

PARLIAMENT OF KENYA**THE NATIONAL ASSEMBLY****THE HANSARD****Wednesday, 4th August 2021**

The House met at 9.30 a.m.

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

Hon. Deputy Speaker: Hon. Members, it is obvious that we do not have the required numbers. I, therefore, order the Quorum Bell to be rung for ten minutes. As usual, whenever the Quorum Bell is rung, it is only the Whips who are allowed to exit the chamber for the purpose of whipping Members. The rest of the Membership must remain in the chamber, unless there is an emergency.

(The Quorum Bell was rung)

Hon. Deputy Speaker: Order Members. We are still short of a few more Members. Therefore, I order that the Bell be rung for an extra five minutes. We are just short of a few Members.

We just need a few more Members and to also confirm the number of those who are in the holding areas. I actually think we could be headed in the right direction now.

(Loud consultations)

Okay, we can start business.

PAPERS LAID

Hon. Deputy Speaker: Let us have the Chief Whip of the Majority Party.

Hon. Emanuel Wangwe (Navakholo, JP): Thank you, Hon. Deputy Speaker. The Member wanted to show us the yellow which we have seen.

Hon. Deputy Speaker: The more critical issue is a Member standing between the Member speaking and the Speaker. I ignore the rest.

Hon. Emanuel Wangwe (Navakholo, JP): Thank you, Hon. Deputy Speaker.

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

Reports of the Auditor-General and financial statements in respect of the following institutions for the year ended 30th June 2019, and the certificates therein:

- (a) Council of Legal Education.

- (b) Kenya Academy of Sports.
- (c) National Industrial Training Authority.
- (d) National Council for Children's Services.
- (e) LAPSET Corridor Development Authority.
- (f) Financial Reporting Center.
- (g) Water Services Regulatory Board.
- (h) Information and Communication Technology Authority.
- (i) Masinde Muliro University of Science and Technology.
- (j) Kenya National Library Services.
- (k) Jubilee Party.
- (l) Agricultural Finance Corporation.
- (m) Meru University of Science and Technology.
- (n) Technical University of Mombasa.
- (o) Moi University.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. Next Order.

ORDINARY QUESTIONS

Hon. Deputy Speaker: In this particular Order, we will start with Questions. Starting us off would have been Hon. Didmus Barasa, but he made a request that the Question be deferred, which we accepted.

Hon. David ole Sankok (Nominated, JP): (*Off record*).

Hon. Deputy Speaker: We have no information. Is there any written communication? Allow me to confirm and once I do, you will be allowed if there are specific instructions. Yes, there is a letter that has come belatedly. So, Hon. Nominee 001, you are free to ask the Question on behalf of Hon. Barasa.

Question No.253/2021

ACTION AGAINST POLICE OFFICER WHO CAUSED AN ACCIDENT

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Deputy Speaker. I rise to ask Question No.253/2021 on behalf of Hon. Didmus Barasa, the outgoing Member of Kimilili and incoming cabinet secretary for interior security for the hustler government. The Question is directed to the Cabinet Secretary for Interior and Coordination of National Government.

Hon. Deputy Speaker: Order, Hon. Sankok! You know the wish list can be as long as possible, but it is not relevant to this particular situation. Just as the Question. The rest we will find out about elsewhere. So, proceed and ask the Question.

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Deputy Speaker. These are facts and you know when we predict the future...

Hon. (Ms.) Racheal Nyamai (Kitui South, JP): On a point of order, Hon. Deputy Speaker.

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

Hon. (Ms.) Racheal Nyamai (Kitui South, JP): On a point of order, Hon. Deputy Speaker. Is it in order for Hon. Sankok to mislead the House by giving names and positions to a Member? You have been courteous enough by allowing him to ask the Question on the Members' behalf.

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So, is it in order for him to name him a cabinet secretary and outgoing Member of Parliament? He could be outgoing Member for slapping a citizen, but really, why should he name him a cabinet secretary, and be so hopeful?

Hon. Deputy Speaker: Now, you are out of order, Hon. Nyamai. You came out well, but lost it somewhere. Hon. Sankok, I do not think your brief included a series of other titles other than the ones we know. We know you are asking the Question on behalf of the Member for Kimilili. The rest is not useful here. Proceed and ask the Question.

Hon. Emmanuel Wangwe (Navakholo, JP): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, Majority Whip? Can you imagine we are raising points of order on a Question even before it is read? This is to say there is an issue somewhere. What is it, Majority Whip?

Hon. Emmanuel Wangwe (Navakholo, JP): On a point of order, Hon. Deputy Speaker. This House is guided by rules and we must all observe the rules which we adore. This House does not allow or permit anticipation of debate. Is the Member in order to float a name in anticipation, yet that is against our own rules? For one to be a cabinet secretary, he has to be vetted and go through the procedure. That is anticipation. Is he in order to do that?

Hon. Deputy Speaker: Even on the face of it, Hon. Sankok, you are out of order in terms of raising all those other titles. I would like to ignore that bit and expunge it from the record. So, just ask the Question. It will do more service to the citizenry of Kimilili.

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Deputy Speaker. I know my leader, the Majority Whip, is an interested party in that position.

Hon. Deputy Speaker: I will now deny you the opportunity. We are wasting a lot of time on this particular one. If you continue doing that, I will deny you the opportunity of representing the Member for Kimilili here. So, proceed and ask the Question.

Question No.253/2021

ACTION AGAINST DRUNK POLICE OFFICER WHO CAUSED A FATAL ACCIDENT

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Deputy Speaker. I beg to ask Question No.253/2021 on behalf of Hon. Didmus Barasa, and it is directed to the Cabinet Secretary for Interior and Coordination of National Government.

- (i) Could the Cabinet Secretary explain the action taken against a police officer who caused an accident that resulted in the loss of lives of Gilbert Wanjala Sirengo, a motorcycle rider and his passenger, Ms. Margaret Nabutua Ndicho of Kimilili Constituency on 23rd June 2021 as he was driving a police vehicle Reg No.GKB 358T assigned to Kimilili Police Station, while drunk?
- (ii) What steps has the Ministry taken to ensure that the families of the two victims are compensated for the loss of their loved ones?

Hon. Didmus Barasa did not slap a contractor, but his face got in the way of his hand's trajectory motion. Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. That will be replied to before Departmental Committee on Administration and National Security. So, we will go to the Member for Kasipul, Hon. Ong'ondo Were.

*Question No.257/2021*CONSTRUCTION COST OF OYUGIS-KENDU BAY, OYUGIS-GAMBA-MARANI
AND OYUGIS-RODI KOPANY ROADS

Hon. Charles Ong'ondo (Kasipul, ODM): Thank you, Hon. Deputy Speaker. I wish to ask Question No.257/2021 directed to the Cabinet Secretary for Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works.

- (i) What measures has the Ministry put in place to ensure that cracks that have formed on Oyugis-Kendu Bay Road, Oyugis-Gamba-Marani Road and on Oyugis-Rodi Kopany Road (C18) particularly at Rachuonyo Hospital area, Kiwiro area and Ayoro Coffee area are repaired?
- (ii) Could the Cabinet Secretary provide the total cost of the construction of Oyugis-Kendu Bay, Oyugis-Gamba-Marani and Oyugis-Rodi Kopany roads and confirm whether the said road were constructed to the required standards, and if not, what steps are being taken to remedy the works already done?
- (iii) Could the Cabinet Secretary also consider taking stern measures against M/s. Third Engineering Bureau of China City Construction Group Company Ltd who are responsible for the destruction of Nyang'iola Primary School fence and gate during the construction of Oyugis-Rodi Kopany Road and as well as rendering feeder roads such as Kawaindi-Agoro Road, Nyambori Road and Owade-Guu roads inaccessible?
- (iv) Could the Cabinet Secretary explain why the said contractor failed to tarmac the entry points to institutions along the said roads including Nyahera, Kotieno and Oyugis primary schools, Nyahera, Kotieno, AgoroSare, Kachieng and Nyatindo mixed secondary schools, and Sikri Technical Training Institute?
- (v) What measures has the Ministry put in place to ensure that the said roads are properly marked, access culverts installed and stone pitching done to enable residents along the said roads access their homes, schools, health centres and public facilities?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: As I commit this to the Departmental Committee on Transport, Public Works and Housing for the answer, I want to commend the Member because he has read very well. I see many Members considering each number as a different question. I find a Member saying Question No.(i), (ii) and (iii). Whenever a Member asks a Question, it is written in Roman numbers, which are different segments of that Question.

That was very good other than the last bit where you said the last Roman. This confused us a bit because there cannot be a last Roman, but Roman number (v), (vi) or (vii). You have done very well, Hon. Ong'ondo and I hope the other Members will follow this because it is one Question in different segments. So, let us go to the next Question by the Member for Ganze, Hon. Teddy Ngumbao.

Question No.268/2021

JUVENILE CELLS FOR DIFFERENT GENDERS IN POLICE STATIONS

Hon. Teddy Mwambire (Ganze, ODM): Thank you, Hon. Deputy Speaker. I have the pleasure of asking Question No.268/2021 directed to the Cabinet Secretary for Interior and Coordination of National Government.

- (i) Could the Cabinet Secretary confirm whether police stations in the country have juvenile cells for both male and female gender, and if so, how many such facilities are available across the country and in which police stations are they located in?
- (ii) Could the Cabinet Secretary provide a list of the total number of female juvenile suspects arrested between 2019 and May 2021 in the country and indicate whether they were detained in juvenile custodies or not?
- (iii) What measures has the Government put in place with a view to ensure safe, humane and proper handling of female juvenile suspects in police cells?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: The Question will be replied to before the Committee on Administration and National Security. Next is the Member for Eldama Ravine. That Question is deferred on his request.

Question No.272/2021

DELAYED PAYMENT OF NSSF PENSION TO MZEE KAMULWO CHEPKURGAT

(Question deferred)

Hon. Deputy Speaker: We go to the Member for Homa Bay Town, Hon. Peter Kaluma. Is Hon. Kaluma in? It does not seem so. So, that Question is deferred.

Question No.285/2021

CIRCUMSTANCES SURROUNDING ARREST OF HIGH COURT JUDGES

(Question deferred)

Hon. Deputy Speaker: Hon. Members, I wanted to notify you that the Order Paper generally has been improved. When you look at the Order Paper, you will know what is going to be in that particular sitting. For example, if you look at the afternoon sitting of today, you will see an appendix which shows the petitions that will be coming and you also can see the statements that will be requested. This has never been happening. What has always been happening is the Private Members' Questions and Ordinary Questions, but now the Order Paper has been improved. So, Hon. Members, you can take keen interest. You will be able to see in advance what is coming in the afternoon because you can also access it online.

Let us proceed to the next Order.

BILL

Second Reading

THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL

Hon. Deputy Speaker: Hon. Osoro, this is your baby. Are you able to move it now?

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Hon. Silvanus Onyiego (South Mugirango, KNC): Of course, I am ready, Hon. Deputy Speaker.

Hon. Deputy Speaker: Proceed.

Hon. Silvanus Onyiego (South Mugirango, KNC): Hon. Deputy Speaker, I proposed an amendment to the Alcoholic Drinks Control Act in regards to Sections 45 and 68.

Hon. Deputy Speaker: Let me guide you, Hon. Osoro. Move it first and then you can bring the details you are making. Move that you want it to be read the Second Time.

Hon. Silvanus Onyiego (South Mugirango, KNC): Hon. Deputy Speaker, I beg to move that the House adapts the amendment Bill on the Alcoholic Drinks Control Act.

Hon. Deputy Speaker: It does not still come out well, but you have moved it. Just proceed, but the way you would have done it is, of course, to ask the House to have this read for a Second Time. You have actually done it, but next time, it should be in a different way.

Hon. Silvanus Onyiego (South Mugirango, KNC): I stand guided. Thank you very much. The intention of the Bill is to seek a review on the advertisement or the content of the advertisement that is brought forth by alcoholic drinks companies. You will notice that in most cases, companies that run alcoholic drinks business have linked alcohol, for some reason, to sex. You will notice that in most cases, during the advertising hours, they bring content that links a male and a female in very unclear circumstances. They display them kissing in public or partly half naked during advertisements and link this directly to sex.

What is more absurd is that in most cases, the advertisements are brought during the prime time hours when people are sitting as families. Young families sit in the house at about 7.30 p.m. and 8.00 p.m. or thereabout and the content is displayed. You find a young mother and father seated in the house and there is content on television of a young lady dancing naked trying to swing while advertising some alcoholic drink. It is appearing like it is a norm in our country to embrace such things. You want to display outright that for you to advertise alcoholic drinks, you must link it to a certain kind of content which, in my view, has a moral discontent to our society currently.

