

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 28th October, 2003

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

CORRECTIONS TO THE ORDER PAPER

Mr. Speaker: Hon. Members, today being the last Supply day, we will begin with Questions by Private Notice. I would want to let hon. Members know that if you have got what would probably look like two thin, but varying Order Papers, there were certain corrections made on the guillotine procedure and that would explain the position. So, we would like to have Order Papers that have descriptions the "Judicial Department" instead of the "Registrar, Judicial Department" and the "National Assembly" instead of the "Clerk to the National Assembly". However, the contents remain the same.

Very well. Mr. Sasura!

QUESTIONS BY PRIVATE NOTICE

FUNDING OF ARID LANDS RESOURCE MANAGEMENT PROGRAMME

Mr. Sasura: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

(a) How much money is involved in funding of the second phase of the World Bank sponsored Arid Lands Resource Management Programme?

(b) Is the Minister aware that some officers recruited to run the multi-million

programme in various districts are least qualified as per the advertisement?

(c) Could the Minister review the recruitment and order a repeat of the same in the interest of transparency in the World Bank Programme?

The Assistant Minister, Office of the President (Prof. Kibwana): Mr. Speaker, Sir, I beg to reply.

(a) The project will cost US\$60 million for a period of six years for 21 Arid and Semi-Arid Lands (ASAL) districts.

(b) I am not aware that some officers recruited in various districts, are least qualified as per the advertisement. The recruitment process was carried out in a fair and transparent manner and that the officers recruited were the most suitable for the posts advertised.

(c) Since the recruitment process was carried out in a transparent manner as required and

stipulated in the advertisements, it will not be necessary to order a repeat of the exercise.

*(Mr. Ochilo-Ayacko was applauded
as he entered the Chamber)*

Mr. Speaker: Order! Order, Members! I do appreciate that sometimes hon. Members may applaud the entry of an hon. Member, but let us do it in a manner not to suggest that we are applauding nobody.

Dr. Godana: Mr. Speaker, Sir, the Minister was coming into the Chamber.

Mr. Speaker: No, he was not coming in! There was somebody applauding when everybody else was seated.

Mr. Sasura: Mr. Speaker, Sir, I was not applauding. However, you have heard the Assistant Minister say that this is a US\$60 million World Bank funded project. My problem was with the way officers who are going to implement the multi-million project were recruited. In the spirit of transparency and accountability, it is very shameful for this department to advertise posts and qualifications and, on the contrary, employ people who are least qualified for the same posts. Since the Assistant Minister has said that the officers employed were properly qualified, yet I know that in Marsabit, Samburu, Turkana and Mandera the panel employed people who were least qualified, leaving out all those who had the specified qualifications, could he table the names of the people who were interviewed and their qualifications *vis a vis* the advertisement that was made by the Project?

Prof. Kibwana: Mr. Speaker, Sir, as I had stated earlier on, we had 2,631 applicants for 56 positions and 274 people were short-listed and eventually 56 people were employed. It is very clear, as far as the information we have is concerned, that those who were employed, were qualified according to the advertisement and the criteria we had required. There were certain people who were not considered for appointment because of the following reasons: Some had been reintrenched or had previously been retired; some had no qualifications relevant to the posts advertised - it was not just a question of having degrees, but having relevant degrees, while some people were holding positions which were earning them twice as much as what was advertised. It was, thus, clear that those people would not agree to work in a position where they would earn half their current salaries.

Mr. Speaker, Sir, I must insist that because this is a very important programme, we very clearly interviewed these people and I request hon. Sasura to bring evidence to this House that the people who were employed are less qualified than the ones who were not employed.

Dr. Ali: Mr. Speaker, Sir, the Assistant Minister, is misleading this House and yet he knows very well that the people who were employed were most unqualified. How will he explain a situation where somebody whom he claims was not qualified and yet had a Masters degree in Environmental Studies and was left out, and instead, somebody with a Diploma in Agriculture was employed? How do you explain such a scenario?

Mr. Speaker, Sir, is a Diploma holder more qualified than a Masters degree holder? Can he explain that, please?

