, right from the upstream, midstream and downstream. This will cater for the new product in the market. The other day, His Excellency the President flagged the transportation of oil from Lokichar to our oil refinery storage in Mombasa.

I beg to second.

(Hon. Kilonzo walked along the gangways)

Hon. Speaker: Be in the House, Hon. Kilonzo. Just be in the House. Take a seat so that we can proceed together. Hon. Members, I am also informed that certain amendments to this Bill were effected and references to exploration, development and production were deleted. Therefore, the Bill reads as I propose.

(Question proposed)

(Question put and agreed to)

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

BILL*Second Reading*

THE KENYA COAST GUARD SERVICE BILL

*(Hon. Koinange on 25.4.2018)**(Resumption of Debate interrupted on 7.6.2018)*

Hon. A.B. Duale: Thank you, Hon. Speaker. From the outset, I want to thank various Members, led by the Chairperson of the Departmental Committee on Administration and National Security, who contributed to this Bill.

The Kenya Coast Guard Service Bill, 2017 works to provide for the establishment, functions, discipline, organisation, administration of the Kenya Coast Guard Service and all connected purposes. This Service shall have the mandate of law enforcement and security in managing Kenya's internal and territorial waters. If we had this Bill in place today and the necessary legal framework, what I saw in the news whereby two Kenyan police and two fishermen are under the custody of the Ugandan Forces would not have happened. We will have an institution that will be responsible and accountable for all our internal and external territorial waters such as Lake Victoria and the Indian Ocean. I ask Members to relook at this Bill during the Committee of the whole House. If there are any gaps, let us put them in place so that we join other developed nations like the United States of America (USA), the United Kingdom (UK), France and even South Africa who have this piece of legislation.

They also have a council of service and the technical committee of the service. If we put these institutions in place, they will look at matters which deal with any interference, or how our internal and territorial waters are managed.

Hon. Speaker, I beg to reply.

Hon. Speaker: Hon. Members, having ascertained that there is quorum, I put the Question.

(Question put and agreed to)

There is a rumour that when the Member for Kisumu Central says nay, he is making his maiden speech. Is that so? I hope that is not correct. Hon. Fred Ouda, that is not the way to make a maiden speech. However, I suspect that you have made your maiden speech.

*(Laughter)**(The Bill was read a Second Time and committed
to a Committee of the whole House tomorrow)***COMMUNICATION FROM THE CHAIR**

CONSIDERATION OF PROPOSED AMENDMENTS

DURING THE COMMITTEE OF SUPPLY

Hon. Speaker: Hon. Members, before we move to the next Order, I wish to give guidance on how the process will be moved. Before we proceed to the Committee of Supply, I wish to make this Communication which relates to the consideration of proposed amendments in the Committee of Supply stage.

As you are aware, Article 114(2) of the Constitution provides that if in the view of the Speaker, a Motion makes provisions for a matter listed in the definition of “a money Bill”, the National Assembly may proceed only in accordance with the recommendation of the relevant Committee after taking into account the views of the Cabinet Secretary for the National Treasury. Further, Standing Order No. 240 provides that an amendment to increase or reduce the sum allocated to any programme or a vote may only be moved in accordance with the recommendations of the Budget and Appropriations Committee. In this section, I have been informed that the Budget and Appropriations Committee received proposed amendments to the Financial Year 2018/12019 Estimates as follows:

The first proposed amendment was by the Member for Kanduyi, Hon. Wafula Wamunyinyi. The amendment was in connection with the dualling of Musikoma Junction-Kanduyi Road to help in the movement of agricultural goods. I have been informed that the proposal has since been taken into account by the Budget and Appropriations Committee and that it does not affect the proposed gross figures under Vote 1091, State Department for Infrastructure.

Hon. Members, the second proposed amendment is by the Member for Mathare, Hon. Tom Anthony Oluoch. The amendment seeks to amend Vote 1297 under Registration, Regulation and Funding of Political Parties Programme irrespective of gross total estimates of Kshs822,232,095. The amendment seeks to increase the amount to a total of 0.3 per cent of the revenue collected by the national Government. However, I have been informed that due to the magnitude of the proposed amendments, the Budget and Appropriations Committee has recommended that the House does not proceed with this proposed amendment.

Hon. Members, the third proposed amendment is by the Member for Busia County, Hon. Florence Mutua. The amendment seeks to amend Vote 1032, State Department for Devolution, under Integrated Regional Development Programme and reallocate the money to Vote 1212, State Department for Gender under the Community Development Programme. The Budget and Appropriations Committee has recommended that the House may proceed with the proposed amendments.

The fourth proposed adjustment came from the Cabinet Secretary, Ministry of Public Service, Youth and Gender Affairs, who was essentially seeking the reinstatement of the entire sum of Kshs10,919,930 allocated under the State Department for Public Service and Youth under the Youth Empowerment Programme. The Budget and Appropriations Committee has recommended that the proposal be moved in the amended form and be considered in the Committee of Supply. Therefore, Hon. Members, it means we will proceed in the manner that has been recommended by the Budget and Appropriations Committee. That is the fate of the amendments that were received through my office.

I thank you.

COMMITTEE OF SUPPLY

*(Order for Committee read
being the First Alloted Day)*

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

IN THE COMMITTEE

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

The Temporary Deputy Chairlady (Hon. Tuyu): Hon. Members, this is to notify you that the House that we are in the Committee of Supply to consider the Budget Estimates of Recurrent and Development Expenditure for the year ending 30th June 2019.

VOTE 1011 – THE PRESIDENCY

The Temporary Deputy Chairlady (Hon. (Ms.) Tuyu): Order Members. Let us consult in low tones.

THAT, a sum not exceeding Kshs8,782,092,253 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2019 in respect of Vote 101, the Presidency.

I will allow some debate. I can see a number of requests. Hon. Oundo Ojambo, Member for Funyula.

Hon. (Dr.) Oundo: Thank you for this opportunity. Basically, I stand to support. The Presidency is a unifying factor for the country. I hope and believe that in allocating these funds they will be used for the intended purposes and prudently foster national cohesion and togetherness. Having come from a very divisive election, this is the right time now to make all efforts to ensure that we bring the country together as a united one.

Thank you.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuyu): Let us have Hon. Kanyuithia, Member for Tigania West.

Hon. Mutunga: Thank you, Hon. Temporary Deputy Chairlady. I had requested for a chance to speak on a totally different vote number, on planning. I have no problem with the Presidency getting this money.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuyu): Hon. Member, you are running ahead of time. We are not yet on the programmes.

Hon. Mulu: On a point of order, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuyu): Hon. Makali, what is your point of order?

Hon. Mulu: Thank you very much, Hon. Temporary Deputy Chairlady. Looking at page 604 of the Supplementary Order Paper, it is indicated that this is one of the votes that an

amendment is proposed. So, are we debating with the amendment or how are we moving forward procedurally?

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Makali, you are also running ahead of time. Relax, we will get to the point of amendments when we get down to the programmes.

Before we go on with business, I would like to recognise students from St. Francis Boarding School in Kamuwongo, Mwingi North Constituency, Kitui County. Welcome.

Let us now move to the programmes.

Programme 0702000 - Cabinet Affairs

The Temporary Deputy Chairlady(Hon. (Ms.) Tuya): The Chairman, Budget and Appropriations Committee has an amendment.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Recurrent Estimates, 1,395,913,982 be deleted and substituted thereof with the figure Kshs.1,524,913,982.

I beg to move that an additional Kshs129 million be allocated under the Cabinet Affairs for the Presidential Delivery Unit focusing on delivery of the Big Four Agenda on Recurrent Expenditure.

Thank you.

Hon. Lessonet: Thank you, Hon. Temporary Deputy Chairlady for the opportunity to reiterate that we need the additional resources for the Cabinet Office for the purpose of the Presidential Delivery Unit.

Thank you.

(Question of the amendment proposed)

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

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

Programme 0704000 - State House Affairs

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Chairman, go on and move the other amendment on recurrent.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Recurrent Estimates, Kshs.3,215,934,363 be deleted and substituted thereof with the figure Kshs.3,250,934,363.

I beg to move for an additional Kshs35 million on the State House Affairs Vote.

Basically, this is under recurrent for additional staff. It was an understatement of salaries and wages budget for State House Affairs.

(Question of the amendment proposed)

Hon. (Dr.) Nyikal: On a point of order, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): What is out of order, Hon. Nyikal?

Hon. (Dr.) Nyikal: Hon. Temporary Deputy Chairlady, I suggest that when the amendment is being moved, it is better to use the format that is in the Order Paper and indicate what the increase is, for example, moving from this amount of money to that, an increase of such an amount so that Members are clear where we are.

Thank you.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): I hope everyone has a copy of the Supplementary Order Paper. If you do not have it, make a point of picking it and look at page 604. That page gives the details of the amendments.

Leader of the Majority Party.

Hon. A.B. Duale: Hon. Temporary Deputy Chairlady, the Chairman of the Budget and Appropriations Committee needs to do more. He should tell us the vote where the money is coming from and the vote it is being taken to. Of course, he said he is coming to the Cabinet Office. But, where is the Kshs35 million coming from? The Chairman is competent, he can explain that.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): That is fair enough, Leader of the Majority Party. That is not too much to ask for. Going forward, Hon. Chairman, make it clear.

Leader of the Minority Party.

Hon. Ng'ongo: Hon. Temporary Deputy Chairlady, we have reached the most critical part of this budget-making process for the plenary. The Budget and Appropriations Committee had enough time to interact with the Budget.

As much we would approve the allocations to State House Cabinet Affairs two things need to come out. I hope we are not creating extra positions at State House and Cabinet Office. The Big Four Agenda can be coordinated by the existing Government departments. I do not see why we should create extra positions called Cabinet Affairs and allocate Kshs129 million to coordinate Big Four Agenda. What would be the work of the relevant ministries? For example, if it is the issue of housing, what is the work of the Ministry of Transport, Infrastructure, Housing and Urban Development?

Hon. Temporary Deputy Chairlady, you have work to do. I do not think Members have understood what we are doing. We are now approving allocations to various programmes. We are working with programmes. So, Members need to be alert and know where we are removing money and where we are taking it to. If we are satisfied, we pass it, if we are not, we do not pass it. The Chairman of the Budget and Appropriations Committee needs to explain where the money is coming from.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Leader of the Minority Party, a lot of awareness creation has been done from last week. I hope everyone has a copy of the Supplementary Order Paper. Clerks, make sure that each Member has a copy of the Supplementary Order Paper so that we move together. The Cabinet Affairs Department and State House Affairs have always been there. What the Chairman needs to explain are the variations; where they are coming from or where they are being taken to if there is a decrease.

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

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

(Programmes 0702000 and 0704000 as amended agreed to)

(Programmes 0703000 and 0734000 agreed to)

(Vote 1011 as amended agreed to)

VOTE 1021- STATE DEPARTMENT FOR INTERIOR

THAT, a sum not exceeding Kshs124,595,297,943 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June 2019 in respect of Vote 1021 (State Department for Interior).

Programme 060100 - Policing Services

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, the figure Kshs9,882,105,003 be deleted and substituted thereof with the figure Kshs 9,852,105,003.

As requested by the Minority and the Majority leaders, there was a re-allocation of Kshs30 million which we got from police housing and policing services to Technical and Vocational Education and Training (TVET).