That is why we seek to amend Section 45 of the Alcoholic Drinks Control Act that we advertise the consumption of alcoholic drinks by promoting the national values. We should allow the cabinet secretary to prescribe the hours within which electronic advertisement of alcoholic drinks shall be done. Much of the concern is the particular time that has been seen in the recent years of such advertisements. It always comes slightly before news and that is the time people are in their houses with their children. You find yourself having a challenge to even engage your teenage daughter or son while watching television. It comes slightly before news or slightly when there is a common show on television that every member of the family is watching and everybody is in the house. So, we are seeking to allow the cabinet secretary to prescribe the time to which such electronic adverts should be aired and then to prescribe the content to be displayed on television just to try as much as possible to sanitise family values.

They have also linked these advertisements to football or soccer. At any given time when they want to advertise alcoholic drinks, they link it to soccer, but even at that point, the display, the photos and the movements of the actors of the advertisement are always dressed in a manner that does not promote family values. It is creating some kind of motivation to our young ones. When they are going to watch their football matches anywhere, they find themselves dressing like what they see on television. They carry alcoholic drinks on the road. They drink themselves silly on the road because they are going to watch football. That is why you see a lot of accidents on our roads involving teenagers taking alcohol in cars. This is because alcoholic drinks advertisements

have promoted the content of football with alcohol. It is like it is bad manners for one not to drink alcohol when watching football.

As I said, the elephant in the room is at the point they choose to advertise the content. They do it recurrently. They do it today and tomorrow. That growing child develops that mentality. That growing child who becomes a teenager and a young adult finds it a norm for him or her to dress indecently and appear in a way that does not promote family values. I even call upon the moral cop, Ezekiel Mutua, to look at the adverts contents even as we focus on the artists. This has made most of our young people to link alcohol to driving, operating machinery, sports and other activities. They take this as normal. That is what is happening to our society. They have also linked alcoholic drinks to kind of a therapeutic activity. You do it when you are doing something of substance because of the advertisements.

Part of the content is also very shocking. They will make it appear like it is wrong or foolish, not to take alcohol. You will listen to some adverts and you will appear like you are too stupid if you do not take alcohol. This is impacting our young ones the wrong way. We are killing our society by having a drinking nation and by having our young people feel like it is normal to drink. They portray alcohol as something that is so good and that it is abnormal for one not to take alcohol. So, I call upon this House to review advertisements on electronic media as much as possible, especially on timelines that they should be aired.

We are so concerned about our next generation. It is very wrong that nowadays, you find young ones running out of school or skipping days from school, just to be somewhere with friends watching football and drinking. That is what has been promoted by the electronic media. We are having several cases of young people leaving school, quitting education to go and take alcohol because that has been portrayed as normal by the media. I find young people asking me what I do for fun because they do not see me in bars drinking. It is like the norm. It shocks young people, younger than me, that I do not take alcohol. We have made it normal.

There is also the element of bringing a content of drinking at a family set up, as an advertisement on television. They air an advert where an entire family is drinking, slightly before the prime time news. They display the entire family drinking alcohol, namely, the father, the mother and a teenager seated in a certain corner with a drink that appears to be alcohol. That is how they advertise lately. This is again impacting the young families negatively. That is why several young people are not able to invest and focus in their lives. They think that to lead a normal life as a young man, you have to enjoy yourself by drinking yourself silly. It is the mess that is affecting our young ones today. That is why we are lacking university graduates with content. They spend much of their time drinking because that is what they see every day. We are turning into a society that embraces too much alcohol and immorality by admitting to sexual content being aired any time on our screens. In my view, this will make us lose a generation in the next few years to come. That is why we have people who have been affected deeply by this whole thing of drugs. They think it is normal. It starts with alcoholic drinks and then it graduates to serious drugs like cocaine. You keep on graduating. We are killing a generation. There is a generation that is not going to build this nation if we do not take care of the current one. Let us not allow this thing called drinking and drugs to be normal in our society. Let us not admit electronic advertisements at prime time on our screens that display immoral content. I have never understood why somebody would bring or relate drinking alcohol to sex and dressing inappropriately on national television while advertising tusker. I do not know the link. I do not see why a woman should appear naked when she is advertising some drink. I have never understood the link between alcohol and sex.

For that reason, I beg to move and request Hon. Sankok, to second.

Hon. Deputy Speaker: Okay, Hon. Sankok, stick to the lane.

Hon. David ole Sankok (Nominated, JP): Thank you very much, Hon. Deputy Speaker. As I beg to second this very important Bill, I want to assure the House, because I have heard some murmurs, that I have never drunk in my life. I have never taken any alcoholic content. I only take milk and tea. Alcohol is a foreign subject in my life.

Hon. Deputy Speaker, let me start my thanking Hon. Osoro for bringing such an important Bill to our attention. I request this House to support him so that we can save our generation. Hon. Osoro is known as a youth who has been an active Member of Parliament. He is not only active in this House, but also on the ground. I know of projects like the Technical and Vocational Education and Training (TVET) in Mugirango, 60 kilometres of new tarmac road in his constituency in three years, 12 school buses and bursaries. I have been informed that even persons living with disabilities (PWDs) receive bursaries from his office. He is therefore, a very active Member of this House and I congratulate him for going a step forward to save the children that he has been issuing bursaries to, from drinking and getting lost in life.

The import of this amendment Bill, the Alcoholic Drink Control (Amendment) Bill, is very simple. It is to give the cabinet secretary power to parental control in terms of what we watch on our television screens. The advertisement of alcoholic drinks sometimes come at a prime time when the whole family is either taking dinner, praying or sometimes when watching news for the sake of knowing when schools are reopening. So, as we wait to hear from Prof. Magoha, all of a sudden, certain contents, that you would wish to go under the chairs when watching with your daughter, appear. You wish to literally cover the eyes of your daughter. Sometimes it is total deceit. I have heard of a certain advertisement that says “Pilsner, Imara kama Simba”. You cannot be drunk and be imara at the same time. We need to be told some levels of truth even if we need to advertise these things. The Bill in Clause 45 talks about promotion of advertisement.

It says that subject to this part, no person shall promote an alcoholic drink so as to create a false impression. I like that part because the false impression that is being created in advertising of alcohol is too much. In the advertisement of things like cigarette, it is clearly indicated that cigarette is harmful to your health. When advertising alcohol, we do not say that alcohol can make you have an accident. We do not state the truth.

The cabinet secretary will have powers to control. It is said that alcoholic drinks have the ability to prevent, treat or cure any human disease. Is it true? We have heard other people saying that since we are using alcohol in sanitisers to prevent the Coronavirus infections, it can also treat Coronavirus infections when you sanitise your throat. It is wrong content. We need the truth to be told. Another thing is associating alcohol with football. They may be sponsoring football. We agree and thank them for that corporate social responsibility, but please, do not sponsor and destroy at the same time. When they advertise and portray that if you are to watch or participate in football, you must be drunk, it is wrong. They should say that for you to reduce some misbehavior of fans in the *mashemeji* derby, you should avoid alcohol during the *mashemeji* derby.

The Bill has come at the right time because even our own leaders have been affected by this cancer of alcohol. When we were talking about the bottom-up economic model, others, because of being drunk, interpreted it as the bottoms-up alcoholic competition. They had the audacity to hold an alcohol bottle upside down saying that it is empty at the bottom while we were discussing the bottom-up economic model. It is worse for others. The book of Luke, Chapter 6, Verse 45, says that you only speak what is in your heart and what you love most. You confess what you possess. When we talk about the bottom-up economic model, those possessed by alcohol and alcoholism will divert their attention. It is even worse for those who are thinking of what they

have lost, especially in issues of love triangles. They will say things that we do not want to see or hear on our television screens. You only speak what is in your heart and what you love most.

This Bill will cure the issue of immorality. Where are our morals? We know that from the teachings in the Bible and our traditions, alcohol consumption is not only harmful to our health, but it is also totally banned for children under the age of 18 years. You advertise the same alcohol during the news broadcast. Are you saying that we remove our television sets from our sitting rooms? Do you mean that we will remove television sets from school dining halls? They are there. We want the advertisement of alcoholic drinks to be done at a time that may be prescribed by the cabinet secretary when our children are either asleep or in class.

This Bill is not in any way aimed at killing our alcohol industry. We know very well that the alcohol industry has employed a lot of people. Some of the large alcohol companies like the East African Breweries Limited pay a lot of taxes. As a third world country, we need those investors, but we are telling them: "Thank you very much for paying taxes, corporate social responsibility and employing our youth, but, please, do not destroy those who have been paying school fees to study in our universities and in TVETs. That is what we are saying in simple terms.

I beg to second. Thank you very much.

Hon. Deputy Speaker: Very well.

(Question proposed)

Hon. Deputy Speaker: We start off with Hon. (Dr.) Tecla Tum.

Hon. (Dr.) Tecla Tum (Nandi CWR, JP): Hon. Deputy Speaker, I support the Alcoholic Drinks Control (Amendment) Bill, 2019.

In our country, there are quite a number of drunkards because there are no set standards. People drink anyhow and children are not going to school because there are no controls. We need to prescribe time for advertisements of alcoholic drinks. We do not need to expose our children to alcoholic drinks. The advertisements should be aired after midnight. Majority of our children have left school because they indulge in alcohol drinking. It is good for the alcoholic drinks advertisements to be aired after recovering drug addicts have slept. The World Health Organisation (WHO) has set the standard for how much alcohol should be in our drinks. That should be adhered to.

The Bible says that drunkards will not enter the Kingdom of God. We really need to do something to safeguard this nation. I know there are advertisements with the slogan, *Kenya yetu, bia yetu*. We have sold our country to alcohol. That is why when friends meet twice or thrice, the one not taking alcohol will be invited to drink.

There is the false allegation that there is a co-relation between alcohol drinking and sexual prowess. That is misleading. Currently, quite a number of young men in our nation take alcohol and go home while drunk. They cannot function and their wives are crying and demonstrating because their men are no longer men. There are two women sleeping in a bed instead of a man and a woman. We need to rescue our youth because of what is happening. There is a lot of alcohol sold in sachets.

Hon. Deputy Speaker: What is it, Member for Endebess?

Hon. (Dr.) Robert Pukose (Endebess, JP): Hon. Deputy Speaker, with all due respect to Hon. (Dr.) Tecla Tum, when she says that men do not function and are sleeping, everybody has to sleep. Can she, please, substantiate? When she says two women are sleeping and cannot function, she needs to substantiate what she means.

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Hon. Deputy Speaker: Okay. We want to hear what you have to say, Hon. (Dr.) Tecla Tum.

Hon. (Dr.) Tecla Tum (Nandi CWR, JP): Hon. Deputy Speaker, Hon. (Dr.) Pukose knows very well that in this country, there has been a lot of riots by women who say that their husbands are not functioning.

(Laughter)

I need not support further because I am a mother and a grandmother.

Hon. Deputy Speaker: Hon. (Dr.) Tecla Tum, you actually do not need to substantiate that. It will be like Hon. (Dr.) Pukose saying that because you have said that it is like two women sleeping together, that amounts to lesbianism in that particular setup. You are actually figuratively telling the House that there is a role for a woman and a role for a man. Hon. (Dr.) Pukose, who is a renowned surgeon, should know that. Actually, he is the one who should be giving more details.

Anyway, proceed Hon. *Daktari*.

Hon. (Dr.) Tecla Tum (Nandi CWR, JP): Thank you, Hon. Deputy Speaker for substantiating what he wanted because in my culture, you do not go far concerning those things.

As a minister of the gospel of Jesus Christ, it is a real concern for me when I see the youth and our children by the roads. Right now in Nandi County, I am putting up a rehabilitation centre to treat our children who are drug addicts. It is happening all over the nation, not only in Nandi County. We need to rescue our youth. We do not have to sell our country to alcohol. There are better things that we can do. I call upon everyone here to support this Bill. Let it be put into action, so that poverty can be reduced. Men and women will save the money they use to buy alcohol. We need to rescue our children. Some of them have left school because of the advertisements.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Majimbo Kalasinga.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Thank you very much, Hon. Deputy Speaker. I rise to support the Alcoholic Drinks Control (Amendment) Bill (National Assembly Bill No.70 of 2019).

When we have our time, Hon. Deputy Speaker, in the evening resting with our family, sparing some time to look at some values that come with management of good families, and when such advertisements appear on television, we feel embarrassed. We, in particular from western Kenya, do not shake hands with our mothers-in-law. Sometimes when we are with our mothers-in-law in the sitting room, seated with their grandchildren, then such advertisements appear on television, it embarrasses you to the point of desiring to run away to the bedroom. There is a time when there was such an advertisement and I took the remote control and switched off the television for one minute. Funny enough, one of my daughters told me, "Daddy, *imepita*". It meant she knew what was going on and she also knew the time the advertisement appears. This is an embarrassment to society and families. Sometimes our young children practise what they see from these advertisements. When they join university, in the hostels, they have television sets and when the advertisements are aired, they look for partners and do it practically. It is dangerous.

Finally on this, I should not forget to say that advertising is not a problem but let them advertise the formulation aspects and the contents of the products. Let them say, for instance, that they have 10 per cent alcohol, 5 per cent hops, 1 per cent water and whatever the content and formulation aspect of it but not how to use our young girls and boys to bring out these kinds of things.