Prof. Kibwana: Mr. Speaker, Sir, I think this is one area which drew a lot of interest from hon. Members of Parliament in terms of those who would be employed. As I stated earlier, I think it would be important for hon. Members to bring information to this House to show that the people who were employed were less qualified.

Mr. Speaker, Sir, we encountered some difficulties in terms of recruitment where, for example, an hon. Member was quoted in Citizen Television saying that a particular person was going to be employed in advance of the interview. So, to some extent, we had problems in terms of some aspects of the interview from some of the hon. Members. But I am asking for any evidence from the hon.

Members showing that we did employ people who are not qualified. If we can have that evidence, we will be very happy.

Mr. Leshore: Mr. Speaker, Sir---

Dr. Ali: Mr. Speaker, Sir, the public---

Mr. Speaker: Order! Order! Order, Members! Order! Business will go on in a dignified manner!

Mr. Leshore: Thank you, Mr. Speaker, Sir. I must declare that I do not have any interest in any candidate in Samburu District. But the least qualified candidate, who was not even short-listed got the job. How did he get that job?

(Applause)

Prof. Kibwana: Mr. Speaker, Sir, in some of these situations where hon. Members have interest, it is important to really get the correct information before the House. I do challenge those hon. Members to bring that information which shows that people who are not qualified were employed.

Dr. Ali: Mr. Speaker, Sir, since the Minister has challenged us to bring those facts to the House, will you defer the Question so that we can bring them tomorrow?

Mr. Speaker: Order! Order! You all knew that Question was coming up today. It is your business to get prepared before you make any allegation.

Mr. Leshore: On a point of order, Mr. Speaker, Sir. I asked the Assistant Minister how the candidate for Samburu who had the least qualification was picked. I do not have any interest in those candidates.

Mr. Speaker: Who is it?

Mr. Leshore: He knows him because he has got the list of all the candidates.

Mr. Speaker: The House does not have the list! Order! The age of parables is long gone. We are not expected to sit here as a House, and maybe one or two Members know something alone, and they expect all of us to know. Who do you have in mind?

Mr. Leshore: Mr. Speaker, Sir, it is the officer who was recruited as a co-ordinator in Samburu during the last interview.

Mr. Sasura: Mr. Speaker, Sir, you realize that the Assistant Minister is taking this matter very casually. The qualifications spelt out by the same office is that for the post of a Community Development Co-ordinator for this particular project, the candidate should be in possession of a university degree, preferably in social sciences.

But to challenge the Assistant Minister, I want him to tell us how a person holding a diploma in Occupational Therapy from the Ministry of Health; somebody who is supposed to keep disabled people busy by way of therapy, was employed in Moyale as the Community Development Officer, when somebody with a Masters degree in social science was left out. Is that not corruption?

(Applause)

Prof. Kibwana: Mr. Speaker, Sir, I do not think that I am being casual in terms of answering this particular Question because in terms of the interview panel that was responsible for these interviews, we had very competent people in charge. That is why I challenged the hon. Member to actually bring in that particular information because I do not think that information is correct.

Hon. Members: On a point of order, Mr. Speaker, Sir!

Mr. Speaker: Order! Proceed with your Question, Mr. Kagwima.

Dr. Ali: On a point of order, Mr. Speaker, Sir. I have a serious---

Mr. Speaker: Order! Order! Order, Dr. Ali! Order! Whether it is serious or not, the House is

not going to deal with one Question the whole day. If you are not satisfied with it, you know how to proceed under Standing Order No.18. You have the liberty to do so.

Next Question!

DISCRIMINATION AGAINST THARAKA IN
PUBLIC SERVICE RECRUITMENT

Mr. Kagwima: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

(a) Why is Tharaka District being discriminated during recruitment in the Public Service?

(b) What is the Minister doing to ensure that Tharaka District is included in all Government financial and recruitment allocations?

The Assistant Minister, Office of the President (Mr. Dzoro): Mr. Speaker, Sir, I beg to reply.

(a) The current Government position which has been in place since 1991 is that there is no recruitment into the Public Service except in critical areas such as security and health. In the event that there is such recruitment, recruiting teams are sent to all districts to conduct general recruitment at the District Headquarters. There are, therefore, no grounds to claim that there has been discrimination against Tharaka District or any other district during recruitment in the Public Service.