(Question of the amendment proposed)

Hon. A.B. Duale: Hon. Temporary Deputy Chairlady, I beg to support this amendment because in the last five years, the Jubilee Government has been building technical colleges around the country. Without having a contingency plan for those technical colleges in terms of recruiting more tutors, equipping them and making sure the students who go to these colleges get loans from the Higher Education Loans Board (HELB), those TVETs will just be white elephants. I hope the Budget and Appropriations Committee is removing that money and taking it to TVET for capitation. He must be very clear whether it is for capitation, for students to access more funds or for recruiting new teachers for those colleges. Currently, there are 4,000 available for TVET colleges. The TSC does not want to employ more teachers for TVET. So, the Chairman must be very categorical on that.

Hon. Milemba: On a point of order, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): What is out of order, Member for Emuhaya?

Hon. Milemba: Thank you, Hon. Temporary Deputy Chairlady. With due respect, Hon. Temporary Deputy Chairlady, it may not be correct for a Member to state on the Floor of the House that TSC is unwilling to employ more teachers for TVET. The truth is that we are in the budget-making process. We had moved to have more money given to TSC not only to employ teachers in the primary and secondary schools, but also to the TVET institutions. So, it is not in order to state that on the Floor of the House.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): The Leader of the Majority Party, are you the one who said that?

Hon. A.B. Duale: The amount of money allocated by this House to TSC for hiring of teachers to teach at TVET institutions is not included. I want to go on record. That is why the Budget and Appropriations Committee got representation. In fact, the information from the Ministry of Education is that the teachers who would teach at TVET institutions will work under Public Service Commission (PSC) and not under TSC anymore. That is the information out there. If they cannot recruit from the resources given to them, then this House is under obligation to recruit teachers for the new TVET institutions where Members of Parliament in this House have allocated over Kshs10 million from their NG-CDF. So, why do we build colleges which have been equipped and there are no teachers?

Secondly, students do not go to these TVETs because they do not receive capitation; they cannot access help. The Ministry of Education, Science and Technology is under obligation, after we pass this Budget, to make sure that the same way we give capitation to students in other colleges, is the way we do it to the students we send to TVETs so that their fees are lower. As of now, it is even more expensive to send your child to a TVET than to the University of Nairobi (UoN).

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Okay Members. Hon. Member for Emuhaya, this is the time to interrogate the Budget. While we are not in the full-blown debate, we have time to ventilate and interrogate anything that comes before us. I will give a chance to Hon. Wanga.

Hon. (Ms.) Nyasuna: Thank you, Hon. Temporary Deputy Chairlady. The destination where the money is being taken is good. It makes sense that we need to have teachers for TVETs. Vocational training is the way to go if we want to have the Big Four Agenda achieved. What is of concern is where the money is coming from. Of course, we know the deplorable

condition in which our police are living. What I would like to understand is the amount of money allocated to police housing and how much money we are retaining to deal with the matter of police housing if we remove the Kshs30 million. That is so that we know we are not leaving our police to live in the deplorable condition that they are currently living in.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Chair, could you take time to respond to that?

Hon. Ichung'wah: It is good to make it clear because the Chair in charge of the Departmental Committee on Administration and National Security is here. What we did was to raise money from various sources. This is just one of them. It was not just for recruitment of teachers because a meagre Kshs30 million cannot recruit a good number of teachers. We have raised about Kshs6 billion to go to TVET, just in line with what the Leader of the Majority Party has said – to be able to recruit 2,000 teachers. We have already built so many teachers training institutes across the country in our constituencies, investing even part of our NG-CDF money of Kshs3 million shillings that we have put in. We are doing an additional 15 TTIs in the next financial year. So, we have also allocated money for that. All this money we have raised will recruit 2,000 teachers while Kshs2.5 billion will go towards school capitation of the TTIs. What the Leader of the Majority Party was saying is that a child or a student who is joining TVET can do so without necessarily having to pay anything. We are lifting the capitation from Kshs19,000 per student to Kshs30,000. It is true. I can tell you that in my constituency, when our TTI was ready, we could only raise seven students when we advertised for them to join. That was even after offering to give them a bursary of up to Kshs10,000. It was because of the cost. We were only able to get about 23 students in about three weeks. Therefore, what the Ministry is doing is to intervene to make sure that there is capitation to attract more students. I agree with Hon. Wanga that, indeed, the way to go to change this country is through TVETs and TTIs.

The other point is that we are not removing all the money that had been allocated for police housing. It is just a small pinch from that department. We have also pinched from our universities and other departments. You will be able to clearly see those as we proceed. Therefore, this is just raising the Kshs6 billion that we needed for TVETs.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Do you still want to ventilate on this one, the Leader of the Minority Party?

Hon. Ng'ongo: Hon. Temporary Deputy Chairlady, I agree that we could pinch from here and there. But, why are we pinching from *unpinchable*, if there is such a word? The National Police Service in this country is suffering from deplorable accommodation conditions. Even if the specific use of this money was questionable because I know that was the issue, we should still have put this money under police housing to provide however few number of police houses. This is a programme that requires a lot of funding. The message we are sending, in my view, is not right. We are sending a message that we are not so concerned about police housing in this country.

I ask that we retain the Kshs30 million. It is not even going to make significant change where it is going and yet, the message we are sending is, to me, not right. That we can take money from police housing to any other department, I do not support.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): The Chair has a point of information.

Hon. Ichung'wah: I want to inform the good Leader of the Minority Party that this Kshs30 million was an additional amount that had been proposed by the Departmental Committee. What has been allocated by the National Treasury, a figure of about Kshs2.25

billion, towards police housing, remains untouched. That was in consultation with the Chair and his Departmental Committee on Education and Research. It was an additional allocation reallocated from other sources. I hope it is clear now.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Ong'era, what is your point of order? Use Hon. Ombaka's microphone.

Hon. (Ms.) Ong'era: Thank you, Hon. Temporary Deputy Chairlady. That is precisely the point I wanted to ask the Hon. Chairman of BAC. If you are saying that the money was an additional amount, it means there was a reason they added the money for police housing. As you know, police housing in this country is in a deplorable state. We should build better houses for them. I suspect the additional amount is because we needed more money to make them feel secure and safe in their homes.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): The Member *na kanzu*.

Hon. Ibrahim Ahmed: Hon. Temporary Deputy Chairlady, we should have our priorities right. There are reasons this reallocation has been made. I strongly believe that one of the reasons is due to the dilapidated housing situation of the police force. As I speak, I can assure you that police officers who have been posted to two stations in my constituency, Buna Police Station and Gurar Police Station, could not report due to deplorable housing situation in that area. There is need for having an increase in TVETs, but we must have our priorities right. We must make sure that it is properly done. One of the criteria we were using in this budget-making process is the Big Four Agenda. One of the Big Four Agenda is housing. I do not see why we should make any reallocations. Of course, I agree to the fact that TVETs require increase in funds but, we must do that reallocation from elsewhere and not from police housing.

I strongly oppose this amendment. Thank you, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Leader of the Majority Party?

Hon. A.B. Duale: This is a House of records. I want members of the Departmental Committee on Administration and National Security to declare their interests. If each one of us, in our respective Departmental Committees will use our powers given to us by the Constitution and the Standing Orders to make the Budget, when I am in the Departmental Committee on Administration and National Security, I can use part of that money to allocate myself because people are saying it is coming from the Committee. We want to know why the Committee agreed. Is there anything else apart from that which this Committee agreed to? This problem happened in the 11th Parliament. It cost Hon. Mutava Musyimi his job as the Chair of BAC. It is unfair if we are going that route. Some of us are not members of a Committee. The Departmental Committee on Education and Research can put money for its members. So, can the Chair of the Departmental Committee on Administration and National Security declare his interest and tell us, in the Budget Estimates, where that Kshs30 million is going. If it is going to a constituency of a member of that Committee, we must reallocate it.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Your point is made, the Leader of the Majority Party. I will give this opportunity to the Chair of the Departmental Committee on Education and Research, Hon. Melly, and then the Chair of the Departmental Committee on Administration and National Security.

Hon. Melly: Thank you, Hon. Temporary Deputy Chairlady. I want to support the amendment and the proposal by Hon. Leader of the Majority Party, that we move the Kshs30 million from police housing unit to operationalise TVET. Let me justify what I am saying. In

your constituencies, we have TVETs or structures that are not operational. We have no students and teachers in those particular institutions. I am saying this because we cannot be building structures across the country...

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Melly, you have made your point. Hon. Members, we will need to move. We will now have the Chair of the Committee on Administration and National Security, Hon. Koinange, to clarify to us on where the money is coming from.

Hon. Koinange: Thank you, Hon. Temporary Deputy Chairlady. We have no problem with the money which has been moved from this account to TVET. As a Committee, we have enough money for building houses. The money which has been put as Kshs30 million was taken into that account through the Ministry of Finance, but we already have enough money for housing.

(Loud consultations)

Hon. Kilonzo: On a point of order, Hon. Temporary Deputy Chairlady

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Kilonzo, Member for Yatta, what is your point of order? That is the final speaker on this.

Hon. Kilonzo: Hon. Temporary Deputy Chairlady, is it in order for the Chair of the Departmental Committee on Administration and National Security, which is in charge of the police, to say that there is enough money while we know that in all our constituencies and in the divisional headquarters, the houses are non-existent? The officers are there, but their housing is not available and yet, there are officers on the ground. Even his own bodyguard does not have a house and yet, he says there is enough money. Hon. Temporary Deputy Chairlady and Members, this Member has betrayed the people he is supposed to protect as a Chair of that Committee.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): I am sure Hon. Koinange, you were not telling us that the police do not need any more money. I hope that is not what you were saying. Hon. Members, we will need to move.

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

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

(Programme 0601000 as amended agreed to)

Programme 0602000 - Planning, Policy Coordination and Support Services

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Members, please take time to listen so that we confine ourselves to the Vote, the programme at hand and the amounts.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, the figure Kshs4,436,596,997 be deleted and substituted thereof with the figure Kshs4,236,596,997.

This is for National Authority for Campaign against Alcohol and Drug Abuse (NACADA). They had proposed an additional Kshs200 million and following consultations in that endeavour to raise more money for TVETs, we have reduced that additional allocation of Kshs200million to Kshs100 million from NACADA.

(Question of the amendment proposed)

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

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

(Programme 0602000 as amended agreed to)

(Programme 0603000 agreed to)

Programme 0605000 - Population Management Services

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, Kshs1,070,000,000 be deleted and substituted thereof with the figure Kshs3,070,000,000.

Due to rearrangement of Government, the State Department for Immigration had been given Kshs2 billion for the new Identification Management System which is being moved from the State Department for Interior and Coordination of National Government. So, there is an amendment of an increment of Kshs2 billion which will be a reduction of Kshs2 billion under the State Department for Immigration and the Citizen Services further down.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuyu): Hon. Chair you need to elaborate, to avoid too many questions. Please clarify.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I said, due to the re-organisation of Government in line with the Executive Order given by His Excellency the President, the Population Management Services Programme's budget is being increased by Kshs2 billion for capital expenditure for National Integrated Identity Management System and it is being reduced from the State Department for Immigration and Citizen Services. It is the reorganisation of Government that, that particular function would have been under the State Department for Immigration Services but, with the reorganisation, it has been moved to the State Department for Interior and Coordination of National Government. It is that simple. It is reallocation from one department to the other in the same Ministry.