Hon. Tecla was right when she said what our young ones do when these things are advertised and alcohol is consumed in high volumes. She explained the functional aspect as a mother. She said that the functional aspects come down. A man's performance comes down with increased consumption of beer. Too much consumption of beer sometimes leaves women complaining. In some parts of the country women have taken to the streets. They have even gone to the extent of picking their husbands from drinking places. When I am out in the evening and my wife calls me asking where I am and I tell her that I am in a drinking place with *wazee*, if the advertisement is on television showing how they are enjoying, she will think I am doing the same.

Hon. Emmanuel Wangwe (Navakholo, JP): On a point of order, Hon. Deputy Speaker.

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

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Deputy Speaker. I seek to inform the Member, if he does not mind. He and I come from the western region. He has just mentioned something that is opposite of what is known to us. He has said that consumption of alcohol reduces how a man behaves in bed. From where he and I come from, we believe in consuming very good *busaa* and the *busaa* promotes us by keeping us very strong. So, I do not know why he is...

(Laughter)

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Hon. Deputy Speaker, I do not know if Hon. Wangwe is right. Television stations do not advertise *busaa*. If *busaa* is advertised on television, I would wish to know the television channel that does that. They do not. Advertisements on television are about industrial beer. We are talking about dry gins and lagers. So, Hon. Emmanuel Wangwe ought to substantiate what he means.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Okay. What is your point of order, Hon. Ngusya? I see you have an issue. Your gadget is not working. I do not know the one who is closer to you. I am not able to... Use that one.

Hon. Charles Ngusya (Mwingi West, WDM-K): Thank you, Hon. Deputy Speaker. I just want to give the Hon. Member information.

Hon. Deputy Speaker: Did you rise on a point of order?

Hon. Charles Ngusya (Mwingi West, WDM-K): I rose on a point of information.

Hon. Deputy Speaker: If that is the case, we will have to ask whether the Hon. Member requires any information even after he has sat down.

Do you require any information?

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): I do not require. Can I finish my one minute, Hon. Deputy Speaker?

Hon. Deputy Speaker: He has said that he does not want any information whatsoever.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Hon. Deputy Speaker, I do not want information because it might eat into my one minute.

Hon. Deputy Speaker: Okay, wind up.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Hon. Deputy Speaker, this Bill will bring sanity, good order and sometimes as it has been put here, when we associate good things like football and athletics with these kinds of advertisements, it implies that if you drink heavily, you become a good footballer.

I support the Bill.

Hon. Deputy Speaker: Hon. Njiru Muchangi.

(Several Hon. Members spoke off-record)

I see several Members want to raise issues.

Hon Eric Njiru (Runyenjes, JP): Thank you, Hon. Deputy Speaker for giving me an opportunity to make my contribution. At the outset, I support the Bill by Hon. Osoro.

Every nation that aspires to grow and develop must be concerned with the welfare of young people. When our young people are sober, they are productive; when they are not sober they are not productive.

There is a lot of power in advertising. Our young people, particularly children, are very curious about what is screened. Thereafter, they always want to try out things they see. In my constituency, a case was reported of a young Standard Two boy who reported to school drunk. I imagine that these are some of the things that are brought about by the negative advertising.

I support the idea of having decent advertising so that we are not seen to promote alcoholism. I was in Kiambaa during the recent by-election and I saw something very worrying – a big population of young people, both men and women, who were very drunk. Even though the elections were done and we got the winner, this Government must be very concerned with alcoholism. As we support this Bill of ensuring that we have decent advertising, the Government must be keen to ensure that the laws we pass in this House are adhered to. The issue of having bars near institutions should be addressed because it works negatively for our people. For instance, in my constituency, we have more bars than schools and churches put together. Every shop that is put up somewhere, you find that there is a small bar that is operating there. This is working negatively for our young people and it is not the way to ensure that our young people are productive and working for this nation.

With those comments, I support.

Hon. Deputy Speaker: Hon. (Dr.) Makali Mulu.

Hon. Makali Mulu (Kitui Central, WDM - K): Thank you, Hon. Deputy Speaker, for giving me this opportunity to also add my voice to this important discourse. Let me start by thanking the Hon. Member for bringing this amendment to the Alcoholic Drinks Control Act.

Before I make comments specific to this Bill, it is important to put things into context. The objective of any firm advertising is to make sure that they increase their numbers in terms of consumption for whatever product they are producing. On that basis, they go to that extra mile to spend a lot of resources in advertisement. That is why you see these advertisements come during prime time because that is the time when they pay more for the advertisements. That is why you find that the electronic media like the television, to some extent, is not able to resist some of these offers because they make good money out of it.

The other thing is, where I come from, that is, the south-eastern part of this country, we believe that if you want to kill a cat, you do not throw *ugali* at it but meat. So, the reason why you see some of these advertisements capturing some of the images that you see is because they know what we, Kenyans, like. They know we are serious followers of football and we like things to do with those other areas of pornography and all that. That is why you see that they tie the advertisements to these areas. So, even as we say that we need to control the timing, it is important to appreciate some of these facts.

Even as I support this amendment Bill, we are not addressing the root cause of why our people are drinking, but only the end part of it. Actually, I do not think that some of the people we

see in the streets in the rural areas are drinking that much because they have been told so through an advertisement that they drink or they have seen somebody advertising. This is because some of them have no access to television. Some of them do not even have time to listen to the radio because they drink from morning to evening and night. We have a bigger problem in terms of people drinking in this country. That is why I wish that even as we debate this Bill, that we could have a more comprehensive Bill addressing the root cause of this serious drinking in this country.

At times we interact with these alcoholics. These are our voters and I am sure you interact with them. Some of them will tell you that when they go home in the evening after leaving in the morning and they have nothing in their hands to take to the family, their wives or the other members of the family will ask them: "Where is food for today?" They will have no answer. So, to look like you are really the man of the house so that you are not harassed, you have to go home when you are very drunk so that when you get to the gate, you announce before getting into the house that you are the man of the house. If anybody raises an issue, you deal with them seriously. It is like you want to scare the family not to ask you the difficult questions like: Where is food, where is school fees for the children, *et cetera*? To some extent, that is a clear indication that some of them do not drink because they have chosen to drink, they actually drink because they have been forced by circumstances to drink.

The other thing is the issue of our spiritual status. We all go to places of worship. If you get a proper grounding through the church, then Kenyans will not just go out there and drink just because they have seen an advertisement on television. They will go to drink because they have chosen to drink. Those who are morally straight and those who really believe in Jesus Christ, as Hon. (Dr.) Tecla was saying, even if you watch a thousand advertisements, I do not think you will go drinking just because you have seen an advertisement. So, even as we control the timing of the advertisements, and I totally agree, it has to be those hours where we say that anybody below 18 years must be asleep so that they are not influenced by the advertisements. Even as we do that, there is much more that needs to be done to control the problem of drinking in this country.

I sit in the Departmental Committee on Administration and National Security and we have a much more comprehensive Bill. There was also another request where people were proposing that we control the packaging of alcoholic drinks. What is happening as you go round, and this is very interesting, at times when I go to commission projects, I find women sitting on one side and men sitting on the other side, and by the time we start the meeting everybody is sober, but one hour after, you see majority of the men are drunk. You ask yourself how this happens in a public meeting. What happens is that they carry sachets of alcohol in their pockets. So, as you address them, they remove the sachets and sip. After 20 minutes, they go back to their pockets again and remove the other sachet and sip. So, after one hour, you find that majority of men in that meeting are drunk.

There are quite a number of issues that we need to look at, as a House, so that we help our people to be more productive and avoid this situation where they drink from morning to evening. One of the ways to address this is to create job opportunities so that they can work and be sure that when they leave the house in the morning, they will come back in the evening with some income and also the religious leaders do their work and have our people properly grounded morally. We know drinking is bad. It only becomes good if we do it in the evening after work and not from morning to evening. So, these are the issues that we should be discussing.

Even as I support this Bill, if we go to the Third Reading where we can make amendments, as a House, we can take that challenge and put much more into this Bill so that it becomes a more comprehensive Bill which can assist our people even as we move to the future.

With those remarks, I support. Thank you.

Hon. Deputy Speaker: The next one is Hon. Maison Leshoomo.

Hon. (Ms.) Maison Leshoomo (Samburu CWR, KANU): Asante sana, Mhe. Naibu Spika, kwa kunipatia nafasi hii niunge mkono Mswada huu. Vile wenzangu wameongea, hii mambo ya pombe hakika ni kitu kimeharibu watoto Kenya nzima na sio pahali moja tu. Ingekuwa muhimu pia Mswada huu uangalie mambo ya vilabu. Vilabu vya pombe viko Kenya nzima na hakuna pahali popote utapita bila vilabu. Kila mita mia utakuta kilabu kiko hapo. Hicho ndicho kitu muhimu kingefaa kuangaliwa zaidi ili kupunguza haya mambo ya pombe kwa watoto.

Ni kweli pombe imeharibu kila mtu. Tukisema vijana, hatumaanishi wanaume peke yake. Ni watoto wote wameharibiwa na pombe. Pombe imechanganywa na vitu vingi kama bangi, miraa na madawa mengine ya kulevya. Ninaunga mkono Mswada huu ingawa ingekuwa muhimu zaidi kama ingeangalia haya mambo ya vilabu kupewa leseni. Hii leseni inapeanwa kwa kila mtu. Hakuna biashara saa hii inafanywa sana Kenya nzima kushinda vilabu vya pombe. Kuna aina nyingi za pombe na ziko na majina tofauti. Kuna zingine nasikia ukikunywa unalala tu hapo kwa *veranda*. Sio kama ile bia inasemekana ingawa sisi wengine hatujaonja hiki kitu, lakini kuna zingine mbaya zaidi. Vile mwenzangu alisema, ni kweli kuna zingine zinamaliza watoto. Pole kwa kusema hivyo. Hii ni kwa sababu utakuta kijana alioa juzi, anakaa na mke wake miaka miwili ama mitatu na hawapati mtoto. Unanza kushindwa kwani ako namna gani. Ni lazima kuna shida ya pombe. Inafaa iangaliwa zaidi ni pombe gani zinaharibu watoto.

Mhe. Naibu Spika, tunaelekea wakati wa uchaguzi. Pia, utakuta wanasiasa, sisi tukiwemo, wanawapatia vijana hizo pombe. Kila mtu anafaa kuangalia kila mahali. Kama unaenda kuwapatia watoto pombe, hata nawe unachangia watoto kufa na kuharibika. Pombe imekuwa kitu kingine na sana sana inatumika na vijana. Inafaa suala la matumizi ya pombe miongoni mwa vijana lishughulikiwe zaidi. Tukiendelea hivi, rika inayofuata itakuwa na shida kubwa Kenya nzima kwa sababu matumizi ya pombe yamekuwa matata kabisa.

Kwenye shule zote, haswa za upili, utakuta masoko ndani ya shule. Masoko hayo huwekwa na wale maaskari wako kwa mlango. Kuta za shule zinatobolewa na kupitishwa pombe. Kwa hivyo, ingekuwa muhimu ukweli uonekane. Hata masaa ya kufungua vilabu inafaa yaangaliwe. Vilabu vilikuwa vimefungwa kwa sababu ya Coronavirus, na shughuli za kawaida humu nchini zilisitishwa lakini hata baada ya saa nne watu huendelea kulewa vilabuni. Hata kufungwa kwa nchi bado kunaendelea kwa sababu utakuta milango ya vilabu imefungwa lakini watu wako ndani. Unashindwa wale wako ndani watatokea upande gani baadaye. Inafaa jambo hili liangaliwe zaidi. Pengine unywaji pombe wakati huu ndio unazidisha maambukizi ya virusi vya Corona. Watu hujifungua ndani ya vilabu wakati wa kusitisha shughuli za kawaida unapofika na kuendelea kunywa. Wanapokunywa hawakai mbali kutoka kwa watu wengine. Wanakaa kwa meza moja, na hivyo basi kuchangia kusambaa kwa virusi vya Corona. Huwezi ukajua nani ako na Corona na nani hana. Kwa hivyo, suala la unywajipombe linafaa liangaziwe zaidi.

Asante Naibu Spika kwa kunipatia nafasi hii nichangie.

Hon. Deputy Speaker: Hon. Nguna Ngusya, have the Floor. He seems not to be there. Hon. Omboko Milemba, kindly, have the Floor.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Deputy Speaker, for this chance. I want to thank the Hon. Member for bringing the matter of advertisement of alcohol and other related products during prime time and other times.

Before I comment on this particular Bill, I wish to say that it is important to balance between how we control certain products in the market and how those products affect the economy of the country. I am sure that when we speak to other stakeholders in this sector, they will also be

speaking about the tax revenue that the Government generates from certain products. Of course, there are socio-cultural effects they have to the communities. Again, when advertising from an economic point of view, people want to pay more in order to advertise and reach as many people as possible. That is why some products, including alcohol and other related products, which may have been banned and others which are yet to be banned, or certain regulations have been put on them, would also want to be advertised during prime time. Again, I heard the Mover say that for quite some time he wondered what relationship there is between alcohol, or a certain product, and half-dressed persons. In this case, he mentioned a lady or a woman.