(b) In terms of financial planning, Tharaka District is included along other districts in Kenya in the development planning process, upon which allocation of scarce Government resources are based. Where authority may in future be granted for local department recruitment, the prevailing policy will be followed; which requires that only local candidates be considered.

Thank you, Mr. Speaker, Sir.

Mr. Kagwima: Mr. Speaker, Sir, I wish you had a copy of the answer that has just been read. Even without me asking another question, you would have asked the Assistant Minister to tell us the truth, because in January when the new Government was formed, quite a number of people were recruited to top positions. Also recently, the Immigration Department employed 115 Immigration Officers. Each district was supposed to get a minimum of one post. Tharaka District did not get even one of these posts. Even prior to this Question, the Question raised by hon. Sasura was about employment. How can you say that the Government has not employed anybody? Is it right for the Assistant Minister to give us wrong answers? If he does not have a good answer, I request him to go and research, because it is going to embarrass him if I ask other questions.

Mr. Dzoro: Mr. Speaker, Sir, I did not say that the Government did not recruit anybody. All I said is that teams have been sent to the districts, and Tharaka District has not been discriminated against, as the hon. Member has suggested.

Mr. Kagwima: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Mr. Kagwima. It is not your turn.

Dr. Galgallo: Mr. Speaker, Sir, the Assistant Minister has said that the Government does not discriminate against people from any district in its recruitment exercises. When it recruited people into the Armed Forces a few weeks ago, it recruited five people from Moyale District and about 300 people from Nyeri District. If that is not discrimination, what is the Assistant Minister's description of discrimination? Could he tell the House?

Mr. Dzoro: Mr. Speaker, Sir, I am not aware of the allegation the hon. Member has made. I needed to make the issue clear to the hon. Member who has asked the Question on Tharaka District.

Mr. Kagwe: On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to suggest that 300 people were recruited into the military from Nyeri District? I come from Nyeri District and I know that not more than two people were recruited from my constituency. Could he prove his allegation?

Dr. Galgallo: Mr. Speaker, Sir, it appears as if the hon. Member's constituency was equally

discriminated against.

Dr. Oburu: Mr. Speaker, Sir, the Assistant Minister has said that recruitment teams were sent to the districts to carry out the recruitment of public officers. Just recently, District Officers (DOs) and immigration officers were recruited. Could the Assistant Minister tell us what recruitment teams were sent to recruit DOs and immigration officers and in which districts?

Mr. Dzoro: Mr. Speaker, Sir, I talked about recruitment teams being sent to the districts to recruit people into the positions of Administration Policemen, policemen and other officers. For the DOs and the immigration officers, there was an advertisement that was put and people were supposed to apply.

Mr. Kamama: Mr. Speaker, Sir, this is a grave matter and recruitment in this country must be taken very seriously. During the just concluded Armed Forces recruitment 2,100 army officers were recruited. One thousand and four hundred recruits were from the Mount Kenya region and 77 from the Kalenjin community. Baringo East Constituency got only person recruited and the Armed Forces carry their recruitment exercises in Baringo District since Independence. Would I be in order to say that the Armed Forces should be disallowed to carry out the exercise in Baringo District at the moment? We have not benefitted and most Kenyans have not benefited from those recruitments.

Mr. Dzoro: Mr. Speaker, Sir, my answer right now is based on Tharaka District. The hon. Member should ask a separate Question and we will investigate the issue and come up with the correct answer.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. This is a very important matter. In other countries like Netherlands, they recruit one person from the Wales and the other person from the French. They never recruit two people from one community. So, we must address this issue in this House. Could the Assistant Minister go and bring a comprehensive answer as to how the people were recruited including the DOs, throughout the country.

Mr. Speaker: Order! I suppose that, that is a statement and I hope the Assistant Minister gets it right. I think the general consensus in the House, from the mood of the House, is that whenever the Ministry carries out any recruitment, it should take care of Kenya as a whole. That is the sentiment being expressed.