(Question of the amendment proposed)

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

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

(Programme 0605000 as amended agreed to)

(Vote 1021 as amended agreed to)

VOTE 1023 -STATE DEPARTMENT FOR CORRECTIONAL SERVICES

THAT, a sum not exceeding Kshs28,078,311,187 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2019 in respect of Vote 1023 (State Department for Correctional Services).

Programme 0602000 - Planning, Policy Coordination and Support Services

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): There is an amendment by the Chair.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under Programme in respect of Recurrent Estimates, the figure Kshs440,338,058 be deleted and substituted thereof with the figure Kshs340,338,058.

As I move this amendment, I wish to make a correction. The earlier Vote of Planning, Policy Coordination and Support Services was losing Kshs200 million, I spoke about it as if it was this one. It was an additional allocation from the Departmental Committee on Finance and Planning of additional Kshs570 million towards construction of sub-county headquarters and that was reduced by Kshs200 million. This particular one, under Correctional Services is the one that relates to NACADA. I had mentioned the other one as relating to NACADA. They had given them an additional Kshs200 million; we have reduced that to Kshs100 million, in consultation with Hon. Koinange, the Chair of the Security Committee.

Again, this money is part of what we were raising from this particular department towards the TVET issues that we spoke about.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Just take your time to explain. I know it is the first day we are doing Committee of Supply and we are all looking up to you to clarify the issues. So, you need to take your time.

(Question of the amendment proposed)

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): There is a Member who is asking what the amendment is all about. Hon. Makali, do you want to clarify the amendment to the Member who is asking?

Hon. Mulu: Thank you, Hon. Temporary Deputy Chairlady. I will clarify, but I also want to make a contribution. What the Chair has said is; we are moving Kshs100 million from NACADA to TVET. While I fully support the issue of technical institutions, it is important we look at where we are getting this money from. This country has a serious drug abuse problem. When we say we are taking money from areas like NACADA to TVET, it is important....

The other thing is this - and I should have said this earlier. We have 290 constituencies in this country and the original plan was that every constituency would get a technical training institution. We have done only about 60 with another 15 being planned for, which makes it 75. I think we need to open this matter in terms of the timeframes for those that remain, because we also want those institutions in our constituencies. It looks like there is no clear criterion of how they are going to be allocated.

Thank you, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): The Leader of the Majority Party, what is it?

Hon. A.B. Duale: Hon. Temporary Deputy Chairlady, what Hon. Makali Muli is raising is valid, but it is a committee of this House that is supposed to follow the implementation. I have seen in the Budget the amount allocated for TVET is to build another 15 new institutions. So, the committee that oversees the Ministry of Education can do justice by making sure that the ones that are going to be built are fairly distributed according to the diversity of our country.

Secondly, this animal called NACADA, unless they bring back Hon. Mututho, the people will continue drinking. Furthermore, the drinking is also devolved. Governors must take the lead. They must follow Waititu, who has a specific budget and programme for fighting drug abuse. Even though some Members of Parliament from Kiambu are giving him a hard time, he is very popular with women of Kiambu. He has brought back their husbands. Every governor is under obligation to fight drugs in his county. So, what we are allocating is just for that NACADA board: their movement and their sensitisation. The money that we have allocated to counties will be used to fight drug abuse. Governor Waititu must be emulated and supported.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Members you do not have to stand to attract my attention. Member for Yatta, what is your point of order?

Hon. Kilonzo: On a point of order, Hon. Temporary Deputy Chairlady. Is Hon. Duale in order to support reduction of funds from NACADA when he comes from a constituency where there is no drug problem?

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): The Leader of the Majority Party, the point is directed at you.

Hon. Kilonzo: I am asking: Is Hon. Duale in order to support reduction of funding to NACADA when he comes from a constituency where there is no drug problem? Are you being sincere?

The Temporary Deputy Chairlady (Hon. (Ms.) Tuyu): I think we need to move. Chair, just do a final clarification and then we move to the next one.

Hon. Ichung'wah: Thank you, Hon. Temporary Deputy Chairlady. I think the misunderstanding, from what the Member is saying, is not that money is being moved out of NACADA *per se*. What had happened is that already, NACADA had an allocation of Kshs240 million. The Committee thought that they could allocate them an additional Kshs200 million to make it Kshs440 million. After consultations with the Chair and Committee in charge of interior, we have reallocated Kshs100 million and left Kshs340 million intact. Therefore, NACADA is actually getting an additional Kshs100 million over and above what the Treasury had allocated them.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuyu): Members, you need to look at the schedule in the Order Paper because you will clearly see what the Hon. Chair is talking about. It is an increment and not a reduction.

Let us have the Hon. Leader of the Minority Party.

Hon. Ng'ongo: I would like to make this correction. Hon. Duale is a Member of the National Assembly and represents the interests of Kenyans across the country. So, it is not right to say that he cannot comment because of his constituents.

We need to think through this NACADA business. That is because, if it cannot help fight drug abuse, probably the money that we give it can be reallocated to build more churches and mosques so that people are preached to. The issues of drug abuse are issues of morality, spirituality, belief and faith.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuyu): Let us keep that for the next Budget

Hon. Ng'ongo: So, we need to think whether we should give our churches money.

(Question of the amendment proposed)

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

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

(Programme 0602000 as amended agreed to)

(Programmes 0624000, 0604000 and 0623000 agreed to)

(Vote 1023 as amended agreed to)

VOTE 1024 – STATE DEPARTMENT FOR IMMIGRATION AND CITIZEN SERVICES

THAT, a sum not exceeding Kshs4,575,268,823 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2019 in respect of Vote 1024 (State Department for Immigration and Citizen Services).

Programme - 0605000 - Population Management Services

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): There is an amendment by the Chair.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, Kshs2,690,000,000 be deleted and substituted thereof with the figure shs690,000,000.

Hon. Temporary Deputy Chairlady, as I had mentioned earlier, this is where we were getting the Kshs2 billion because of the reorganisation of Government. What was there was Kshs4.575 billion and now we are leaving Kshs2.57 billion under State Department for Immigration and Citizen Services.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Leader of the Minority Party.

Hon. Ng'ongo: Hon. Temporary Deputy Chairlady. I propose that when we are moving the amendments, we do it procedurally like we do with the Motion where we would expect the Chair to say:

“The proposed allocation under the programme in respect of Development Expenditure, Kshs2,690,000,000 million be deleted and substituted thereof with the figure Kshs690 million...” Then you go ahead and explain. This is because we do not want to have a situation where after we finish, the HANSARD has not captured correctly the amounts and then we would be accused of sleeping on the job.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): That is quite in order and I think the Chair has noted that. Hon. Wanga, I have not even proposed the Question. Wait until I have proposed then you can contribute.

(Question of the amendment proposed)

Hon. Wanga, you want to speak to this?

Hon. (Ms.) Nyasuna: I just wanted to understand that with the removal of the Kshs2 billion for the registration system to be acquired, is it being moved from the Immigration and Citizen Services directly to Interior and Coordination? Does this mean that services for registration, production of passports and identity cards is now being moved from Immigration and Citizen Services to be directly under the Department of Interior and Coordination? This is the understanding that we need to have so that, even as we move the money, we take note of the changes.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Chair.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I do not sit in the Executive and so I do not know how Government is organised.

However, the issuance of IDs is not under the State Department of Immigration and Citizen Services even now. It is just that when the National Treasury was doing their estimates, they put the money under the State Department of Immigration and not Interior and Coordination of National Government. The Registrar of Persons is still a department under Interior and Coordination and not the Department of Immigration and Citizen Services, which deals with passports and visas. However, this is for what is called the National Integrated Identity Management System for the fourth generation ID cards. The National Registration Bureau is still under the State Department for Interior.

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

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

(Programme 0605000 as amended agreed to)

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): As we move to the next Vote, I just want to remind Members that we are at No.4 of 67. Hon. Members we have only considered one programme under that Vote. I will go on to put the Question on the global figure under that Vote.

(Vote 1024 as amended agreed to)

(Hon. Shurie crossed the Floor without bowing)

Did I see a Member crossing the Floor while I was putting the Question?

Hon. A.B. Duale: Yes, Member for Balambala.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): The one walking away. You need to make that right. Go back and do the necessary. We are still in the House even though we are dealing with the Committee of Supply.

VOTE 1032 - STATE DEPARTMENT FOR DEVOLUTION

THAT, a sum not exceeding Kshs12,021,419,310 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2019 in respect of Vote 1032 (State Department for Devolution).

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Do we have an amendment to this one? We do not have an amendment and, therefore, I will put the Question. Let us have the Member for Amani National Congress (ANC), Hon. Osotsi. Please use the next microphone.

Hon. Osotsi: I just want clarification because you have said there are no amendments whereas in the Supplementary Order Paper, there is an amendment on this one.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): It is on the next programme, Hon. Member. The amendment is on the programme, Integrated Regional Development not Devolution Services. So allow me to put the Question.

Programme 1013000 - Integrated Regional Development

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): There is an amendment on this. Hon. Chair.

Hon. Ichung'wah: Sorry, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): You should not let these Members confuse you.

Hon. Ichung'wah: I was ambushed by the two gracious ladies from Kiambu and Kirinyaga counties. They are two very strong women to have won in those counties.

There are two amendments on the programme for Integrated Regional Development. One, is an additional Kshs6 billion which is donor funding for Aror Dam which is somewhere at the border of West Pokot and Baringo County.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Chair, you should follow the guidance from the Leader of the Minority Party so that you are systematic and clear. Members, we are on page 605 of the Order Paper.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, the Estimates initially seek...

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Chair, move the amendment on page 605. Are you okay?

Hon. Ichung'wah: Thank you, Hon. Temporary Deputy Chairlady.

I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates of Kshs6,936,950,000 be deleted and substituted thereof with the figure Kshs12,636,950,000.

This relates to an additional allocation which is basically donor funds. Therefore, you will not find a reduction of that Kshs6 billion from anywhere because it is money that is coming from donors towards the funding of Aror dam, which I am informed is on the boundary of Baringo and West Pokot counties. There is also a further amendment as alluded to by the Speaker and by Hon. Florence Mutua, which seeks to reallocate a sum of Kshs300 million from the Lake Basin Development Authority (LBDA) to the National Government Affirmative Action Fund for the County Women Members of Parliament. Hon. Temporary Deputy Chairlady, you

will understand why the two gracious ladies from Kirinyaga and Kiambu were hovering around my desk - they just wanted to make sure that I move that amendment.

The difference of Kshs500 million that you notice in the movement of those figures, again, was a reduction from LBDA. They had been allocated Kshs800 million towards the payment of a loan to a commercial bank. The Departmental Committee on Finance and Planning has alluded to the fact that it may want to consider these issues as a committee before doing further allocations to LBDA because of issues affecting LBDA. Therefore, the further Kshs500 million had earlier been moved even in our earlier report that we did as BAC and that had been reallocated to other areas.