Hon. Deputy Speaker, in the world of economics and advertisement, there are all sorts of forms of advertisements. One other aspect that has been taken by people who advertise their products is planning. In planning, you attach a product to something that is good so that you pretend that if you do that thing, then you will be as good as people living normal lives. For instance, between 1979 and 1980, whenever the SM brand of cigarettes was advertised, you would see a good family comprising of a lady and a man and one of them would be smoking a stick of SM cigarette and looking happy. So, the idea in advertisement is that if you smoke, you will be as happy as that particular family on that advert.

Let me come even closer home. In recent times, you would see a packet of Tuzo milk and a family comprising of a man, a woman and a child looking very happy. The message in that advertisement is that if you drunk Tuzo milk, you would be happy. The worst example would be the advertisements of alcohol drinks, where you are given the impression that if you try Guinness, then you will beat everybody around you. That is what is called planning. It is used a lot in advertisement of products of this nature. Alcohol, cigarettes and other such products that have been half-banned or are about to be banned or for which there are stringent legislations tend to go for what we call “surrogate advertisements.” With these surrogates, there is a lot of disguise whereby the products are disguised. Maybe, the Mover would understand why a nice-looking lady or maybe Miss World would be associated with Duke – some motor vehicle that is being sold around the world. That is what we call disguised advertisement or branding.

An Hon. Member: On a point of information.

Hon. Deputy Speaker: Hon. Milemba, do you require any information?

Hon. Omboko Milemba (Emuhaya, ANC): I do not think so. You can see I am so open.

Hon. Deputy Speaker: Absolutely. Proceed.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Deputy Speaker. So, as we talk about advertisement of alcohol, I would wish that we isolate what is bad for the society from this type of advertisement *vis-a-vis* the economy and other aspects that are required. One of the issues affecting the society today is alcohol consumption, and thoroughly so. However, majority of the alcohol that affects the society is the type that is packaged in sachets. I come from Emuhaya where most of the alcohol affecting my area is packaged in sachets. It comes into the country from Uganda. They are small sachets in different names, as the immediate previous speaker said. That alcohol is not even advertised at all. It is what is called in our local mother tongue “*changaa*”. It does not need any advertisement. It is the kind of alcohol that is killing the society. It is found everywhere in my constituency and in many other areas yet those sachets are not advertised on television.

So, we need to put in place some effective control measures. This Bill must be reinforced during the Committee of the whole House so that we have a proper way of handling alcoholic drinks, especially the types that are packaged in sachets – which are killing society by rendering our sons unable to sire their own off-springs, just as the immediate previous speaker said. Children

in school have also been affected by this menace. I would want this Bill enriched to include all these brands of alcohol. It is a very good Bill but it should not just focus on those products which are advertised on electronic media. There is need to completely control the reach of alcohol to the youths, some of whom have been affected by stress related to unemployment, stress related to communities and the high levels of poverty that are within our societies. Many youths are idle due to unemployment.

Hon. Deputy Speaker, I will be very keen during the Committee of the whole House so that we sit with the Mover of the Bill and introduce amendments that will make the Bill stronger.

With those remarks, I support.

Thank you.

Hon. Deputy Speaker: Hon. Tonui, Bomet Central.

Hon. Ronald Tonui (Bomet Central, JP): Thank you, Hon. Deputy Speaker for this opportunity to also comment on this important Bill. I commend Hon. Osoro for coming up with it. It is a very important and critical Bill which we must transact and approve.

The issue of alcoholism in the country has gone out of control and needs to be handled, especially in terms of how the media has created interest in alcohol through advertisements. The idea of specifying when those advertisements should take place is very important and I support it. I know that some people generally enjoy alcohol. I do not partake of alcohol, but I know people enjoy taking alcohol, either for leisure or stress management. I know there is also that argument that there is job creation.

I wish we could return to the good alcohol - the traditional brews we used to have. That is the kind of alcohol we may need to encourage for stress management and leisure, but not the current brands that we have in the market that have actually killed our youths and men. As one of the Hon. Members stated, men are no longer able to perform. Alcohol is destroying families. This issue needs to be addressed. We can only address that by coming up with a proper law to handle it. In fact, it should be a requirement for the manufacturers of alcohol to have rehabilitation centres which they manage and fund. They are the ones creating the problem of alcoholism and must meet the expenses related to it.

I hope that there will be an amendment to this Bill to ensure that all manufacturers of alcoholic drinks have rehabilitation centres in each county or the areas where they supply the alcoholic drinks. We also need to provide restrictions in law on where to locate bars. We should not have bars everywhere, especially next to schools. That is destroying the future of our kids. A bar should be located at least one kilometre away from a school because we know what takes place in those places. Apart from alcohol, there is also a high level of immorality where a bar is located. Therefore, that is one of the issues that needs to be addressed, namely, the location of bars or centres where alcohol is dispensed.

Otherwise, this is a very good Bill. I support it.

Hon. Deputy Speaker: Let us have Hon. Murugara.

Hon. George Gitonga (Tharaka, DP): Thank you, Hon. Deputy Speaker. In as much as I rise to support the Bill, I have a few reservations regarding what we are doing as a House.

First and foremost, we are seeking to amend an Act of Parliament that was enacted in 2010. The debate revolving around this proposed amendment is actually the argument on the Bill which must have passed through the House in 2010. Be that as it may, the Bill is actually morally sound because at all times, we have to instil into our children morals that will make their lives better and not values that will affect them in a manner that may not be positive. In fact, they are not values but virtues that have to impact better on them.

My first problem with the Bill is that it seeks to amend Section 45 to introduce a new subsection which will in essence be saying that you cannot promote an advertisement of an alcoholic drink in a manner likely to suggest that the consumption of that drink promotes national values. That is true. It is in consonance with the old Section 45 which gives circumstances under which you cannot promote an alcoholic drink. It also proposes that the Cabinet Secretary gives regulations regarding times and hours when we can advertise alcoholic drinks. Again, there is nothing out of sync with Section 45 being amended.

Most importantly, are the alcoholic drinks being advertised responsible drinks? What has gone morally wrong with our society? The people being blamed are usually collected from gutters. They are the alcoholics in the villages and towns. Do they take the drinks that are advertised on televisions, newspapers and radios? In my own estimation, I say no. Most of the drinks responsible for the degradation of our society are the illegal drinks. That is where the law must be emphasised. Whether we like it or not, the overconsumption of *busaa*, *chang'aa*, *karubu* or even those sachets and miniature drinks are what are responsible for our moral degradation.

Some of the adverts regarding alcoholic drinks cannot actually be faulted. I remember for a long time Tusker would advertise itself as a drink to be taken after work. In a cursory manner, we changed that to mean that it is a drink to be taken instead of working. Tusker *baada ya kazi* became Tusker *badala ya kazi*. That may be so. Most adverts are mere bluffs. They are purely meant to give you an impression that, that is what happens when in actual fact, they do not mean that intention or what they say. Mere bluffs. However, it is important that we control what we advertise. It is important that we are not oblivious to the fact that we have families and family values to safeguard. We must also know that those who advertise in our media are actually the highest taxpayers. Whatever it is you say, including, if one does not drink they will save some money to take their children to school, you must also say in converse that we will collect less taxes and that has its own consequences. We must do this.

I would actually advocate for an audit of the entire Alcoholic Drinks Control Act, especially Section 45. Since 2010, we have had Section 45 in place. It states that you cannot advertise so as to create a false impression that there is a link between the consumption of that drink and social or sexual success. That is what we have been saying here. Since 2010, you cannot advertise in the various manners set out in that Section 45. Most important is the offence under subsection 2 that you are liable to a fine not exceeding Kshs500,000 or imprisonment for a term not exceeding three years or both. Audit of this law. Has anyone been taken to court for advertising in a manner that is offensive to Section 45? To the best of my recollection, even from my practice nobody has been taken to court because of this. This means we may be piling what we call dead letter laws. Laws which are there in the statute books and not enforced by anybody.

So, Hon. Osoro will have to consider whether this is what we are doing or not. Let us carry out an audit of Section 45 and the various advertisements placed in the media with regard to alcoholic drinks. We can confirm whether we are in breach of Section 45 and if so, whether there is any action to be taken, so as to safeguard the moral purpose of this particular law.

Otherwise, as we condemn excessive drinking of alcohol and any other thing, we do what is not in consonance with our own morals. We must also not be oblivious that alcohol industries are some of the greatest contributors of our economic development, including as I have said employment. This is because a huge number our citizens are employed in this sector and benefit from it. Therefore, we must balance the two.

With those remarks, I support.

Hon. Deputy Speaker: Hon. Nangabo Janet also known as *masukari*. I mean Hon. Janet.

Hon. (Ms.) Janet Nangabo (Trans Nzoia CWR, JP): Asante sana, Mhe. Naibu Spika kwa kunipatia hii nafasi kuunga mkono Mswada wa Vileo na Utumiaji Mbaya wa Madawa. Ningependa kumshukuru Mhe. Osoro kwa kuleta Mswada huu katika Bunge hili. Hii ni kwa sababu ni ukweli vileo tunavyotumia wakati huu vimeumiza nchi hii na haswa watoto wetu.

Wakati Mhe. Osoro alikuwa akielezea Mswada huu, niliona ni ukweli kwamba kuna vituo vya televisheni ambavyo vinaonyesha picha mbaya. Huwa tunaona msichana au kijana akiwa amevaa mavazi mabaya wakati anatangaza. Hii ni vibaya kwa sababu inaleta aibu kwa jamii na wazazi. Ni ukweli kwamba hata wakati mwingine tunashindwa kutazama televisheni zetu kwa sababu matangazo mengine hayafurahishi. Tunajua kwamba wanaotoa hizo video wanalipa ushuru lakini si vizuri kuonyesha filamu mbaya katika televisheni zetu.

Walionena mwanzo wamesema kwamba matumizi ya vileo hayatakikani kwa sababu Bibilia imekataza. Mimi ni mtoto wa *pastor* na nakumbuka kwenye Bibilia Yesu alibadilisha maji ikawa pombe. Sasa tunajua kuna wale ambao hawatumi lakini tunapohamasisha kuhusu hivi vileo ni vizuri tushirikiane pamoja. Hii ni kwa sababu vinabadilisha watu, kuleta tabia mbaya kwa watoto wetu na uhasama miongoni mwa jamii.

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

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

Vile wenzangu wamenena, ni ukweli yeyote atakayepatikana kama amechapisha video ama picha ambazo si sahihi, ni vyema apewe faini ya pesa kama Ksh.500,000 ama faini ya kifungu cha miezi mitatu. Hii ni bora kwa sababu itakuwa funzo kwa yule mtu anayeamka tu na kuchapisha kitu chochote ambacho kitaleta uhasama katika jamii. Wenzangu walio ongea mwanzo walisema enzi zile kulikuwa na pombe kama busaa na hii haikumaanisha mtu akunywe mpaka awe mlevi. Ilikuwa nafasi ya wazee kusemezana iwapo walikuwa na jambo ama mzozo. Hii ilikuwa heshima katika enzi zile. Lakini mambo yamebadilika na tuko na bia ama pombe kali. Hii imeleta uhasama miongoni mwa watoto wetu.

Ningependa kushukuru Mhe. Osoro tena kwa kusema hata wale watu ambao wanauza bidhaa zingeni na sio vileo peke yake, waangalie picha ambazo wataweka kwenye bidhaa zao. Waweke picha za sura nzuri ambazo zitatoa mafunzo kwa watoto wetu. Kwenye mitandao unaweza kuona mambo ya maajabu. Wakati tulipowapoteza askari wetu kule Somalia watu wengine walikuwa wakichukua video yoyote na kutupa kwenye runinga. Pengine hata familia hazikuwa zimefahamishwa kuna kitu kilichokuwa kimetendeka. Hii pia hufanyika kwenye video ambazo watu hu*advertise* kwenye televisheni.

Naunga Mswada huu mkono na kama wenzangu wanavyosema tuendeleo kufanya marekebisho kwenye sehemu kadhaa. Tuhakikishe kwamba waziri anayehusika ametoa sheria kuhusu haya mambo ya madawa na vileo kwa sababu yamechukua mkondo wake.

Mhe. Naibu Spika wa Muda nataka kusema asante sana, naunga Mswada huu mkono.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Nguna Ngusya, Member for Mwingi West. The Member seems to have taken earlier leave. Hon. Onyiego Osoro of South Mugirango. Next on line to my left is Hon. Oduol Adhiambo.

Hon. (Prof.) Jacqueline Oduol (Nominated, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me the opportunity to contribute to this Bill. From the outset, I would like to

thank Hon. Osoro for indeed raising an important aspect of amending the Alcoholic Drinks Control (Amendment) Bill (National Assembly Bill No.70).