Mr. Kagwima: Mr. Speaker, Sir, I am happy with what you have just said. The last bit of the Question talks about discrimination in financial allocations. I had to go pleading with the Minister for Finance and the Minister for Planning and National Development to include Tharaka District in this year's Budget. The Printed Estimates do not include Tharaka District as one of the districts in Eastern Province. I want to table the Printed Estimates for the Assistant Minister to read.

Mr. Speaker: Order! Mr. Kagwima, that document was long time ago tabled in the House. That is what we are actually debating. Therefore, it is within our knowledge. I hope the Assistant Minister understands. What the hon. Member is saying is that his whole district called Tharaka does not exist in the Assistant Minister's books of Estimates. Is that the case? If it is, why? That is the problem the hon. Member is facing.

Mr. Dzoro: Mr. Speaker, Sir, I am not aware of that and I would urge the hon. Member--

Dr. Ali: On a point of order, Mr. Speaker, Sir. Since the Assistant Minister is not aware, could we get another Minister who is aware and who can answer the Question?

Mr. Dzoro: Mr. Speaker, Sir, the hon. Member has said that quite a number of things were omitted. I would urge him to get in touch with the Ministry and things will be corrected.

Mr. Speaker: Mr. Dzoro, the hon. Member was very clear in this Question. He said that Tharaka District was discriminated against during recruitments into the Public Service. He has asked the Ministry to ensure that Tharaka District is included in all Government financial and recruitment allocations. You had all the time to look at the Printed Estimates to see whether Tharaka District is or is not there. Did you ever bother to do that?

Mr. Dzoro: Mr. Speaker, Sir, I looked at the Printed Estimates and I did not see the particular omission that the hon. Member has referred to. It is only human. With all due respect, I want to inform

the House that all that has been excluded in Tharaka District will be included.

Mr. Kagwima: Mr. Speaker, Sir, I seek your indulgence to request the Assistant Minister to issue a circular from the Office of the President to all the Ministries, instructing them to take into account the existence of Tharaka District in matters of recruitment and financial allocations.

Mr. Speaker: Mr. Kagwima, you mean Tharaka District as a whole in all departments, is not catered for in the Printed Estimates, both Development and Recurrent Estimates?

Mr. Kagwima: Mr. Speaker, Sir, you are right. I have spent nine months going round the Ministries including the Ministry of Finance to try and have Tharaka District included in the Printed Estimates. The Printed Estimates have shown 12 districts in Eastern Province instead of 13 districts.

(Mr. Kagwima handed the 2003/2004 Printed Estimates Book to the Assistant Minister)

(Applause)

Mr. Speaker: Order, Members! I hope the Assistant Minister will look at that and take remedial action.

Dr. Godana: On a point of order, Mr. Speaker, Sir. Given that Mr. Kagwima---

(Mr. Kombo was applauded as he entered the Chamber)

Mr. Speaker: Order, Members! There must be a limit to this! We will not spend all our time generally foot-thumping. In fact, the Chair appreciates when hon. Members are happy. But, please, let us be happy and, at the same time, working. Let happiness and work go hand in hand.

Proceed, Dr. Godana!

Dr. Godana: Mr. Speaker, Sir, hon. Members were just happy to see Mr. Kombo walk straight on this side.

Given that Mr. Kagwima is an hon. Member of FORD (A) which is not one of the parties affiliated to NARC, would I be in order to say that he should naturally be on this side?

(Laughter)

Mr. Speaker: Order! I do not think that was a question directed to the Assistant Minister.

Mr. Dzoro, do you want to respond?

Mr. Dzoro: Mr. Speaker, Sir, I have gone through what the hon. Member has just brought to my attention. I will find out whether it is a typing error, but the information he requires is under Tharaka- Nithi District in the Printed Estimates.

Mr. Kagwima: On a point of order, Mr. Speaker, Sir. This is one of the biggest problems and that is why I asked this Question because some Kenyans do not know that we no longer have Tharaka Nithi District. It was sub-divided into Meru South and Tharaka Districts.

Mr. Speaker, Sir, this is the reason why I asked this Question so that people do not confuse Tharaka District with Tharaka-Nithi District which does not exist. The Assistant Minister also does not seem to know the difference.