(Question of the amendment proposed)

Hon. A.B. Duale: I thank the Chairman of BAC for the reallocation. The Chairman of Departmental Committee on Finance and Planning and the Chairman of PAC are in the House. We must find out what is going on with the LBDA and their purported mall in Kisumu. During the life of both the 10th and 11th Parliaments, in every Supplementary Budget, they wanted money. We need to know what we are paying for. I am happy you have given this money to people who will use it for the intended purpose, that is, our colleagues, the women MPs. Please, go and use that money to buy sanitary pads for our daughters. Please, use that money to empower the women in the counties, instead of giving it to a Chinese guy who claims that the mall is going to be auctioned. Let it be auctioned! I am sure those of you who served in the 10th and 11th Parliaments have seen that this mall has been recurring in the Budget Estimates.

The Departmental Committee on Finance and Planning must relook at it and bring a report to this House so that we do not fund something similar to the Ruaraka land saga. The Departmental Committee on Finance and Planning must find out what is going on in Kisumu with regard to that mall. From where I sit and where I come from in Eastleigh, malls are owned by individuals. I have never seen a situation where a government owns a mall and where a government sets aside money for construction of a mall. So, Hon. Limo, please, go to Kisumu, talk to the people and find out what is going on. If this House is convinced, then in the Supplementary Budget that will come, we will consider the matter.

However, for now, I think the money has gone to the right intended purpose and I am sure as we go along, every year, we will increase some little money for our women colleagues so that they can serve the people.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuyu): Hon. Mbadi.

Hon. Ng'ongo: Thank you, Hon. Temporary Deputy Chairlady. First of all, on this amendment, I want to say the following:

The first thing is where we have taken the money from. It should be understood that LBDA, for whatever reason, decided to be involved in construction of a mall in Kisumu, which has been a thorn in the flesh in the budget-making process every year. I agree with the Leader of the Majority Party that we need to find out what really is happening. I am told now the mall is operational. So, it should be able, in future, to pay its debts. However, one thing that is of concern to me is that the Chinese have actually been paid. The loan is now owed to Co-operative Bank. I think for us not to kill the Co-operative Bank; this matter needs to be investigated first so that if there is need for us to allocate money to clear that loan, we clear it so that the co-operators in this country do not lose.

Another thing is on where the money is going to. I want to say that as an MP, I always support any money that goes to the citizens and my constituents and money that reaches them in whichever way, whether through the county government, through the NG-CDF, through the County Women Representative or even through Senators, if they can demonstrate that the money will reach the citizens. I just want to plead with the 47 women representatives. At times, there is no need to personalise issues. When the BAC did not find favour with some of the proposals from the Departmental Committee on Labour and Social Welfare and rejected the proposed allocation to this vote, a few of us became victims of insults and unnecessary messages from women representatives. The Chairman and I were targeted. Some of the people who were sending me these messages are not even aware that in the last Parliament, I single-handedly went with the women representatives to the Treasury to plead on their behalf with the CS for Finance to allocate this money. If I did not do that, probably they would even not have anything to talk about today. So, let these MPs who get excited so fast with unnecessary insults be advised that some of us are immune to insults. We have actually withstood insults many times and no matter what you say, I may not really be shaken.

As I conclude, I just wanted to add that I know we have regulations on this Fund but, again, there is need seriously for all of us to be clear that any allocation that we make goes towards supporting our constituents and the distribution is uniform. I must say this. I would hate to see a county with seven or eight constituencies and because a woman representative wants to be a member of a single constituency, then most of the money goes to that single constituency and the others are left to suffer. To me, that would beat the logic, the objective and the rationale of allocating this Fund. Otherwise, thank you, Madam Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Wangui Ngirici.

Hon. (Ms.) Ngirici: Thank you, Hon. Temporary Deputy Chairlady. I wish to support what BAC has done. As the Chair, I wish to apologise on behalf of all the other ladies that may have sent the messages and the ones that would, probably, have felt very affected by the fact that the Kshs1.1 billion was not allocated. For now, we wish to thank the Committee and we promise that we will work with this money to improve the socio-economic lives of the women. Also, we are going to work with our colleagues in bursary issuance. We have actually agreed on a few ways that we can do it so that we can be able to pinpoint areas that we can work together for the improvement and development of our country as colleagues and even as citizens of our country, Kenya.

I beg to support.

Hon. Members: Put the Question.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): I think we can proceed to put the Question on this one.

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

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

(Programme 1013000 as amended agreed to)

(Programmes 0712000, 0732000 and 0713000 agreed to)

Hon. Members, I now go on to put the Question on the global figure on the State Department for Devolution as amended.

(Vote 1032 as amended agreed to)

VOTE 1035 – STATE DEPARTMENT FOR DEVELOPMENT OF THE ASAL

THAT, a sum not exceeding Kshs6,392,530,922 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2019 in respect of Vote 1035 (State Department for Development of the ASAL).

(Programme 0733000 agreed to)

(Vote 1035 agreed to)

VOTE 1041 – MINISTRY OF DEFENCE

THAT, a sum not exceeding Kshs111,053,747,380 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2019 in respect of Vote 1041 (Ministry of Defence).

(Hon. A.B. Duale consulted with Hon. Ichung'wah)

Hon. Leader of the Majority Party and your fellow nomads, you are consulting too loudly.

(Programmes 080100, 0802000, 0803000 and 0805000000 agreed to)

(Vote 1041 agreed to)

VOTE 1052 – MINISTRY OF FOREIGN AFFAIRS

THAT, a sum not exceeding Kshs17,107,914,901 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2019 in respect of Vote 1052 (Ministry of Foreign Affairs).

(Programmes 074000, 0715000, 0741000 and 0742000 agreed to)

(Vote 1052 agreed to)

VOTE 1064 – STATE DEPARTMENT FOR VOCATIONAL AND TECHNICAL TRAINING

THAT, a sum not exceeding Kshs10,400,156,413 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2019 in respect of Vote 1064 which is the State Department for Vocational and Technical Training.

Let us go to the programmes.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): We have amendments on this sub-vote, Hon. Chair.

Programme 0505000 - Technical Vocational Education and Training

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the programme in respect of Recurrent Estimates, the figure of Kshs2,446,199,631 be deleted and substituted thereof with the figure of Kshs7,446,199,631.

(Loud consultations)

The Chair of the Departmental Committee on Education and Research is consulting very loudly. Therefore, we are not paying attention. As I had indicated earlier, this is the money that we had raised which is part of the Kshs6 billion. The additional expenditure of Kshs5 billion is what I said we got a billion from universities. When we get to the votes, you will see that and what we got from the State Department for Interior and various other sources to raise about Kshs5.6 billion. This will go towards capitation of our TVETs and recruitment of 2,000 teachers for our TVETs and the additional 15 which is part of this Kshs5.6 billion.

As it is currently, many of the TVETs that have been commissioned and equipped have only one principal and some have two teachers. Therefore, the additional 2,000 teachers will guarantee that even the additional 15 TVETs that we are building for another 15 constituencies have adequate teaching staff. It will also guarantee our students in those TVETs access to these colleges without paying a coin since they will have capitation of Kshs30,000 per student. Unlike before, they will also access Higher Education Loans Board (HELB) loans and be able to cater for their fees without paying anything. As Hon. Wanga had said, this is the way to change our country's economy and, indeed, to power and drive the manufacturing agenda, which is part of our Big Four Agenda.

With those few remarks, I beg to move.

(Hon. Nyoro stood up in his place)

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Nyoro, you know that you can only contribute after I propose the Question. So, please wait.

Chair of the Budget and Appropriations Committee, have you moved both Recurrent and Development Expenditure?

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I only moved one.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Kindly put them together so that we deal with them together.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, the other one is the Kshs600 million and that is what I was clarifying. I beg to move:

(ii) THAT, the proposed allocation under the programme in respect to the Development Estimates, the figure of Kshs5,728,000,000 be deleted and substituted therefor with the figure of Kshs6,338,000,000.

I think there was a typo in the Supplementary Order Paper. There was an additional Ksh10,000,000 that was missed out. As I said, that is towards the Development Estimates. That is the amount that is being provided for construction of additional 15 TVETs across the country.

Therefore, I beg to move.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Members, allow me to propose the Question on the entire programme.

(Question of the amendment proposed)

We can contribute now. Hon. Ndindi.

Hon. Nyoro: Thank you, Hon. Temporary Deputy Chairlady. I am very proud to put my voice on the issue of TVETs because I am a young man. I am very elated by the Budget and Appropriations Committee for increasing the money that is meant for TVETs. First of all, we have the engine in this country. We have the requisite resources. What we lack are the skill drivers of the economy. I believe by imparting skills on the young people of this country, they will take charge in terms of driving the economic agenda of this country. It is a paradox that we have so many university students currently - around 600,000 - and only 150,000 from technical colleges. As Members know, most of the universities and the courses in our universities are meant to produce managers.

The TVETs will impart technical skills on blue collar workers, who will be very important as we drive the Big Four Agenda. I know that this money is taken from somewhere.

I also heard some other Members talking about NACADA. The biggest clientele of NACADA is the youth of Kenya. It is better to arrest the youth of Kenya and take them to TVETs, so that we do not have enough clients to take to NACADA. We do not have unlimited resources. Some of the issues we are dealing with in terms of programmes are mutually exclusive. We cannot have both. Therefore, wherever this money is coming from and going to the youth of Kenya, it can never go to a better place.

I support the amendment.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Owino.

Hon. Martin Owino: Thank you, Hon. Temporary Deputy Chairlady. I rise to support this amendment even though I do not have any TVET in my constituency. I hope it will be one of the 15 which will be constructed. It is not very clear to me. Can Kshs6 billion construct 15 TVETs only?

The second question is that the teacher hiring process is a capital investment. The Chair of the Budget and Appropriations Committee said that we are just pinching from one to the other. Is it going to be the trend or there is a proper scheme to employ teachers for the TVETs?

Thank you.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Do you need a clarification from the Chair?

Hon. Martin Owino: Yes.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Chair, did you hear the call for clarification? Hon. Owino, can you clarify briefly?

Hon. Martin Owino: This is a good initiative which I do not have a problem with. The other question I needed clarification on is if we hire teachers in this process by pinching from each line item, how are we going to sustain it? Hiring of teachers is a capital investment.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Member for Laikipia West.

Hon. Mariru: Thank you very much, Hon. Temporary Deputy Chairlady. Earlier on, I did not get an opportunity to speak. I was wondering why the Chair was proposing we get money from security. Now that we are on TVET, I think it is a very good idea to have additional money. In Laikipia, we have a problem which we will sort out. On a global scale, capitation is a big issue. We have TVETs across constituencies but with very minimal enrolment. We have some institutions where five or ten students have enrolled and yet, we have invested millions of shillings. There needs to be a very serious campaign because this is a very significant policy direction the Government has taken.

It is important for us as a country not only to think of the ordinary TVETs, but also those that cater for special needs. We have a few schools for special needs and, therefore, we need additional TVETs for students with special needs like for the visually impaired or for those with hearing challenges. The additional money should address one or two new TVETs for special needs. I support the proposal because it is a very important additional allocation.

Hon. (Dr.) Oundo: On a point of order, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): What is your point of order, Hon. (Dr.) Oundo?