Indeed as has been pointed out by a number of speakers before me, as we look at the spirit of this amendment, we see Hon. Osoro would like to enable us as legislators ensure this Bill addresses the critical subject of how alcohol is affecting our country particularly, children and other vulnerable categories. As I support this Amendment Bill, I agree with all the Members who spoke before me and indicated it is important to contextualise and look at Section 45 of the Bill that we are amending to be sure that this proposed amendment, as framed, is going to enable us to achieve that goal. I would like to agree with Hon. Osoro that our children, youngsters and a number of categories of the population including the elderly... There are those people who are stressed with the challenges of raising families. We have single mothers and single fathers. We also have orphans who have to look after other children. So, as a result of the pressures and challenges of life, all these groups of people are very vulnerable and a number of times find alcohol as an aspect of consolation or escape.

I hope we can reflect on many issues as we look at this Amendment Bill in order to see whether discussing and debating it today will enable us to promote national values. I support this amendment. It is important for us as a nation to recognise that we have extreme difficulties and challenges because of normalising alcohol drinking and exposing young people to it. I had a chance to prepare a statement. I pointed out that during the countrywide lockdown caused by the prevalence of COVID-19, we experienced a very unfortunate situation where our youths were accessing drinking points. In my county of Siaya we have the sachet drink that comes from across the border in Busia. It is known as *Waragi*. It seems to be celebrated and embraced. It is, to a large extent, exposed to children even with the knowledge of duty bearers, caregivers and those charged with law enforcement responsibilities in our villages.

It is for this reason that, in this amendment Bill, we are looking at the power of the media and the manner in which advertisements can be controlled in terms of the time when they should be aired. I am not persuaded that, that is going to help us to address this problem. Hon. Members have made an observation about the significance of seeing to it that those who place adverts... They actually do so because they deliberately intend to catch prime time. I think that we must get back to the question of national values! I believe that we are at a time when we must recognise that there are things we can legislate but there are other things that it is our duty to model. We talk a lot about mentorship. We have a number of us here who are, indeed, mentoring a lot of our children and youth, but there is a clear difference between what we mentor and what we say. Even as I talk right now here in the National Assembly, I am a role model.

Hon. Temporary Deputy Speaker, I am not only a parent, but also a teacher. Allow me to say that children really look at what we model. What we model is what we do. We, as caregivers, duty bearers and leaders across different levels have made alcohol to be celebrated and promoted. There is lack of balance and now we would want to put the blame on advertisements. I would submit that what is useful is for us to recognise that there has to be balance. There has to be a way in which alcohol is consumed in a balanced manner that does not create harm.

I, therefore, would want to submit that we need to determine how to draft the proposed amendments. We truly need to consider the manner in which we model ourselves, the caregivers, the duty bearers and the kind of pressures that we face. It was mentioned already that there is a lot of passion killing. We have a lot of incest going on. The *boda boda* guys and other young people, after consuming alcohol, end up causing a lot of damage including molesting young children and the elderly. I, therefore, support this Amendment Bill. Let us look at the root cause and not the

symptoms. The root cause is not advertisements because even those young people in my village of Ombwede, in Siaya Township Ward, have never had a chance to watch an advertisement, but every time they walk around as they go to the shopping centre they see models in caregivers and duty bearers who present a state of lack of balance as the norm. They even encourage and allow them to access alcoholic drinks. I, therefore, urge that we do not deal with the symptoms but we seek to address national values so that we model our young people to a desirable behaviour.

Thank you, Hon. Temporary Deputy Speaker. I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Next is Hon. Wachira Kabinga.

Hon. Josphat Kabinga (Mwea, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me a chance to contribute to this very important Bill. I really want to thank Hon. Osoro for coming up with this Amendment Bill.

The issue of alcohol consumption is one that this country really needs to look at in a broader perspective. We need to ask ourselves: to what extent should we continue relying on revenue collected from alcohol and cigarettes? Ensuring that advertisements come at the right time and not at a time when they are likely to catch up with young men and women with children in the houses is important, but we need to go further and ask ourselves whether it is even necessary for us to have those advertisements. If we find it is not necessary, then we go ahead to completely ban those them. My message to the alcoholic drinks companies is that they need not go advertising. People who drink will always drink. People know where to find these drinks and people know them. So, there is no need of spending time and money on that.

I look forward to the day when these companies will sponsor advertisements that highlight problems and health hazards associated with alcoholic drinks. I would also wish that the companies spend more money on corporate social responsibility in order to take care of the many youths who are out of school courtesy of the alcoholic drinks that are consumed by their parents, instead of spending so much money on advertisements.

It is high time the Kenya Revenue Authority (KRA) realised that some of the advertisements are simply a way of evading tax. They come in as an expenditure thus reducing the amount of money that is declared profit by the companies. The companies indicate to have spent colossal amounts of money in terms of promotion and advertisements thereby denying this country revenue, which we are looking for. Therefore, it is important that even as we look at this Bill, we think about whether or not we need to put a percentage within which promotions and advertisements should fall so that we do not lose revenue in terms of tax.

For those of us who move around the world, we are aware that many countries no longer budget for revenue from alcohol and cigarettes. They actually do zero budgets for these items since the problems associated with them outweigh the benefits in terms of revenue collected. There are many areas that we lose revenue, including through alcoholic drinks. We know that this country, at one time, was doing very well in agriculture. Today, a great number of our people spend more time in drinking than in farming. That way, we are losing a lot of revenue that would have otherwise gone to develop this country. So, even as we talk about tax that comes from alcoholic drinks, we need to look at the losses that we incur as a country from the same drinks. I am talking about the many accidents that happen and the many young men and women who would have otherwise become powerful people in this country going to waste because of drinking alcohol.

I think we need to learn from other countries which have totally banned alcohol and its advertisements. We need to focus on other areas of revenue generation instead of concentrating on the current situation where we think if we killed drinking in this country, then there will be no

revenue to support our services. We need to start thinking of how we can focus on other areas so that we move away from taxes that are collected from alcohol.

If we must continue with these advertisements, then I would suggest that every advertisement, no matter what time it is carried out, should be accompanied with a content on the health hazards that are associated with alcoholic drinking just as we do with cigarettes. It is so that people are made aware that the problem is not just the drinking or what they feel after drinking, but also the hazards that come with the drinking. I think some of our colleagues have already highlighted some of these areas, which include reduction in the strength of a man in sustaining himself, especially when they are performing the natural cause that is required of them. We have heard from our colleagues here about our population going down because of some of those weaknesses which we are witnessing in our communities.

Alcohol has been used in some instances to kill economies of communities. Alcohol has been used to ensure that there is social enslavement of communities so that they do not advance themselves. It has happened even in this country at one time. Alcohol was promoted to ensure that certain communities do not grow. To date, some of those communities are still suffering from the effects of the promotion of alcohol within themselves.

I support the Bill. I support the regulation about when advertisement is supposed to take place. Indeed, some of us will be coming with proposals that we completely ban advertisement of alcohol and cigarettes, especially on our social media which is accessed by children. It is unnecessary! It does not add any value. It only serves to promote problems in this country.

I have talked about many things including the economy, the family fabric which has been broken because of alcohol, the many people who are killing themselves because of spending every coin that they have on alcohol and, generally, the overreliance of a country on an economy that has no future. I support but hope that at the Committee of the whole House, we will be proposing amendments to strengthen this Bill to ensure that it is helpful to this country. We should think widely and look ahead to see how we want to live with alcohol as a substance. It is not only killing our economy, but also killing the future of our young men and women.

Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Luyai Amisi, Member for Saboti.

Hon. Caleb Luyai (Saboti, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me this chance to contribute to this important Amendment Bill by Hon. Osoro. We congratulate him for it.

At the outset, we must understand the intention of Hon. Osoro in proposing to amend this important Act. It is not to stop entirely the consumption of alcohol; rather the intention, which I have read in the Memorandum of Objects of the Bill is to control advertisement and exposure of these products to the young ones. It is more about media advertisement and the outdoor billboards.

I think this is an amendment that is supposed to excite us to have a discourse as a nation about the level of alcoholism in this country. We are courting an alcoholic generation in this nation. Instead of being workaholics, we are now alcoholic. Other countries, for example the ones around the Gulf Peninsula, have a lot of control laws on consumption of alcohol. Some have banned consumption of alcohol altogether while others have regulated it to be consumed by certain people and at specific times. These countries have stronger economies than Kenya.

They have a higher purchasing power. Some of us who have had a chance to interact with European countries know that municipal laws control the operating times of bars and clubs. By 7.00 p.m. or 8.00 p.m., all clubs are closed depending on the country. Those laws are supposed to limit and

control consumption of alcohol among the people of those nations. In Kenya, people start drinking in the morning and around residential areas. Clubs are established in residential areas. Children going to school meet drunkards along roads. That is the environment in which we are bringing up our children.

We are not saying that we must only control the advertisements, but we must also go deeper and control the overall consumption. As a nation, we already have a low purchasing power. Seventy per cent of the young people in this country who are being targeted have no jobs. These companies have created a niche market among our young generation who have no jobs in the first place. You walk into a company and ask them to do corporate social responsibility for your constituents, but they do not. They will take you round and round in circles. If you tell them to advertise, they have huge resources set aside towards advertisements. Companies in this country have designed their niche market around alcoholism. Safaricom will have their market design around advertisements on money transfer which shows that it is very easy to buy alcohol. That you just transfer your money through Safaricom M-Pesa. If you look at media houses, most of their revenue is from advertisements by companies that sell alcohol. The biggest taxpayers are alcohol companies.

We have designed our nation around alcoholism and not production. It is about consumption of alcohol. People are happy that they are consuming alcohol. People celebrate and the climax of their celebration is alcohol! You are stressed or sad, so you take alcohol. Any human being at any given time is either sad or happy. So, when you are happy you take alcohol and when you are sad you take alcohol. You take alcohol throughout. That is a bad precedent that we have created in this country. It is bad for the coming generation and it must stop with our generation. We must not think that things are normal. We cannot have a nation of alcoholics. We must stop. We are not in the league of the big economies and yet the market strategies of our companies, including adverts, be it in the print media or not, is all about alcoholism. This can be seen on billboards and other outdoor advertisements. The biggest contributors to the KRA are alcohol companies. That must change. I wish agriculture was the biggest contributor to our revenue and not alcohol companies. It is because we have created a conducive environment that promotes alcoholism.

Hon. Osoro's Bill goes a long way. This is just one of the first steps towards dealing with this menace. It may not be the perfect Bill to control it overall, but he has ignited a very important discourse in this nation. We must talk about alcoholism in this country. It is too much that even in the rural areas, you find boys asking you for alcohol in the morning before you can walk with them. That is what excites them. That is what makes them move with you. As Members of Parliament, we want that but is that what we want for our nation going forward? We must stop. It is a climate that we found but we must stop it as leaders. We must not propagate what was done before and say that is how it is supposed to be. We must stop it.

I thank Hon. Osoro. The last time we saw him jumping on top of a podium we thought he was drunk, but because he has come up with this Bill, I believe that he was not drunk. Something else had possessed him. Maybe he had learnt a lot from his friend, Embarambamba. We thank you for coming up with such an important Bill. I support it.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Wanyonyi Kevin.

Hon. Ferdinand Wanyonyi (Kwanza, FORD – K): Thank you very much, Hon. Temporary Deputy Speaker for this opportunity. My problem is that I do not know when the rain started beating us. Hon. Osoro, thank you very much for coming up with this Bill. We will support

it because, somehow, this country has lost its moral obligation. Things are getting worse. For those of us who grew up in the rural areas, things were not the same as what we see today. Something must be done. Hon. Osoro, I agree with Hon. Caleb Amisi that when I saw you jump on the podium, I thought you were drunk, but now I think you must have been sober to come up with this amendment Bill.

Hon. Member: *(spoke off-record)*

Hon. Ferdinand Wanyonyi (Kwanza, FORD – K): He was not drunk.

Thank you for coming up with this wonderful Bill, which I am sure will regulate the timing of advertisements in this country.

Hon. Temporary Deputy Speaker, first and foremost, the control or timing of advertisements is not just for the Ministry of Trade and Industry. I am not a Member of the Departmental Committee on Trade, Industry and Co-operatives, but I think we should have strict regulations. We are not prohibiting advertisements but the intention of this Bill is to regulate timing so that, at least, they are not offensive. We can adjust that.

I get embarrassed and afraid as a father when I have my young girls sitting with me. We could be having a meal and my wife is seated with me then the girls come to watch news or something like that on television. Then all of a sudden you see a very stupid advertisement coming on television! You do not know whether to leave the room or not. When you leave the room, the children look at you as if you are not with them. It is something that we can control. We are not abolishing advertisements. We know it is a revenue-earning business for this country. Let us have morals behind those advertisements. After this debate, just go back home and in the next one week you will see what we are talking about if you had not noticed it already. You will find that there is a problem.

The other thing is about bar businesses. We are not saying that they should not be opened. We agree that bars can be opened, but up to a certain time. Formerly, bars were opened on Saturdays from 5.00 p.m. up to about 8.00 p.m. Today, you walk anywhere in the city and bars are open. There are no jobs. Our young men and women are out there looking for jobs, left and right, but there is nothing. They then end up in bars. What happens? Immorality is promoted there. Opening times for bars should be proper. The ministries concerned and the county governments should put in place that regulation so that people can go back to their old way of doing things. As it is, the future of our country is in their hands. As somebody mentioned, our children are watching whatever we do and at the end of the day they want to copy.

So, the Bill is very timely. We drink at our own pleasure, maybe, for the sake of it or because of some stress. I do not drink. Some people drink because they are undergoing certain stress and strain or simply to get pleasure. I have no problem with that but when it becomes excessive such that the quantity you take at the end of the day has some impact on you, for example, when driving and you do not... Ten years ago, policemen used to be strategically placed. They would stop motorists and if you were found to be drunk, they would take you to police cells and keep you there for the night. That practice stopped. Drinking is something under our control. We should be able to regulate drinking. When you drink and drive or operate a machine, you endanger your life and that of other people who come your way.

I agree with the Bill. We should support it so that we regulate advertisements. We have to do something about it as a country. This is a religious country and we should not allow things to go on the way they are. Two or three days ago, I was in my house alone. I watched an advertisement and felt that there was something wrong. The Ministry of Industrialisation, Trade and Enterprise

Development should regulate the kind of things we see as adverts. We are throwing away the moral obligations of our country. As leaders, we have that responsibility. This is where we are today.

I thank Hon. Osoro for coming up with this Bill. Let us support him. When it comes to implementation of the resolutions we are going to come up with, it should be prompt. We need to ask ourselves how long it takes. Maybe, in the next one or two months we should have the laws implemented so that we go back to where we were 10 years ago.

Thank you very much, I support the Bill. *Heko* to my brother for coming up with it.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Jaldesa Dida.

Hon. (Ms.) Rehema Jaldesa (Isiolo CWR, JP): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to contribute to this Bill. As I do so, I join my colleagues in thanking Hon. Osoro for bringing a very important Bill which will go a long way in saving the hustlers of this nation.

I will try to argue from a point where I will not have any prejudiced opinion. I am a Muslim and in my religion alcohol is *haram*. We do not consume alcohol. Therefore, in any of its form, I do not advocate for its advertisement or for its consumption. However, I am a national leader. I am a leader of the people of Isiolo County, which has all faiths. It has people who consume alcohol and people who sell it. Therefore, I argue as a leader without bringing out my opinion.

This is a very important Bill. As has been said by another young Member, Hon. Caleb, we needed to go further and bring stricter amendments to the law regulating alcohol in terms of consumption, advertisement and production. A lot has been said about it. The negative impact of alcohol in this country is that it has destroyed families. Most of us know that because as leaders we interact with the people and see what happens. It pains me because most of us have stopped watching news with our families. Evenings are the times we get to spend with our families but it becomes difficult to watch television then because an advert of young half-naked people is likely to pop up. Advertisements have influenced society. We bring up our children telling them that alcohol consumption is not allowed. However, they watch adverts showing that young people who consume alcohol are energetic, have muscles, are strong, clever, and they can do many things. How can we convince them that it is not right to consume alcohol? That puts us in a very difficult situation as parents, especially in terms of telling our children to practise our faith. Therefore, this Bill is very timely. During the Committee of the whole House, we will seek guidance from senior Members like my sister and mentor, Hon. Millie, to guide us on how to bring more amendments to enrich the Bill.

When we go to the constituencies, we cannot move freely in the morning because young people keep chasing us around. When we give them something small, instead of going to buy tea, they rush to buy some very funny drinks. We have had to deal with cases where, say, a young man marries today but in about two weeks the marriage is dissolved. As we try to establish the cause of the dissolution, we are told that the young man cannot perform in bed. These are facts: it is because he cannot perform! It has happened. It affects our social fabric and we cannot say that it only affects a certain religion. These days we have young people from the Islamic community engaged in alcohol consumption because of peer pressure and advertisements that show that when you do not consume alcohol, you are backward or primitive. We need to regulate such things.

In short, as a House, we need to go further and bring serious regulations on alcohol consumption. I thank the Hon. Member. I do not want to say more because if I do so, I will go into details.

With those remarks, I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Mbogo Menza. Wait, you need to be on record.

Hon. Mbogo Ali (Kisauni, WDM-K): Asante sana, Mhe. Naibu Spika wa Muda kwa kunipa fursa hii nichangie Mswada huu ulioletwa na Mhe. Osoro kuhusu matangazo ya vileo katika Jamhuri yetu tukufu ya Kenya.

Mengi yamesemwa na viongozi waliotangulia na tunajua athari ya vileo katika Jamhuri yetu ya Kenya. Pombe imeleta madhara makubwa sana katika Jamhuri yetu ya Kenya. Kuna kiongozi hapa ametaja zile shida ambazo akina mama hupitia manyumbani kutokana na ulevi.

Sisi tunaelewa kuwa haja ya makampuni ambayo yanafanya matangazo haya ni biashara, lakini tunaunga mkono kwa ukubwa kuwa matangazo haya ni lazima yadhitiwe kwa sababu tumeona athari yake. Matangazo haya hufanywa wakati familia zimeketi pamoja pengine wakitazama kipindi fulani au habari za Jamhuri ya Kenya. Wakati huo kwa Kiingereza tunasema ni *prime time*, lakini ndio wakati utawapata watu manyumbani wakipumzika na pengine wakipata chakula cha usiku. Makampuni nayo yanatumia fursa hiyo kutangaza bidhaa ili kuboresha biashara zao. Tunaelewa kuwa ijapokuwa ni biashara ya kutafuta mapato, lakini kuna umuhimu wa kuangalia umma kwanza kwa sababu hatuwezi kuwa tunafikiria pesa ilhali umma unaangamia.

Watu ambao wamekusudiwa zaidi ni vijana wa kike na kiume kwa sababu wao ni wepesi wa kuiga mifano. Wanapooni matangazo kama yale, mivinyo, vileo na wanawake warembo, wao huelewa kuwa pombe na warembo zinaenda pamoja. Tunaelewa kuwa hilo si kweli. Ni muhimu kudhibiti matangazo ili pawepo na mwelekeo bora. Kama alivyosema mheshimiwa fulani, saa nyingine ni bora hao wauzaji na watengenezaji wa vileo waweze kutuonyesha athari zinazoletwa na vinywaji hivyo wanavyouza. Hii itasaidia watu kujua kuwa kumbe pombe inawezaleta madhara. Lakini wakituonyesha tu upande mmoja mzuri eti kuwa hii inafanya hivi, basi italetta picha nyingine ambayo siyo sawa.

Kwa hivyo, kama Mjumbe wa Kisauni, langu ni kuomba kuwa tunge mkono huu Mswada ulioletwa na Mhe. Osoro. Kama kuna mabadiliko yoyote ambayo yanatakikana kufanywa wakati wa Kamati ya Bunge Zima tuyafanye ili tuhakikishe kuwa Mswada huu unafanya kazi yake. Tunajua kuwa katika Katiba kuna sheria kuwa mtu akifanya matangazo ambayo hayaambatani na hali yetu ya kimaisha, anatakikana ashikwe, ashtakiwe na alipishwe faini ya karibu shilingi laki tano au apate kifungo cha miezi mitatu gerezani. Lakini tangu sheria ianze kufanya kazi, hatujaona mtangazaji au muuzaji yeyote wa vileo amepolekwa mahakamani na kushtakiwa. Hii ni kuonyesha kuwa sheria ile iko lakini haifanyi kazi. Hii ni kumaanisha kuwa kuna ulegevu fulani.

Ni muhimu kuwa wale wote ambao wanahusika katika kuhakikisha kuwa sheria hizi zinatimizwa na zinafuatwa waweze kuhakikisha kuwa mambo kama yale yanafuatiliwa kwa sababu bila mwongozo, shida kama hizi tutazionga manyumbani sana.

Sisi kule Pwani tuko na kileo ambacho kinatoka katika mti wa mnazi. Kileo kile ni kileo *natural*, yaani ni kileo ambacho hakitengezwi na binadamu. Pia tumeona athari zake lakini kwa njia moja au nyingine, inasaidia katika maswala fulani. Tumelezwa hapa kuwa vileo hivi vya Kizungu ambavyo vinatengenezwa na binadamu vimewafanya wanaume kushindwa kufanya majukumu yao ya kinyumbani wakati wako na wake zao. Lakini sisi kule Pwani, ukiangalia majumba yetu, haswa katika familia za Kimijikenda, utapata kuwa ile pombe ya mnazi inaongeza nguvu za kiume kwa njia moja au nyingine. Utapata katika familia moja, mzee yuko na wake wanne na watoto ishirini. Ajabu ni kuwa yule mzee ni mtumiaji wa kinywaji kile! Hatusemi kuwa ni jambo zuri, lakini tunasema kuwa hivi vileo ambavyo vinatengenezwa na binadamu ambavyo vimeongezewa kemikali ambazo hatuelewi ndivyo vinaleta athari nyingi sana kwa sababu vinavuruga mwili wa binadamu kwa kuingia kwenye maini, figo na sehemu nyingine. Mwisho

unapata kuwa wewe kama mwanaume unashindwa kutoa majukumu yako pale nyumbani. Mwisho unalala na mke wako kitandani kanakwamba ni dada yako.

Kwa hivyo, ninaomba kuwa Mswada huu tuutilie nguvu zaidi ili tuhakikishe kuwa tumeweza kuhimili masuala ya vileo. Hivyo, vizazi ambavyo viko sasa na vizazi ambavyo vinakuja nyuma vitakuwa na mwelekeo bora katika jamii yetu. Hii ni kwa sababu tusipowachunga hawa vijana, mwisho wake wataharibika. Hawatakuwa na njia yoyote ya kimaisha na mwelekeo bora. Pia wataacha masomo na watashindwa kutimiza majukumu yao ya kutafuta riziki za kila siku kwa sababu wao wakiamka, wanajihusisha tu na masuala ya pombe na matumizi ya mihadarati.

Kuhusu vileo, kule Pwani tuko na shida moja kubwa sana ambayo imeletwa na huu mmea unaitwa *muguka*. Leo ukifika kule Mombasa, utapata kila kijana amenunua karatasi yake ambayo tunaita *brown envelop* ambayo inauzwa kwa Ksh20. Hili limekuwa tatizo kubwa sana kwa vijana wetu wa Mombasa. Tuna imani kuwa mihadarati kama *muguka* inasababisha madhara makubwa sana katika jamii.

Letu ni kuomba kuwa haya masuala ambayo tumeongelea hapa tuweze kuyatilia maanani na kuyajadili kwa kina na haraka iwezekanavyo ili tupitishie huu Mswada. Sharti tuhakikishe kuwa sheria hii inafanya kazi ipasavyo. Kwa hayo machache, ninaunga mkono kikamilifu.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Mnene, Member for Taita Taveta.

Hon. (Ms.) Haika Mizighi (Taita Taveta CWR, JP): Asante, Mhe. Naibu Spika wa Muda, kwa kunipatia fursa hii hata mimi nichangie Mswada huu ambao ni wa muhimu sana katika nchi yetu. Nitatangulia kwa kumpongeza Mhe. Osoro kwa kuleta mabadiliko katika Mswada huu.

Kenya ni nchi ya maadili mema. Kwa hivyo, kuongelea mambo ya vileo ni suala muhimu zaidi kwa sababu tumeona changamoto ambazo zimeletwa na mambo ya vileo na hususan suala tunalojadili leo la kudhibiti habari za mauzo ama *advertisements*, kwa Kiingereza. Wanayaleta matangazo hayo wakati ambao tunaita *prime time* kwa Kiingereza. Huu ni wakati familia ziko pamoja na zinajadili mambo muhimu kifamilia.

Tumeona kwamba wakati wanaleta habari hizo za mauzo, wanajaribu kuonyesha kuwa wale vijana ama watoto ambao wanatumia vileo hivyo wako bora zaidi ya wale wengine ambao hawavitumii. Wanaonyesha kwamba wale wengine wana akili zaidi. Kama ni wasichana, wanaonyeshwa kwamba wanaotumia vileo hivyo ndio warembo zaidi ya wengine ama ndio wenye nguvu kupita kiasi. Hiyo basi haiendi vyema na wengine kwa sababu unakuta mara nyingi wengi wanajaribu kuiga lakini wanaiga kwa njia mbaya.

Kama jamii na pia viongozi, ni lazima tulinde maadili ya nchi yetu. Tumeona athari nyingi sana ambazo zimeletwa na hivi vileo. Ni jambo bora kuweka sheria ambayo itadhibiti habari hizi za mauzo ambazo haziendi sawa na jamii ambazo haziboreshi familia ama jamii zetu kwa njia yoyote.