Hon. (Dr.) Oundo: Hon. Temporary Deputy Chairlady, I rise to support. But as I support, we need a clear clarification on TVETs or post-secondary training institutions. We have vocational or what we used to call village polytechnics that are under the county governments. We need to be very clear so that there is no confusion. Probably, the confusion is the cause of the low enrolment in a number of institutions.

Another point to note is the fact that we have skill gaps in this country in this level of training and the more money we pump into this form of training, the easier it will become for us to achieve Vision 2030 as well as the Big Four Agenda that will propel the economy to another level.

I support.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Let me give the Leader of the Majority Party an opportunity to make a clarification.

Hon. A.B. Duale: On TVETs, what is under the county governments are the village polytechnics. We are allocating money for the TVETs. The reason we do not have many students

in the TVETs is that the fees is very high. They do not enjoy capitation and the students do not access the Higher Education Loans Board (HELB) bursary that the Government gives. We have helped TVETs by using part of the NG-CDF. The Government has equipped them but we do not have enough teachers.

The current Budget provides money for recruitment of teachers, putting the students under a capitation programme and access the HELB. As a country, we need to have more of those students. We have over 500,000 students who cannot go to universities. They are in our constituencies. The only way we can do is to make sure they access HELB loans. Under the current system, as Members will note, it is even more expensive for a student to go to TVET than to go to the University of Nairobi because the ones in the university access capitation and HELB. We are now bringing those programmes to cover students admitted in TVET institutions. That is why I thank the Chair who has allocated the money from other areas. We are stakeholders. We spend a lot of money of NG-CDF every year on the TVETs. There are 15 new TVETs to be constructed this year. I am sure the Departmental Committee on Education and Research chaired by Hon. Melly will make sure the 15 TVETs to be constructed are spread wide in the 290 constituencies where MPs are ready to chip in Kshs10 million from NG-CDF.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Washiali.

Hon. Washiali: Thank you, Hon. Temporary Deputy Chairlady. The Leader of the Majority Party has said what I would have wished to say, but let me add. Besides hiring trainers, the funds will also help to train other teachers so that we have enough teachers for all TVETs to enable the Government meet one of the requirements of the Big Four Agenda: manufacturing. We need skilled labour which can only be found in technical colleges where the funds have been allocated. We are going to be the beneficiaries.

There is a TVET in my constituency which is almost ready. I am sure we are going to recruit teachers towards the end of this year. I urge Members to support the amended Budget Estimates so that we can see the benefits of TVET.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): The amendment is well explained. I will give the last person.

Hon. Wamuchomba, Member for Kiambu.

Hon. (Ms) Wamuchomba: Thank you, Hon. Temporary Deputy Chairlady. I rise to support because I understand that in the spirit of the Big Four Agenda and specifically in industrialisation, we require a lot of skills so that we can implement the Agenda in a right way. Therefore, we want to train many people in all sectors of industrialisation. We can only achieve this if we revamp the TVETs to have the capacity to train as many young people as possible.

I strongly support the amendment.

Hon. Milemba: On a point of order, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Member for Emuhaya, what is out of order?

Hon. Milemba: Thank you, Hon. Temporary Deputy Chairlady. There is an issue that was raised and directed to the Chair of the Budget and Appropriations Committee, that we support this, but my order is that the Chair should

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Who are you ordering?

Hon. Milemba: I am ordering the Chair of the Committee and not you.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): You cannot order him.

Hon. Milemba: Is this the way to go on hiring of teachers for TVETs? That we shall be picking from here and there and finally saying that we have hired teachers for TVETs? He raised a point that hiring of teachers is a serious capital investment which the Chairman of the Budget and Appropriations Committee should have reacted to before you put the Question.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Melly, you can answer that because it is a policy issue.

Hon. Melly: Thank you, Hon. Temporary Deputy Chairlady. First of all, let me reiterate that we are in support of the re-allocation to this department because it is going to move the country forward.

On that note, it will not be an issue of picking money here and there every other time. This is establishing a sector which hitherto had not been in establishment. So, in the subsequent Budgets in the coming years, it will be a stand-alone and we shall invest in it like any other department like the Teachers Service Commission.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): The point is very clear, Hon. Chairman.

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

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

((Programme 0505000 as amended agreed to)

(Programmes 0507000 and 0508000 agreed to)

(Vote 1064 as amended agreed to)

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Members, as we move to the next vote, I need to make a clarification concerning the programme on Technical, Vocational Education and Training. Under the Development Estimates, the correct figure now is Kshs6,338,000,000.

Hon. (Dr.) Simiyu: On a point of order, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): There cannot be anything out of order right now because we have just finished. Hon. Eseli, can you put your point across?

Hon. (Dr.) Simiyu: Thank you, Hon. Temporary Deputy Chairlady. When I look at what we have just done on Vote 1064, if you put the Recurrent and the Development vote together, the total comes to over Kshs13 billion. When you read the original that we went back to, the total is Kshs10,156,413. Is it a misprint?

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Eseli, I just read Kshs16 billion not Kshs10 billion as the final figure. Kshs10 billion was the original.

Hon. (Dr.) Simiyu: Thank you.

VOTE 1066 - STATE DEPARTMENT FOR EARLY LEARNING AND BASIC EDUCATION

THAT, a sum not exceeding Kshs98,930,286,284 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure(Recurrent & Development)during the year ending 30th June, 2019 in respect of Vote 1066 (State Department for Early Learning and Basic Education).

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Members, there is an amendment by the Chair.

Programme 0508000- General Administration, Planning and Support Services

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Recurrent Estimates, the figure Kshs4,605,799,802 be deleted and substituted thereof with the figure Kshs4,680,799,802.

This is an additional allocation of Kshs75 million going towards providing funds for our children who get involved in the schools drama festivals. Since the advent of the free day secondary education and free primary education, these children are forced to go for these drama festivals without any provisions in terms of accommodation and food. Therefore, this is just to provide funds so that, again, when you talk about free primary and free day secondary education, it is, indeed, free that our children are not being asked to contribute towards these extra-curricular activities. This is giving an allocation of about Kshs450 increasing it from the earlier allocation of Kshs250 to cater for accommodation and food for the children during the drama festival exercise that is just about to start in the next two months.

(Question of the amendment proposed)

Hon. Mulu: Thank you, Hon. Temporary Deputy Chairlady. I support this amendment. Hon. Members will realise that when these events are taking place, it is us who fund these things. There are many teachers who approach Members of Parliament to support those events. We are trying to make sure that it is supported through the Budget other than hon. Members being requested to go deep into their pockets to fund those activities.

I support.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Deputy Leader of Minority Party.

Hon. Mbui: Thank you, Hon. Temporary Deputy Chairlady. I like the sound of that. I think it is a worthwhile amendment supporting the Free Primary Education Programme by

ensuring that there is money for the festivals. It is good because we know our parents have been suffering through paying for it constantly.

There is an increase of Kshs75 million, but the Chair of the BAC has not told us where the money is coming from. So, I would like him to be clear. When you say you are increasing Kshs75 million to a Vote, you have to immediately let us know where the money is coming from. Where there is an increase, there is also a decrease somewhere else. So, the Chair of the BAC, through the Chair, should clarify.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, from various reallocations in different departmental committees, we had a bit of savings. This is one of the few issues that we got from the savings in the allocations. I will be mentioning them as we go on. Therefore, there is no other department within the Ministry of Education, Science and Technology that is losing that money.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Member for Kibwezi?

Hon. (Ms.) Mbalu: On a point of order. Is the Chairman in order to reply to the effect that they are getting the money from savings? There is no saving that does not have a Vote Head. Seriously! That answer is not enough. As long as this money is not coming from roads...

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): Hon. Chairman, can you unpack the savings?

Hon. Ichung'wah: I did not get what the Member for Kibwezi East said. Did she say there is no saving?

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): She says you have to specify where the savings are coming from.

Hon. Ichung'wah: I stated that with the various additions and reductions on some Votes, you will find something. I will have to go back to the books, but we had savings of about...

Hon. Members *Off-record.*

Hon. Ichung'wah: The roads budget was deficient of, I think, initially Kshs18 billion. We will be speaking to that when we reach there. But I can assure the Member that the savings were reallocations within the National Treasury and not any of the other departments. They were savings within the National Treasury.

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): I hope that is clear to Hon. Mbui. We can move on to put the Question.

(Programme 0508000 as amended agreed to)

(Programmes 0501000, 0502000 and 0503000 agreed to)

(Vote 1066 as amended agreed to)

VOTE 1067 – STATE DEPARTMENT FOR RESEARCH AND UNIVERSITY EDUCATION

THAT, a sum not exceeding Kshs100,888,793,769 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2019 in respect of Vote 1067 (State Department for Research and University Education).

*[The Temporary Deputy Chairlady
(Hon. (Ms.) Tuya) left the Chair]*

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

Programme 0504000 – University Education

Hon. Ichung’wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Recurrent Estimates, the figure Kshs85,406,547,019 be deleted and substituted thereof with the figure of Kshs84,606,547,019 and,

THAT, the proposed allocation under the Programme in respect of Development Estimates, the figure Kshs12,740,500,000 be deleted and substituted thereof with the figure of Kshs13,140,500,000.

This relates to a number of our public universities. Again, following consultation with the Chairman of the Departmental Committee on Education and Research, we had to get about Kshs800 million. From the Recurrent Expenditure of the University of Nairobi, we got Kshs500 million. This was additional allocation. It still leaves the university with adequate funds. We were just giving additional increments. So, it is part of the additional increments that we had given them but taken it. We have taken Kshs100 million from the Recurrent Budget of Kenyatta University, Kshs100 million from the Recurrent Budget of Moi University and Kshs100 million from the Recurrent Budget of the Jomo Kenyatta University of Agriculture and Technology (JKUAT). That raises a total of Kshs800 million.

As I said, these were additional allocations which the Committee had raised from cuts of about 25 per cent on Recurrent Expenditure across the board in the State Department of Education. We raised those savings they had allocated to universities. Again, cognisant of the issue of TVET, we raised Kshs1 billion from the State Department of Education, being this Kshs800 million and a further Kshs200 million which we will encounter under the TSC for purchase of motor vehicles.

I beg to move.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Thank you for the import of the amendment.

(Question of the amendment proposed)

The Temporary Deputy Chairlady (Hon. (Ms.) Tuya): The Chairman, Departmental Committee on Education and Research.

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

I support the amendments. This is additional funding that we had given universities over and above what they had. After we consulted thereafter, we realised that the State Department of Technical and Vocational Education needed more funding noting that most of them are non-operational in our constituencies.

Actually, this money is meant to operationalise the curriculum department of TVET, colleges and add more teachers in the particular institutions. However, I want to also bring to the

attention of this House that the money that has been allocated to universities is enough. It will not put them below the bare minimum.

I beg to support.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Kolosh.

Hon. Mohamed Ahmed: Thank you, Hon. Temporary Deputy Chairlady. As much as we are increasing funding for technical institutions, what is important is the content of the curriculum. It is good that the Chairperson of the Departmental Committee on Education and Research is here. We cannot have institutions and call them technical training institutes when they all offer business administration, procurement and community health courses. There is nothing really technical about what they offer. So, we cannot reallocate money from universities...

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): The last one, Hon. Ouda Odhiambo, Member for Kisumu Central.

Hon. Oundo: (*off record*)

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Where are you from?