Tukiongelea mambo ya vileo, vijana wameharibika kwa sababu ya pombe tofauti tofauti. Mimi nikiwa Mjumbe Mwakilishi wa akina Mama kutoka Kaunti ya Taita Taveta, huko kwangu kuna sehemu inaitwa Mwatate ambako kuna vileo vinauzwa na hali vinaharibu sana wale vijana wetu. Ni vya bei rahisi na vinaharibu watoto. Ni suala ambalo tunaendelea kufuatilia. Tukiendelea kuunga mkono Mswada wa leo, haya masuala ya vileo kwa ujumla ni lazima, kama viongozi, tuketi na kuyajadili kwa undani na tuweke sheria mwafaka ya kulinda jamii zetu kutokana na athari ambazo zinaletwa na vileo. Nasema kwamba haya maswala ya vileo kwa ujumla, sisi viongozi ni lazima tuketi tuyajadili kwa undani na tuweke sheria mwafaka za kuzilinda jamii zetu, haswa vijana kutokana na madhara yanayoletwa na vileo.

Asante Naibu Spika wa Muda kwa kunipatia fursa hii. Ninaunga mkono.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Wafula Wamunyinyi.

Hon. Wafula Wamunyinyi (Kanduyi, FORD-K): Thank you, Hon. Temporary Deputy Speaker for giving me the opportunity to speak on the Alcoholic Drinks Control (Amendment) Bill (No.18 of 2019).

First of all, I want to acknowledge that I was part of the team that undertook scrutiny of this Bill in the Committee. We looked in detail the objectives that would be realized when this piece of legislation is passed and the benefits to the society and our communities. The Bill intends to give the Minister power to provide the timing of television adverts. The most popular television in Kenya is *Citizen* because it is the most widely watched. Its adverts are usually very good. The adverts come every time during prime time. Normally, they have a lot of influence. If there are products being sold, they are sold so much because it is widely watched and it has so much influence. So, it makes a lot of sense.

We particularly want to focus on alcoholic drinks. Normally, adverts come at a time when children and everyone else is focused on television. When you bring an advert like the one of Guinness for power being presented on the screen and you are told that if you take it, it will make you powerful; and when the advert for Pilsner comes and tells you *Beer Imara Kama Simba*, you will take it. This is my party Simba. Members of my party are associated with Pilsner because it is *Beer Imara Kama Simba*, especially the young. It also energizes other people. These adverts have a lot of influence on people, and they need to be checked.

It is important that this legislation is passed so that there can be a change on the timing. There are certain adverts which have a lot of influence on young people while the family watches television. They put a lot of pressure on young people, so these also need to be checked. At the same time, alcoholism and addiction has been steadily on the increase despite the curfew in our country. We have had curfew for long and we have eateries which close early. Businesses like hotels and bars have gone down, but the consumption of alcohol from wines and spirits, the take-away, have increased. The use of various other substances apart from alcohol has also been on the increase. Therefore, we need to do more than just regulating adverts on television. That is a small percentage. We need to do much more. There was a piece of legislation which was passed in this House, namely, the Counsellors and Psychologists Act. Its implementation has taken too long. We need to get counsellors, psychologists and experts who should do a lot of work to rehabilitate, counsel and prevent the damage we are going through in our country. Young people are getting hooked and addicted even to hard drugs. As a country, we need to do much more to ensure that we prevent our society from getting into this undesirable state of addiction and people consuming excessive alcohol.

The COVID-19 pandemic has also been a major factor in this because as you push many people home and close up places, they have also been innovative and get take-away wines and spirits back to their homes. That has also applied. When parents take alcohol back home and they take it with the children, it just shows that it is a good thing. Therefore, we need to do much more to help our families.

With those few remarks, I support the Bill. Thank you for giving me the chance to speak again.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Pukose

Hon. (Dr.) Robert Pukose (Endebess, JP): Thank you, Hon. Temporary Deputy Speaker for allowing me to contribute to this very important Alcoholic Drinks Control (Amendment Bill) 2019, by Hon. Osoro.

The Bill has two amendments. The first amendment gives power to the Cabinet Secretary to prescribe the hours within which the electronic advertisement of alcoholic drinks shall be done. It also states that the consumption of those drinks should promote national values. That is the gist of the amendment to this Bill, which I find is quite in order. Those are very good amendments.

More often, we have seen the Kenya Film Classification Board going after content that has been prepared by some of our artists. We have seen them trying to make them not to continue with those kinds of broadcasts. An adult over 18 years has a right to choose. Even on the packaging of the drink, it is written that if you are above 18 years, you can drink, but if you are below 18 years, you should not. That is written on the beer bottle or whatever drink it is. It is also like smoking. The age limits for smoking are written on the cigarette packaging. When you say you want to promote national values, those are things that are completely lacking in our society.

With regard to the issue of controlling Coronavirus, we have put regulations like curfew hours between 10.00 p.m. and 4.00 a.m. We should ask ourselves if this is effective in controlling Coronavirus and whether it is really working. The health regulations have been put that we should not hold public gatherings, yet we find others are exempted and they continue holding meetings. When those from a different coalition try to hold meetings, the police are sent to disrupt them and this is selective. If it is done in a selective way, I do not think it will achieve anything. That is why we are seeing a spike of Coronavirus infections. The spike is going up and down and we are not getting anywhere. At times, the health care workers feel frustrated.

Yesterday, I heard the Governor of Kiambu claiming that in one of the hospitals there were not enough beds. Yet, looking at the amount of money given for COVID-19, we had a national team formed to look into COVID-19 issues, money was set aside for more beds and building structures. What happened to this and should we go back and look at how best to control this disease?

Therefore, the issue of promoting national values needs to be inculcated and this should form part of the syllabus. Maybe we should start inculcating national values right from the bottom moving upwards, the bottom-up approach. This might give us something to think about. In as much as we think about the economic model, let us think how to inculcate national values right from the bottom going up, so that we can tackle issues.

When we say these advertisements should be done during a certain period, we are actually setting the electronic media to understand. These are basics because even people working in the electronic media are adults, have families and children. How do they feel when some of those advertisements come while they are with their children eating supper or lunch and they should not appear at that time? I think this is captured in the issue of inculcating moral values and the principles which as a country we can live with and say this is right or wrong.

More often we find people like a situation where we require a law enforcer to enforce this. It should not be like that, but we should be self-regulated as individuals. Looking at the laws in existence on the same issue, regulations would have worked. If they are not achieving – that is why Hon. Osoro felt we need to have this in an Act or make amendments because the regulations supposed to achieve this have not done so. This Amendment Bill calls for the conscience of those in advertising media, the entire media fraternity and even the Media Council of Kenya. They should look at some of these things and understand that these kinds of advertisements should be done during a certain period of time. Why should we wait until Hon. Osoro comes up with an amendment for us to realise that what we are doing as a media fraternity is wrong? So, Hon. Osoro, I think this is a good amendment. I encourage Members to look at some of the areas just like this one that we can amend and make sure that we bring laws that help our society.

Thank you and I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Okelo, Member for Nyando.

Hon. Jared Okelo (Nyando, ODM): Thank you very much, Hon. Temporary Deputy Speaker. I am a bit apprehensive and hesitant to support such kind of a Bill. This stems from my Christian background. I would not wish to promote any agenda that is incongruent with the belief of a Christian. Therefore, Hon. Osoro has brought this agenda which we are alive and awake to, that there is alcoholism and alcohol has contributed quite immensely to the destruction of our young children.

The productive lot of our society currently which is the youths have developed a tendency of staying very late in the night doing nothing but drinking alcohol. Some members of this House have alluded to this fact that when we walk around as their leaders, the first thing they would be asking you is money and if you ask what it is for, they will tell you it is to drink alcohol. So, whereas some of our Members here would be doing it in order to perpetuate their political wellbeing, on the flip side, think about the destruction that you are preferring on these kinds of people.

There are two things that destroys a community and they are; deny them education and introduce them to alcohol. That is a ruined society forever. I also acknowledge, because I live in this country and in the world as a member of that society, that when it comes to remission of taxes, the companies that deal with liquor pay so much to sustain the programmes of Government. We are alive and awake to that fact. They additionally employ so many people. For instance, apart from the Government, I think East African Breweries Limited (EABL) would be number two in terms of provision of jobs to our society. So, we are alive and awake to these facts, but the mere fact that alcohol in itself is a destroyer, it needs just more than the control. Any company worth its salt would be targeting the prime time so that there is a bigger catch of the people who will be benefiting from the information on advertisements. Therefore, I do not know how this will sit with alcohol companies that only target the prime time so that they can expand their client base, but here we are trying to prefer certain times which will be prescribed further by the minister in charge, so that they can advertise within particular periods.

This also goes further to incorporate the media companies that only make a living out of their advertisements. They will tell you that when they target prime time, they charge more, but when you advertise during other periods, you tend to pay much less. So this effect trickles down, not just about the companies that make liquor, but also the companies that are in the media industry. That is why I said I will be quite hesitant because of the other down effects that this kind of Bill will have. How I wish that everybody would be like me that we do not drink alcohol in general and then we will be talking about something else. We will be talking about tea, coffee and *ugali* and fish.

However, since we also acknowledge that there are people who derive their happiness, joy and ecstasy out of alcohol, we just have to incorporate them into a discussion such as this. I wish that we preferred even more controls that would also beef up what Hon. Mututho began; you know, preferring times when alcohol can be consumed, preferring the amount of alcohol that can be consumed, and consuming alcohol not when driving, not when at work or not when driving a machine. It should go a long way to ensure that our people take the least amount of alcohol, because I have never met anyone who drinks alcohol and is so successful just because they are taking alcohol. They would be successful in other things and other strata, but not because they have become champions in consuming alcohol.

(Hon. David ole Sankok spoke off-record)

My friend who recently claims to be one of my best friends is trying to be at pains to absorb this, but I do not think he drinks alcohol either. He has never taken alcohol. Therefore, when we talk about this, he is on the same prison as myself.

Hon. Temporary Deputy Speaker, with all these remarks, I want to say...

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order, Hon. Member for Nyando, what is it, Hon. Akoth?

Hon. (Ms.) Odhiambo Mabona (Suba North, ODM): Thank you, Hon. Temporary Deputy Speaker and I do apologise to the Hon. Member for interrupting him when he is speaking. I am just requesting Members, given the time limit and the interest, if we could just reduce our contributions so that many more Members can speak because this Bill has a lot of interest. Procedurally, I cannot move the reduction of time now. This is a very straightforward matter. If you can just speak a little so that many more Members would speak.

Thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Very well. It is good Hon. Akoth. You actually directed to your colleagues because procedurally you may not be able to reduce. Look, she is just doing a persuasion so that we accommodate more Members. Let us see, Hon. Akoth, whether your persuasion is actually persuading enough.

Hon. Member for Nyando.

Hon. Jared Okello (Nyando, ODM): In line with her persuasion, I am persuaded to that extent. It would be a remise not to put it clear that I subscribe to the Seventh Day Adventist faith and I am ardent believer in all its doctrinal values. Therefore, just as I said, I wish everybody would be aligned to the Adventist faith so that together we do which pleases Jesus Christ. I do not therefore, support a Bill of this nature. I thank you very much.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Ekamais, Member for Loima.

Hon. Jeremiah Lomurukai (Loima, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to add my voice to this very important debate. My colleague and friend, Hon. Osoro has brought a very good amendment that I think would have very serious effect if passed, to our youths and communities. I want to support the idea that we need to do something about the electronic adverts because the rate at which they give very negative messages to our young children will continue impacting badly on our youth. We should do some overhaul so that things that we advertise are the ones that will be captured by our youth in a more positive manner.

About 70 per cent of young people aged about 19 to 25 engage in very heavy drinking. This will result to a majority of them ending up making very bad decisions in life. I feel that enacting what my friend, Hon. Osoro, has brought to us will help us get the best youth out of our communities.

Hon. Temporary Deputy Speaker, there is a problem with our families today. I find that approximately 60 per cent of our youth prefer taking alcohol in the morning as breakfast. If you invite them home and bring soda or tea, they will say, "We do not take these things nowadays. We will go for something else later." It means something is wrong. We need to do something to ensure that this kind of attitude that is cropping up is changed.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order. Is that Hon. Obara Akinyi? What is out of Order, Hon. Obara?

Hon. (Ms.) Eve Obara (Kabondo Kasipul, ODM): Hon. Temporary Deputy Speaker, is the speaker on the Floor in order to say that 60 per cent of our youth take alcohol in the morning for breakfast? Does he have that information or data?

The Temporary Deputy Speaker (Hon. Patrick Mariru): Member for Loima, it looks like you have done quite a bit of research on that.

Hon. Jeremiah Lomorukai (Loima, ODM): Hon. Temporary Deputy Speaker, I said approximately 60 per cent. We are just discussing and saying that our youth are highly affected by the element of alcoholism.

The Temporary Deputy Speaker (Hon. Patrick Mariru): It is a general statement rather than fact.

Hon. Jeremiah Lomorukai (Loima, ODM): Yeah. So, if it is something that we cannot support, I apologise for that, Hon. Member.

All of us interact with our youth in our constituencies or villages. You will find that most of them do not want to take soda or even tea when you offer to buy it for them. I have established that as the Member of Parliament (MP) for Loima. There is need to do something, so that we change that kind of attitude.

Hon. Temporary Deputy Speaker, nowadays, there is the business of the *boda boda*. Most *boda boda* riders are highly involved in accidents. If you try to assess those riders or even those who drive those vehicles, most of them are the youth. The crash risks that our people are exposed to are majorly on the side of the youth rather than the adults. This amendment Bill is very important. I join my colleagues in supporting it.

I thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Mbai.

Hon. Nimrod Mbai (Kitui East, JP): Thank you, Hon. Temporary Deputy Speaker, for the opportunity to speak to this Bill and to also appreciate the originator, Hon. Osoro. I will be very brief because I know other Members want to contribute.

One of the issues I would want to bring out is a culture that has grown in our country where you find parents going to drinking dens or bars with their kids. The kids are just playing around, the parents are drinking, the mother is drunk, she is dancing and her daughters are watching. There is also *nyama choma*. They all sit around the table and there are drinks on the table. At the next table, there are people who are drinking, singing and we have *mugithi* all over. That is something that needs to be looked into as we work on this Bill. It is very unfortunate when we allow our kids to spend a whole afternoon in a bar. Those are young kids. I am talking of kids aged seven, eight and nine years.

We also need to expand the definition of the word “alcohol”. There are some more dangerous alcoholic substances than what we define to be alcohol like beer, the brews and all that. I am talking of things like *muguka*. You find that *muguka* has gone even to the small villages in this country. It is all over the country and the youths do not go to work. By 10.00 a.m. a young man with Kshs30 affords a pack of *muguka*, which he can spend the whole day chewing. In three hours, the young man cannot be told anything. He cannot listen to anyone and he cannot work. How do they get money for them to do the same the following day or have some dinner in the evening? They end up stealing.

Lastly, on manufacturing and licensing, we have some liquor or alcohol in the market. I always call them alcohol without a post office box number because you cannot trace where it

comes from. If we want to know where Tusker comes from, we know where to go. If we want to know where Guinness comes from, we can drive there. However, there are some drinks which are more popular in shelves of bars which we cannot tell where they come from. They are on billboards, newspapers, television and radio, but they are very dangerous. With little money, young men can access them, but we cannot trace where they come from. That is one of the things that needs to be looked into.

As we look into that, we also need to discuss traditional brews. I know the Government is very serious about clearing of partaking of traditional brews yet the work is only 7 per cent done. We have a lot of traditional brews being taken in the villages that affect the public.

Lastly, I would like to ask Hon. Osoro not to worry because we will work on this problem. The youths are on this because of the trickle-down economy model. Once we embrace the bottom-up model, we will have an opportunity for the youth to be safe.

I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Odhiambo Akoth.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you Hon. Temporary Deputy Speaker for giving me this opportunity. Let me try to follow up my request of trying to speak in the shortest time possible. I support Hon. Osoro for bringing these amendments. I wish Hon. Jared was here. I am also a Seventh Day Adventist believer. It does not go against the principles of the SDA. Seventh Day Adventists do not drink. I know that Hon. Osoro's constituency has many SDAs. What he is trying to do is to protect our young generation while appreciating that people are doing their businesses. So, the amendments are actually creating a balance.

In the last Parliament, when Hon. Mututho brought the Bill that resulted in the current alcoholic drinks control law, I remember that when we were speaking in this House almost every single Member had a member of their family who was a victim of alcoholism, including my family. Because we are not able to manage the problem and we do not have facilities that can enable us to manage it – we do not have sufficient facilities – we need to make sure that we protect our youth by ensuring that advertisements give them reasonable information. So, what Hon. Osoro is trying to do is to indicate that advertisements should not purport to say that drinking promotes national values. I do not want to look like I am targeting a specific brand of alcoholic drinks, but I have in mind an advertisement for a specific drink that makes it look like when you take it and eat *nyama choma*, you are very Kenyan. I know many people always think that I drink because of the way I do things. I was born and raised as an Adventist. I have never tasted even a bit of alcohol except when we are having that one in the church. How is it called?

An Hon. Member: Altar wine.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Yes, the altar wine. I do not take any form of alcohol. I have never done and I do not intend to do it in my entire life.

There is only one thing I would want to encourage Hon. Osoro about because what he told me verbally is actually not indicated here. He said that he wants to make sure that we do not do advertisements in a manner that exposes nakedness of women and young people. He does not have that here. Fortunately, I have looked at the main Bill and it out-laws things like that except that it puts a fine of only Kshs500,000. Hon. Osoro, perhaps, if you could consider, within your amendment of the same provision, to enhance the fine because Kshs500,000 to these big companies is actually nothing; it is petty cash.

The other issue that I am also seeing in this amendment of Hon. Osoro is a bit scary. It is indicating that the Cabinet Secretary shall prescribe the hours within which electronic advertisement of alcoholic drinks shall be done in both Section 45 and 68. Why can we not

prescribe it here so that the time when we do not want those advertisements to be done, we do it in Parliament? We cannot wait for the CS to do their own things.

Finally, I want to encourage the Member who spoke before me to go and learn that if you effect devolution properly then our youth will be sorted and will not revert to alcoholism. This bottom-up approach that he is talking about will not save our children because you noticed, the other day, even Hon. Alice Wahome was not able to describe that bottom-up approach. In my language, we call bottom-up approach *thicho sianda*. How does that help young people? If you lift your buttocks up, how does it help young people? Let us do things which are meaningful and can help young people.

With those few remarks, I support and congratulate Hon. Osoro.

You lift your buttocks up and then sit on a wheelbarrow. Be serious *omera*.

(Laughter)

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us get to the next person. The next person is Hon. Dawood Rahim.

Hon. Rahim Dawood (North Imenti, JP): Thank you, Hon. Speaker. On the outset, I congratulate my friend, Hon. Osoro, who fortunately comes from Meru. So, he knows what he is doing.

Hon. Osoro has brought very good amendments to the Bill. When we are talking about advertising alcoholic drinks on national television, big posters and all that... I think he has not mentioned the big posters at every corner.

In 2005, Kenya ratified the tobacco advertisement ban, and in 2007, Parliament passed the Tobacco Advertising Bill, 2007. From that date, we are not allowed to advertise tobacco at any place. So, when we are now talking about advertising of alcohol, we can even look at it the way it is because one of the previous speakers has said that alcohol companies contribute a lot to the exchequer, and so do the cigarette companies. Even the cigarette companies contribute a lot to the exchequer. However, even if it was banned from advertising, cigarettes are still sold. So, we should look at how we are going to regulate advertising for alcohol. It is not that we are banning alcohol. Although I do not drink, but my constituents have one or two once in a while.

Hon. Temporary Deputy Speaker, the Bill even mentions national values. Nobody should promote any alcoholic drink by purporting that it is good to drink because of national values. There is nothing like having a drink to show that you are more Kenyan than other Kenyans. We now need to see how to get people off illegal brews.

In 2014 or 2015 His Excellency the President launched a campaign to get rid of illicit brews in Central Kenya. I believe you were at one of the meetings in Sagana or Nyeri, where we talked about alcoholism being spread in Central Kenya. There are times when many people sleep under their beds instead of sleeping on their beds because they are under influence of alcohol. At that time, we had an issue. My constituents and I went round the constituency tackling illegal alcohol which was packed in containers which were not allowed. Some of them had fake stickers of Stamp Duty. We demolished many containers. When we tried to burn the drinks, there was a big fire. It was like we exploded a bomb. Can you imagine people drinking such brews and forcing them down their throats? What kind of bombs will explode inside their bodies? That is why His Excellency the President had led that campaign. Unfortunately, it did not go on for long because after we stopped them, the retailers of the fake and illegal alcohol went to court and we were nearly charged with malicious damage. They actually got court orders. So, I would want to even ask the

new Chief Justice, Honourable Martha Koome, to ensure that the courts do not make rulings that favour people who want to mess up our people with illegal drinks.

We used to have traditional brews and there are many traditional brews everywhere. In Meru, we used to call it *Kaangaroko*. It is a kind of traditional brew and not many people were allowed to drink it. Young men were not allowed to drink it at all. It was a brew for the old generation and they used to drink it occasionally. Currently, we have *chang'aa* in many places. I have seen a *chang'aa* factory. You will be surprised what kind of things come out of it. I do not know if the things that come out of that factory enhance performance or how the partaker feels. I do not know whether he goes to the seventh heaven or what.

However, we now need to ensure that we get people off those illegal drinks. The best way of doing so is to give incentives to people to brew some really good alcohol by removing the 1 per cent Turnover Tax that the Government has include in the Finance Act. During the last Parliament, when I was in the Departmental Committee on Finance, we tried to remove taxation on Senator Keg. Unfortunately, officers from the National Treasury felt that because the brew was selling a lot, they needed to tax it. So, they killed the industry of Senator Keg.

Hon. Deputy Speaker, I believe with the kind of law that Hon. Osoro has proposed, we need to either completely ban advertisement of alcoholic drinks or we ensure that such advertisements do not come up during prime news time. You would not want to sit with your kids and then you see somebody coming up on television saying that if you drink certain alcohol you will be strong wherever you want to be or you can be a superman at that time. We need to see how we can sort out the advertising bit.

We need to put it in law that nobody will be allowed to take their children into a bar. We tend to take our children into bars. I will stop there because one of my colleagues is asking me to.

I support Hon. Osoro. Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): To my left, let us have Hon. Aseka, Member for Khwisero.

Hon. Christopher Wangaya (Khwisero, ANC): Thank you, Hon. Temporary Deputy Speaker. I rise to oppose this Amendment Bill. First, because I am Christian and according to our Christian doctrines, we do not subscribe to alcoholism.

Secondly, what the Mover intends is to postpone the problem. Instead of watching the advertisements from 7.00 p.m. to 9.00 p.m., he wants to move them to 9.00 p.m. to midnight.

Third, the problem we have in this country is the consumption of illicit brews. It is now good for us as a House to work on legislation to address the production of illicit brews in this country.

Otherwise, I oppose the Amendment Bill.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Obo Mohammed

Hon. (Ms.) Ruweida Obo (Lamu CWR, JP): Asante, Naibu Spika wa Muda, kwa kunipa nafasi ya kuchangia Mswada huu.

Moja kwa moja, namshukuru Mheshimiwa Osoro kwa vile ametambua kwamba shida ya Wakenya ni maadili. Mswada huu unarekebisha au kubadilisha nyakati ambazo matangazo ya kielektroniki yatapeperushwa hewani. Ni jambo zuri na jema kwa sababu wakati huu, wazazi wengi hawako majumbani kurekebisha au kuangalia watoto wanatazama nini kwenye runinga. Watoto wakiachwa hivyo, wanatazama vipindi hivyo wakati wote wanapokuwa kwa nyumba. Ni rahisi kwa watoto kuiga yale wanaoayaona. Matangazo hayo yakipeperushwa, huleta zile hisia kuwa ni sawa ukikunywa.

Mswada huu hauangazii watoto pekee. Unaangazia mpaka wale ambao wamerekebishwa. Wakirudi, ikiwa mazingira yao yatakuwa mabaya, huwa ni rahisi kwao kurudi kuwa walevi.

Kwa mfano, kule Lamu, kuna vituo ambavyo tunawapeleka warekebishwe. Lakini wakitoka, inabidi warudi tena kwa sababu ya yale mambo runinga zetu zinaonyesha.

Kusema kweli, dini yangu hainiruhusu kuunga mkono Mswada huu kivyovyote. Lakini ninaunga kwa sababu dini ya Kiislamu hairuhusu tembo kunywewa wakati wowote ama matangazo kufanywa wakati wowote. Nimeuunga mkono kwa sababu angalau unapunguza muda wa matangazo hayo. Naona hii itawafanya wengi wasiingie kwenye huo mtego wa kunywa hizo pombe. Angalau itapunguza shida hiyo maanake matangazo hayo yakiwekwa masaa ambayo watoto hawako, hawatajua tembo au pombe ni nini ili nao wanywe.

Vileo ni vya aina nyingi. Kuna mpaka *mogoka* ambayo inatusumbua sana kule Lamu na Pwani kwa jumla. Wengi wanaokunywa pombe hii au wanaoona kwamba pombe ni nzuri kwenye matangazo, ni rahisi wao kutumia mihadarati. Hawawezi kutofautisha baina ya mihadarati. Wengi wanaokunywa pombe huona haitoshi na wanaamua kuongeza mihadarati.

Nachukua nafasi hii kuomba Serikali isilegeze kamba kwa mihadarati, sana sana kule Lamu. Walikuwa wanafanya kazi nzuri lakini sasa naona wamelegeza kamba. Washikilie vile vile ili mihadarati ipungue.

Wakati ni mchache. Imebakia dakika moja. Nitampa Mjumbe mwingine nafasi ya kuchangia kitu.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Thank you, Hon. Obo Mohamed. Hon. Members, it is a few seconds to 1.00 p.m. and the House must rise. The good news is that for quite a number of Members who still wanted to contribute, this is not the end of the Second Reading. When this is scheduled again by the House Business Committee, Members who wish to contribute will still have a chance to do so.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Members, the time being 1.00 p.m., this House stands adjourned until today at 2.30 p.m.

The House rose at 1.00 p.m.