Hon. Oundo: I am from Funyula Constituency, Busia County.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Member, are you Hon. Ouda Odhiambo?

Hon. Oundo: No. I am Dr. Ojiambo Oundo.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Then, I did not call you. You are not the Member for Kisumu Central. For that matter, I will give this opportunity to Hon. Nyoro.

Hon. Nyoro: Thank you, Hon. Temporary Deputy Chairlady. I support the amendment noting that we are talking about universities and on the other hand, we are talking about technical colleges. We are talking about twin brothers. Given the challenge that we have in this country, these are more of technical than managerial. Therefore, I support that we reduce some money as proposed by the Budget and Appropriations Committee and take it to where it is needed most.

I have to say that over time, we also need to increase the capitation money for our universities because some of the technical courses offered by our universities such as medicine and engineering never get enough funding. These are the courses the country needs most. A person taking a Bachelor Degree in Commerce and a Bachelor of Arts does not require more fee because capitation money is always enough for them. So, going forward, we need to put more emphasis and increase the capitation money, support students even when we talk about technical courses within universities.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): We shall now have Hon. Oundo Ojiambo, the last one on this.

Hon. (Dr.) Oundo: Thank you, Hon. Temporary Deputy Chairlady. I am the Member for Funyula, distinct from the gentleman from Kisumu Central. As much as I understand the rationale for the cuts here and there, it is extremely unfortunate to deny universities adequate funding. Those of us who live in this country have seen a litany of challenges at the university education because of inadequate funding in terms of salaries, funds for research and generally for improvement of facilities. We have seen the Commission for University Education (CUE) closing quite a number of campuses because they are ill suited for offering higher education.

Hon. Temporary Deputy Chairlady, even at the level it was, it was not enough. I came straight from the classroom to this place and funding was never enough. The University of

Nairobi has been ranked one of the best universities in the region and we cannot starve it of funding and reduce it to a village polytechnic.

Hon. A.B. Duale: On a point of information, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): What is your point of information, Leader of the Majority Party?

Hon. A.B. Duale: Hon. Temporary Deputy Chairlady, you know this Parliament is privileged to have so many people with trade union background. This is a very unique Parliament. I am sure the Professor is speaking for the University Academic Staff Union (UASU). I want to inform you that Kenyans are paying millions and millions of shillings in the name of parallel programmes, which universities do not account for. Who audits their accounts? In fact, we want the Auditor-General to audit the accounts of public universities. How much do we pay? The number of students who are admitted to the normal programme is equal to the number of students who are admitted to Module II Programme. Universities are supposed to create their own resources.

(Hon. Milemba stood in his place)

See I have triggered the trade unionists. They are now on my neck. We are not in Kenya Union of Post Primary Education Teachers (KUPPET). You need to sit down, so that I can finish and then get a chance. We are not in KUPPET. Now the KUPPET leader has stood up. He is intimidating.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): You cannot be upstanding.

Hon. A.B. Duale: We are not engaging with the TSC. This is the Chamber. When you mention the TSC, he stands.

Hon. Milemba: On a point of order Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): What is your point of order, Hon. Member?

Hon. Milemba: Hon. Temporary Deputy Chairlady, I do not think it is in order for the Leader of the Majority Party to classify Hon. Members who have been elected by citizens of Kenya as unionists? How many other professions do we have in this House? Is it in order to be classified as unionists? Does he mean that at any given time, a certain class of people or trade was not supposed to be in this House?

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Oundo, just finish what you were saying.

Hon. Ng'ongo: On a point of order, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Oundo, do you want to be informed by the Leader of the Minority Party?

Hon. (Dr.) Oundo: I will accept because he is my senior.

Hon. Ng'ongo: Hon. Temporary Deputy Chairlady, my information to the Member for Funyula will also help inform the Member for Garissa Township. I worked with the University of Nairobi for seven and a half years as an Assistant Accountant all the way to Senior Accountant I and during which time I worked for University Enterprises Services (UNES) which was managing parallel degree programmes. I want to inform the Leader of the Majority Party that the accounts were then audited by the Controller and Auditor-General. Now it is the Auditor-General. I would tell you those funds help the University of Nairobi a great deal. So, it is

not correct to say that. It should be understood that UNES forms part of the University of Nairobi when the accounts come. So, do not expect them as a company.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Leader of the Majority Party, we are aware they have been tabled and it falls under the PIC. One more before the Chair clarifies.

Hon. Wanga.

Hon. (Ms.) Nyasuna: Member for Funyula has really spoken well. I would like to support this amendment. The reason is that this amendment is sending the right message. We are telling our children that apart from trooping to universities, sometimes to study courses that can give you no job, we are focusing on technical training. Technical training is important. It is good. It is a place to go to. The money might not be much, but the message we are sending to our children is that technical vocational training is just as important, if not more.

Thank you.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): The Chairperson of the Committee on Education in the 11th Parliament, let me hear your comment.

Hon. (Ms.) S.W. Chege: Thank you, Hon. Temporary Deputy Chairlady, for the opportunity. I want to support the amendment. I was the Chair of the Committee on Education and Research in the last Parliament and I want to commend my former Vice-Chair, who is now the Chair, for a very good job. It shows that I mentored him very well.

We need to take care of our technical institutes. What the Member said about the curriculum, it is important for us to also look at the curriculum and what is being taught in those institutions. About our universities, we know some of our Government universities have gone ahead to invest in Rwanda and Uganda. So, they get a lot of money. For the Member who is saying that universities have no money, they need first and foremost to declare their A-In-A. They do not do that. So, I am very happy that the Committee found it fit to take the increment to technical training.

Thank you, Hon. Temporary Deputy Chairlady.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): No more information, even to the Chair. Chair, do you want to comment on this?

Hon. Ichung'wah: Thank you, Hon. Temporary Deputy Chairlady. As has been clarified by former Chair of the Committee on Education and Research, indeed, I can confirm the UoN has a Recurrent Expenditure budget of Kshs11.3 billion. Kenyatta University has Kshs10.6 billion allocated for Recurrent Expenditure and Moi University has Kshs8.228 billion. More importantly, there is an issue that has been raised on the cost. Of course, the Leader of the Minority Party has to be very protective of UNES since he worked there. The former Chair of the Education Committee, Hon. Sabina Chege, has just confirmed that, indeed, other than not just declaring A-In-A by public universities, the PAC and PIC, specially the PIC, and I can tell you this having been the Vice-Chair of the PIC in the 11th Parliament, KU and JKUAT are universities that have been brought to this Parliament and reports adopted on questions on how they utilise the money they raise from Module II programmes. Kenyatta University is investing

in campuses that are making losses in Arusha. The JKUAT was investing in lossmaking campuses in Rwanda while our students are not able to access university education.

The last point is on what Hon. Kolosh raised on why technical training institutes are teaching business and community development courses. It is precisely the reason we are allocating money today. They have been teaching business and community development courses because they have not had teachers to teach technical courses. That is why we are now allocating Kshs2 billion to get teachers to teach technical courses. That is why we need to reallocate this money from universities that have access to more money to technical colleges.

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

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

(Programme 0504000 as amended agreed to)

(Programmes 0506000 and 0508000 agreed to)

(Vote 1067 as amended agreed to)

VOTE 1068 – STATE DEPARTMENT FOR POST TRAINING AND SKILLS DEVELOPMENT

THAT, a sum not exceeding Kshs1,925,173,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June, 2019 in respect of Vote 1068 (State Department for Post Training and Skills Development).

(Question proposed)

(Question put and agreed to)

(Programmes 0502000, 0508000 and 0907000 agreed to)

(Vote 1068 agreed to)

VOTE 1071 - THE NATIONAL TREASURY

THAT, a sum not exceeding Kshs107,332,876,758 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June 2019 in respect of Vote 1071 (The National Treasury).

Programme 0718000 – Public Financial Management

Hon. Ichung’wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, the figure Kshs34,210,758,552 be deleted and substituted thereof with the figure Kshs30,410,758,552.

Hon. Temporary Chairlady, this is a reduction of Kshs3.8 billion. As you are aware, the Constitution provides for appropriation of 0.5 per cent of the last audited revenues and approved by the House of the Equalisation Fund. In the Estimates tabled in this House, the National Treasury had tabled a figure of almost Kshs8.7 billion which was grossly overstated. Therefore, that is to make that correction to reflect what is in line with whatever is provided for in the Constitution of 0.5 per cent of the last audited and approved accounts.

It is a challenge to the Public Accounts Committee. I hope the Chair is here.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): The Vice Chair is around.

Hon. Ichung’wah: Yes. The Members of the Committee including the Chair are here. It is a challenge to the Vice Chair of PAC to ensure that he tables the last audited accounts. If they can get to the accounts of the Financial Year 2016/2017, have them tabled and approved by this House, then those Members who are benefitting from the Equalisation Fund will access more money since our revenues will rise.

If we can have the ones for 2017/2018 approved and adopted in this House, that will ensure that more resources go to the Equalisation Fund to ensure that those from marginalised counties benefit from more resources. If the accounts for the recent years are approved, we would have close to Kshs7 billion going to the Equalisation Fund.

With that, I beg that we ratify it. It is basically a correction of what had been put there by the National Treasury.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Members, we are done with the amendment moved on the programme.

(Question of the amendment proposed)

Hon. Otiende Amollo? Let us have the Leader of the Minority Party.

Hon. Ng’ongo: Thank you, Hon. Temporary Deputy Chairlady. I oppose this amendment. Indeed, I was absent when this decision was taken, but I do not support it.

The Equalisation Fund has suffered a lot. In previous years, there has been under-provision to that Fund. This is a constitutional requirement and the money that was allocated to it by the National Treasury should first offset all the arrears and be sure that we are not over-providing. This money has a sunset clause and I would urge that we do not interfere with the amount that is already allocated to the Equalisation Fund. Later on, when we are satisfied that the

amounts that had been under-provided have already been returned to the Fund, then we can make a decision.

However, at this point, this is very cheeky. It is highly unlikely that the National Treasury could over-provide funds to this account. That is not possible. Possibly, the Treasury has been looking for money to finance other programmes but we cannot certainly take it off the Equalisation Fund. So, this is something we can reject. If anything, this Ksh3 billion is not such a huge amount that will destabilise the Budget. Thank you.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Members, it is good to be brief and to the point so that we can move faster.

Hon. Member for Tongaren, I know you are a Member of the Public Accounts Committee.

Hon. (Dr.) Simiyu: Thank you. I was going to echo what the Leader of the Minority Party has said. It is wrong, if the Treasury has been under-allocating finances and now they are trying to recover to pay back what they failed to pay. Then we say that the Equalisation should not get this money. That is the same thinking in this House that made us decide that the NG-CDF will be shared equally. I call it some sort of jealousy, which is wrong. As a House, we cannot operate like that. I believe that we should reject this amendment so that the Equalisation Fund money remains what the Treasury had allocated.

Thank you.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Let us have the Member for Samburu East. A comment on this?

Hon. Lekumontare: Thank you. I also oppose the amendment. The Equalisation Fund is provided for by the Constitution. What has been allocated is very important if we retain it. It is unfair if we reduce it while in many years we have not had sufficient money in that kitty. The Constitution made this provision so that marginalised areas can be uplifted. It is crucial to have the amendment rejected.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): The Hon. Leader of the Majority Party.

Hon. A.B. Duale: Let me speak as the Member for Garissa Township Constituency. I want to indulge the Chair of the Budget and Appropriations Committee. You cannot sanitise the crimes the National Treasury commits every now and then against the provision of the Constitution. It is eight years since the new Constitution came into place. No amount of money from the Equalisation Fund has reached the targeted constituencies. The National Treasury is trying to play their normal games and they will not use this House to sanitise it. I want to urge the Chair to withdraw that amendment. Let them keep their books in a different way. I do not want you to lose the... From my experience in the Committee of the whole House, if people start opposing your amendment, the subsequent ones can have problems. I ask the Chair to withdraw that amendment in good faith.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Thank you, Member for Garissa Township. Let me hear from Hon. Muchangi, the Member for Runyenjes. You have been requesting to speak. Before I put the Question, Hon. Mutai Kiplangat.

Hon. Mutai: Hon. Temporary Deputy Chairlady, in this issue, I think we have had enough contribution and I request you to put the Question.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): The Chair, Budget and Appropriations Committee, you should be the last one because you cannot bake a cake and eat it yourself. Let us listen to the Chair so that he can tell us where they are getting the money from.

Hon. Ichung'wah: Hon. Chairlady, I think it is very good to be plain and honest. I alluded to the fact that what was provided for in the Estimates was over and above what is provided for in the Constitution. I think that point needs to be made very clear to the Members. The other point I want to make is that it is up to the Members to make a decision one way or another.

(Loud consultations)

My second point is that the Leader of the Minority Party is the one who stood on a point of order to say that for every increment or decrease, we must state where we are getting resources from. The Leader of the Minority Party has admitted that he was not seated in the Committee when this decision was arrived at. The Committee embarked on an initiative to raise adequate resources. I hope the Chair of the Departmental Committee on Transport, Public Works and Housing is in this House. We want to raise resources to bridge a gap of over Kshs18 billion for our roads infrastructure.

(Loud consultations)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order Members! Order! Let him speak. I also want to hear from him the implication of this and what kind of a hole it is going to create in the Budget for the Members to make a decision.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, that is the point I wanted to make. There is an implication that these resources, which were allocated over and above what is provided for in the Constitution, are being reduced so that we can accommodate the other needs like the special kitty we provided for infrastructure. So, we have a choice to increase or leave what is provided for over and above the constitutional threshold and we lose what we are trying to create for our roads infrastructure across the country.

(Loud consultations)

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Okay, this is a House of voting. Order Members! I want to put the Question since this is a House of records for this to be exact.

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

(Programme 0718000 agreed to)

(Programmes 0717000, 0719000, 0720000 and 0740000 agreed to)

(Several Hon. Members stood in their places)

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Order, Hon. Members! Order, Hon. Members! Hon. Members, Order! This is a House of procedure and rules. Hon. Members, there are less than 30 of you standing. We need 30 Members or more standing. The Chair is making a ruling that the Members standing are less than 30. So, this cannot carry the day.

(Loud consultations)

Order, Hon. Members! It is good for us to be informed about the numbers that are required for a division. I move to put the Question on the global figure.

(Hon. Ng'ongo consulted loudly)

Leader of the Minority Party, we want to put a vote on this. You would rather prepare your voices or votes. It is something that even the Chair has no control of. You have to take a vote on this matter.

(Vote 1071 as amended agreed to)

VOTE 1072 – STATE DEPARTMENT FOR PLANNING

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): We will go to the programmes. We will start with the programmes without amendments.

THAT, a sum not exceeding Kshs.49,524,420,002 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June 2019 in respect of Vote 1072 (State Department for Planning).

(Programmes 0706000, 0708000 and 0709000 agreed to)

Programme 0707000 - National Statistical Information Services

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): There is an amendment to this Programme. Let us have the Chairperson of the Budget and Appropriations Committee.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Recurrent Estimates, the figure Kshs9,340,568,288 be deleted and substituted thereof with the figure Kshs8,340,568,288.

This was an additional allocation going towards mapping for the National Census. There is already an allocation of Kshs1.2 billion. The Departmental Committee on Finance and National Planning had increased that to Kshs3 billion. In line with the earlier stated objective of raising the Kshs6 billion for TVET, we got Kshs1 billion from this allocation which was an additional allocation of Kshs1.8 billion. Therefore, we have left an additional allocation of Kshs800 million bringing the total estimates to about Kshs2 billion for the National Census mapping preparatory work towards the national census.

(Question of the amendment proposed)

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

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

(Programme 0707000 as amended agreed to)

(Vote 1072 as amended agreed to)

VOTE 1081 – MINISTRY OF HEALTH

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): There is a point of order from Hon. Wanga.

Hon. (Ms.) Nyasuna: I want you to note that we did not put the Question of the final two programmes in the previous Vote. We handled the national statistical information and then we went straight to the global figure. We are learning this process of the Committee of Supply. We need to know whether every programme is subjected to votes because you combine them sometimes. We need to know what we are doing.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Thank you, Hon. Wanga. That is a very good question. We read the programmes together. If you recall, we started with the ones which do not have amendments. That is why we put the Question together after the amendments.

Leader of the Minority Party.

Hon. Members, we are here. That is why we have allocated days. As the Speaker had communicated before, we are here until 7.30 p.m. As we consult a bit, you must appreciate what the budget process is all about and the participation of Members. We are on Vote 1081.

THAT, a sum not exceeding Kshs90,007,270,456 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2019 in respect of Vote 1081 – Ministry of Health.

Hon. Members, there are no amendments to this Vote.

(Question proposed)

(Programmes 0401000, 0402000, 0403000, 0404000 and 0405000 agreed to)

(Vote 1081 agreed to)

VOTE 1091 – STATE DEPARTMENT FOR INFRASTRUCTURE

THAT, a sum not exceeding Kshs180,049,380,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2019 in respect of Vote 1091 (State Department for Infrastructure).

Hon. Members: There are no amendments to this Vote.

(Loud consultations)

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): We have an amendment to this Vote. Chair of the Departmental Committee on Education and Research, we are through with education. So, let us hear from the Chair about the State Department for Infrastructure. Move your amendment.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, are you under Recurrent Expenditure or Development Expenditure? There is no amendment in the Recurrent Expenditure.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Wait for clarification.

Programme 0202000 – Road Transport

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, the figure Kshs121,685,380,000 be deleted and substituted thereof with Kshs115...

(Loud consultations)

Hon. Temporary Deputy Chairlady, I seek for your protection. I plead with the Members.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Order Members. Chair, you are protected. Let the Chair move the amendment then the House can make a decision. Order

Members. It is always good to listen. You will make a very informed decision if you listen to him.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I beg to move that the proposed allocation under the Programme in respect of Development Estimates, the figure Kshs121,685,380,000 be deleted and substituted thereof with Kshs115,985,380,000.

I beg for the Members' attention before we can make a decision on this. We had allocated Kshs112 billion to the Roads and Transport Department for infrastructure development. However, for those of us who were in the House during debate on our Report, on our own Motion as the Budget and Appropriations Committee, having listened to Kenyans across the country in 12 counties during the public hearings, it emerged that our dilapidated roads was a matter of great concern to Kenyans across the country. We, therefore, made a conscious decision as the Budget and Appropriations Committee to hunt for resources to provide adequate resources even if not for everything. If the Chair of the Departmental Committee on Transport, Public Works and Housing were here, he would tell you that this country requires a total of over Kshs38 billion. First, Kshs18 billion to cater for roads that were washed away by the recent floods and a further Kshs20 billion or more for roads that were already advertised, some procured and resources were missing. We could not get resources to the level of Kshs38 billion.

After listening to submissions from departmental committees, we sought to raise an additional Kshs8.7 billion to cater for roads so that emergency repair of roads that were dilapidated by the recent floods can be done. However, Hon. Members, the Kshs8.7 billion is only a drop in the ocean *vis-a-vis* what is needed in the sector. Therefore, what has the Government done? What is important for us to know, even as we make a decision, is what kind of a decision we should make and where we are going, moving forward. There are many people who require the roads that have been advertised, some procured but have no resources. The Kshs8.7 billion will translate to probably about Kshs30 million per constituency and that was our reasoning as the Budget and Appropriations Committee. If we could get, at least, Kshs30 million per constituency, we shall alleviate the suffering of our people, many who are not able to get to markets and schools because of the dilapidated infrastructure as a result of the rains. Those who listened to what President Uhuru Kenyatta said yesterday...

(Loud consultations)

Hon. Temporary Deputy Chairlady, I need your protection from Hon. Keter because he will have an opportunity to articulate issues and be heard by Kenyans even in Nandi Hills other than shout from behind.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Carry on. You are protected.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I was saying that for those who listened to what His Excellency the President said yesterday in Quebec, Canada, it is not lost on the Government that the resources required to put back our infrastructure to where it ought to be will be more than Kshs18 billion. Some of the areas we had targeted to raise money from was the

NYS. This House is justified in cutting money allocated to the NYS and reallocate it to more pressing priorities like our road infrastructure. That is without doubt. We sought to reduce the NYS budget by Kshs5.7 billion which came from the Departmental Committee on Labour and Social Welfare. When we gave that proposal to the National Treasury, they came back to us with a proposal to reduce that budget by Kshs2.5 billion only.

I am saying that because we have had extensive consultations, long hours into the night, on this issue. Had we reduced it by Kshs2.5 billion, we would effectively have had nothing for our roads infrastructure. Therefore, you will see when we get to the Departmental Committee on Labour and Social Welfare, that there has been a revision. The reason, which is very simple, is that the NYS is where we are borrowing about Kshs5.7 billion plus an additional Kshs2.5 billion. As Budget and Appropriations Committee, we ignored what the National Treasury had done. We took the Kshs5.7 plus the Kshs2.5 billion to raise Kshs8.25 billion. Following consultations, if we are to cut Kshs8.25 billion from the NYS...We have young men and women, and our children in the NYS. A number of those children...

(Loud consultations)

Let me finish. We have 30 minutes. I would beg that we listen. If we were to get Kshs8.25 billion, it would effectively mean that we shut down the NYS and chase home those innocent children who have nothing to do with the issues that happened at the NYS.

(Loud consultations)

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Members, can he move it? Hon. Member, just get to the point.

Hon. Ichung'wah: What is the intention of this amendment? It is certain that we are taking away money. I was drawing your attention to what His Excellency the President said yesterday. He said that he has commitments based on the discussions we had with the National Treasury and the ministries involved, namely, the Ministry of Labour and Social Protection and the Ministry of Transport, Infrastructure, Housing and Urban Development. His Excellency the President has commitments.

(Hon. Ng'ongo interjected)

Hon. Ichung'wah: The Leader of the Minority Party, I will beg for your indulgence. Shouting will not help.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Members, he cannot be out of order until he moves. What you can request him to do is to go to the point.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I was saying that the commitments that the President was speaking about from Quebec are the agreements that they

have entered with donors like the World Bank and the International Monetary Fund (IMF). We need, just like we did after the *El Nino* rains, to raise money from the donor community to deal with the problem of roads infrastructure completely. We have been requested to allocate a Kshs3 billion fund which will act as our capital contribution towards the raising of close to Kshs40 billion that will go towards the repair and completion of the many projects in our respective constituencies. Such projects will not be completed if you are not able to access this Fund.

I alluded to the fact that the decisions we make this afternoon will have implications. If you reduce one allocation, somewhere else will lose. We have just made a decision on the Equalisation Fund. I alluded to the fact that we were reducing what was over and above the constitutional threshold.

We have made a decision to retain Kshs3.8 billion. Something else will have to lose. The NYS has already lost. Therefore, in conclusion, I want to make the Members know that as they make this decision, it should be in the best interest of this country. So that we can assist the Government to raise adequate resources to cater not just for the rehabilitation of our roads, but even construction and completion of the ongoing projects.

With that, I beg to move.

(Question of the amendment proposed)

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Let me welcome two or three Members. The Vice-Chair of PIC.

Hon. Ibrahim Ahmed: Hon. Temporary Deputy Chairlady, I rise to oppose this amendment. The Chair has been clear, concise, convincing and focused, but he missed one point. Resource allocation is informed by priorities. Therefore, we must rank our priorities clearly for us to allocate resources correctly. We are all aware that roads in the constituency level have been in a pathetic situation and this was further worsened by the recent rains.

I want to inform you that four deaths have occurred in my constituency including a fourth-year law student at the University of Nairobi, Ibrahim Gedo Harakhe, who recently passed away as a result of poor roads. Also, a maternal death occurred where a mother was referred to another hospital and the ambulance could not access the referral point due to the poor condition of the roads. The national Government's allocation to constituencies sometimes saves lives and situations. As we are all aware, one of the key issues which have informed this Budget is the Big Four Agenda and the key enabler of this is the agenda on roads. We will not realise good manufacturing and health, if our roads are bad.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Just try to be brief, we are not debating.

Hon. Ibrahim Ahmed: As a result, we must have our priorities clear. No reallocation of a single shilling can be made from the infrastructure sector. If we want to increase the budget for the NYS, we better look at other allocations but certainly not from the infrastructure, which is there to save lives.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Thank you. You have made your point. Hon. Members, as you can see, the House is full and every Member wants to contribute. So, you cannot take the whole time. The Member for Karachuonyo.

Hon. Members: Put the Question.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): The Member for Karachuonyo, just make a comment on this one.

Hon. Okuome: Thank you, Hon. Temporary Deputy Chairlady. I have listened to the Chair of the Budget and Appropriations Committee and they want to create a fund of Kshs3 billion. They have taken over Kshs5 billion from this vote. The two are not compromising but out there, trade and everything have stopped because of floods. For how long are we going to wait for a donation from the World Bank? They should take the money from the NYS and not from this essential fund that we so much need.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Thank you. You know the Leader of the Minority Party has a place, but sometimes he leaves it to the other Members. Do not abuse your place.

Hon. Ng'ongo: Hon. Temporary Deputy Chairlady, I just wanted to say something brief. There is history to this allocation. Members of the BAC sat and we agreed that there is a problem in the whole country. The roads have been destroyed. We need to have a uniform amount of money for every constituency to bring back the roads to motorable condition. You can do all these things like TVET, but let me tell you that if roads in your constituencies are not passable, you cannot be re-elected. If the Government wanted to put Kshs8 billion, we are giving them Kshs8.7 billion. If you wanted Kshs3 billion, we are giving you Kshs8.7 billion for roads. Let us not touch this amount at all. By the way, this amount had been agreed on. I do not know where this idea is coming from that we are still begging for this money.

So, Hon. Temporary Deputy Chairlady, put the Question and we vote.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Members, is that the mood of the House? Order, Hon. Members! Every Member in this House wants to speak. Chair, what do you want to clarify now and you had all your time to explain? Just clarify and I put the Question.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I just have a clarification because there might be the misconception that the entire amount allocated to the roads sector is going away. Indeed, if you look at the Estimates, there was a total of Kshs171 billion. Let me finish. Just listen to me for a second.

(Loud consultations)

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Just one second for him to finalise. I am not going to give a chance to any other Member. I will just put the Question to vote.

Hon. Ichung'wah: The development expense of Kshs112 billion has been enhanced to Kshs115 billion which guarantees every Member of this House, at least, Kshs10 million to start

with as the Government raises the further Kshs40 billion that will also help you to complete the other pending projects in your constituencies.

More importantly, the Kshs5.7 billion... Please, listen.

(Loud consultations)

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Order! Order! Just summarise. You can see the mood of the House.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I was saying that more importantly, being an accountant, I must be alive and truthful to facts.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Order, Hon. Members!

Hon. Ichung'wah: More importantly is that the Kshs5.7 billion being...

(Hon. Mawathe consulted loudly)

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Mawathe, you have your reservations. I am giving you one minute to finish because every Member wants to contribute. We want to vote very informed.

Hon. Ichung'wah: Hon. Temporary Deputy Chairlady, I only need 30 seconds to make the last point. The Kshs5.7 billion is money that is not available. If the money is not available, it is a decision that this House must make that we either go out and borrow that money at the risk of not being able to access the additional donor funds that we are looking for to guarantee us the completion of the roads.

With that, I beg to move and urge those who have listened to the facts to support.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Thank you, Chair. You made your point. You did your part and with that information to the Members, they can vote. The direction I am giving is that I am putting the Question to the House to take a decision on the same. I, therefore, move to put the Question.

Order! Chairperson of the BAC, I gave you all the time to explain and expound yourself. Allow me to put the Question. Leader of the Majority Party, allow me to put the Question.

Order! Let me give an opportunity to the Leader of the Majority Party because he has priority in speaking.

(Loud consultations)

Member for Kisumu, you are not the Leader of the Majority Party. We are aware that you made your maiden speech, and you are eager to speak more and more. Leader of the Majority Party, can you be brief because these Members want to vote?

Hon. A.B. Duale: Hon. Temporary Deputy Chairlady, I want to speak. I was away because I went to break my fast. I had to eat something and now I am back.

I hope the Chair of the Departmental Committee on Transport, Public Works and Housing is here. He has run away. Let me say why he has run away. In the 11th Parliament, before the elections, we allocated some money in the Budget to the Ministry of Education, Science and Technology and the Ministry of Transport, Infrastructure, Housing and Urban Development. Did we get that money? We have a deficit. The amount here is a deficit. I want to

go on record in the HANSARD and in the budget that next year, you will agree with me. You might be emotional and might not have heard it. Hon. Makali Mulu knows it.

The only money you are in charge of is the money that goes to the Kenya Rural Roads Authority (KeRRA). Even with regard to the fuel levy fund, you have to beg the Cabinet Secretary and kneel down before him. The only money we are sure of is the KeRRA funds. The Cabinet Secretary for the National Treasury is trying to balance his books. The money we are currently allocating is part of the Kshs10 billion deficit in this budget. Hon. Mbadi knows that. You can go either way but I can assure you that you have no money for roads. If you think you have allocated money for roads, it is not there.

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Having listened to the leaders of the majority and minority parties, the Members and the explanation from the Chair, let me put the Question.

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

(Programme 0202000 agreed to)

(Vote 1091 agreed to)

VOTE 1092 – STATE DEPARTMENT FOR TRANSPORT

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Members, those walking out should do so with some decorum. We are continuing until 7.30 p.m.

THAT, a sum not exceeding Kshs100,748,787,235 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2019 in respect of Vote 1092 (State Department for Transport).

Is there an amendment to this one?

(Question proposed)

(Programmes 0201000, 0203000, 0204000, 0205000 and 0216000 agreed to)

(Vote1092 agreed to)

VOTE 1093 – STATE DEPARTMENT FOR MARITIME AFFAIRS

THAT, a sum not exceeding Kshs1,668,659,873 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2019 in respect of Vote 1093 (State Department for Maritime Affairs).

There are no amendments to this Vote.

(Question proposed)

(Programme 0220000 agreed to)

(Vote 1093 agreed to)

VOTE 1096 - STATE DEPARTMENT FOR HOUSING, URBAN DEVELOPMENT AND PUBLIC WORKS

THAT, a sum not exceeding Kshs32,223,395,926 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2019 in respect of Vote 1096 (State Department for Housing, Urban Development and Public Works).

Let us have the programmes under this Vote.

(Question proposed)

(Programmes 0102000, 0103000,0104000,0105000,0106000 and 0218000 agreed to)

(Vote 1096 agreed to)

*(The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu)
consulted the clerks-at-the-Table)*

PROGRESS REPORTED

COMMITTEE OF SUPPLY - 1ST ALLOTTED DAY

The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu): Hon. Members, having taken the vote on Vote 1096, the State Department for Housing, Urban Development and Public Works, we need to report progress on the same. I, therefore, call upon the Mover to move reporting. Chairperson, I understand you are the Mover.

Hon. Ichungw'ah: Hon. Temporary Deputy Chairlady, I beg to move that the Committee of Supply doth report to the House its consideration of the Budget Estimates for the Financial Year 2018/2019 up to Vote 1096 and its approval thereof with amendments and seek leave to sit again.

(Question proposed)

(Question put and agreed to)

(House resumed)

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

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, the House has resumed. We were on the Committee of Supply for the Budget Estimates for the Financial Year 2018/2019.

I now call upon the Chairperson to report to the House.

Hon. (Dr.) Shaban: Hon. Deputy Speaker, I beg to report that the Committee of Supply has considered the Budget Estimates for the Financial Year 2018/2019 up to Vote 1096 and approved the same with amendments and seek leave to sit again.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Mover to move agreement with the report.

Hon. Ichung'wah: Hon. Temporary Deputy Speaker, I beg to move that the House do agree with the Committee in the said report. I request the Leader of the Majority Party to second the Motion for agreement with the report of the Committee of Supply on the Budget Estimates.

Hon. A.B. Duale: Thank you, Hon. Temporary Deputy Speaker. As I second, I want to go on record that the celebration is short-lived. Whoever has misinformed the Members that there is a huge allocation in the road sector is not going to pass. I also want to go on record that we need to revisit even the one on the Equalisation Fund. I am going to recommit it. The amount allocated under the Equalisation Fund within the provision of the Constitution is not what we have approved. We have approved above Ksh8 billion when the actual amount is about Kshs4 billion. For that one, I am going to ask for a re-committal as a beneficiary. It is calculated. The percentage is in the Constitution. Hon. Members, please, in future, let us read the Report and listen to the Chair. Somebody somewhere does not read the Report, does not listen and he goes there and brings... The only money that we can use as Members of Parliament is the money allocated to our constituency under the KeRRA. Let us be very frank. The rest is with the Executive.

I gave an example of the last Parliament for those of you who were here when we were told to write project proposals. I wrote five roads. What happened? I was told I was allocated Kshs30 million. I went to the election when not even a penny had come. So, the moment this Budget is approved by the House, the only thing you can control is your NG-CDF. The rest belongs to the Executive. That is why they went to the people of Kenya and campaigned on a manifesto. Under a presidential system of government, the budget belongs to the Executive because they went to the people of Kenya and promised to do certain things. So, the money we are approving will ultimately go to the Executive.

I beg to second.

(Question proposed)

Hon. Members: Put the Question!

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Hon.(Ms.) Mbalu): Hon. Members, the time being 7.30 p.m., this House stands adjourned until tomorrow Wednesday, 13th June 2018 at 9.30 a.m.

The House rose at 7.30 p.m.