(Loud consultations)

Mr. Speaker: Order! I think hon. Members can see Mr. Kagwima's real [Mr. Speaker] problem. He is right. There is no such a district as "Tharaka-Nithi". It does not exist. The Assistant

Minister is allocating money to a non-existent district. By the way, you will need Parliament's approval to spend money on a non-existent district.

So, I would advise from the Chair that you do take the opportunity of the Guillotine Procedure, if you can find a way out, to amend the Printed Estimates appropriately so that Parliament votes money for the correct district. Mr. Dzoro, you have to do that.

Next Question, Mr. Mbau!

ESSENTIAL SERVICES FOR
MARAGUA DISTRICT HOSPITAL

Mr. Mbau: Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Is the Minister aware that health services at Maragua District Hospital are virtually non-existent and patients are being referred to private clinics in Maragua, Murang'a, Thika and Nairobi?

(b) Is he further aware that the hospital has no theatre, mortuary, laboratory and other basic hospital facilities?

(c) What urgent measures is the Minister taking to provide all essential services such as drugs, theatre, mortuary and laboratory facilities to this hospital to supplement contributions made by residents of Maragua Constituency?

The Assistant Minister for Health (Mr. Konchella): Mr. Speaker, Sir, I beg to reply.

(a) Maragua District Hospital is fully operational and offers comprehensive out-patient and in-patient services to the residents of the district. The Ministry has allocated Kshs4.2 million for the provision of curative, maternal child health, X-ray, laboratory services, maternity and paediatric services with a daily out-patient attendance of about 200 patients. The hospital has two doctors, 29 nurses with 51 technical support staff. However, due to limited bed space, a number of in-patients are referred to Murang'a and Thika district hospitals. The hospital has a bed capacity of 20 beds only.

(b) It is true that the hospital has no theatre and mortuary. It, however, has a laboratory which requires to be expanded and equipped so as to offer more comprehensive services. The provision of additional facilities is hampered by lack of land for expansion and this needs to be addressed by the community.

(c) The Ministry has continued to support the hospital by providing essential drugs and laboratory reagents. The Ministry will provide the essential facilities required at the hospital in a phased manner. This financial year, Kshs1 million has been allocated for the construction of the theatre.

Mr. Mbau: Mr. Speaker, Sir, I find it confounding that the Assistant Minister tells this House in part "a" of the Question that this hospital is fully operational and offers comprehensive services. However, with regard to part "b" of the Question, he continues to say that this hospital has no theatre and mortuary. He also said that due to limited space, a number of in-patients have to be referred to Murang'a and Thika district hospitals. This hospital has only 20 beds. These 20 beds---

Mr. Speaker: Order, Mr. Mbau! I have tolerated you because I want you to ask your supplementary question. What is the question, Mr. Mbau?

Mr. Mbau: Mr. Speaker, Sir, there are 20 beds in this hospital. Are they for women, men or children? This is a district hospital serving over half a million people!

Mr. Konchella: Mr. Speaker, Sir, the hon. Member is aware that when Maragua was created as a district, the Ministry converted a rural health training centre into the current hospital. Six rooms were converted into wards for women, men and children. There was also a ward created for maternity services. The Ministry is not able to expand because there is no land to do so. I am also aware that friends of Maragua---

Mr. Mbau: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Mr. Mbau! Will you, please, listen to him?

Mr. Konchella: Mr. Speaker, Sir, I am also aware that friends of Maragua District Hospital have opened an account to try and collect money so that they can acquire land, where the Ministry will build more facilities.

Mr. Mbau: Mr. Speaker, Sir, I would like to put it to the Assistant Minister that there is enough land for expansion of this hospital. I have a letter to that effect provided by the Maragua County Council. I have asked the Assistant Minister to go and see how patients in this hospital are "cohabiting", both men, women and children.

Hon. Members: How?

Mr. Mbau: I would like to know when the Ministry will provide financial support for the construction of a mortuary because there is enough land.

Mr. Mganga: On a point of order, Mr. Speaker, Sir. You heard the hon. Member saying that patients cohabit in hospitals. If this is the situation, is it in order for the Assistant Minister to state that the hospital is operating fully?

Mr. Speaker: Order! Maybe the Assistant Minister will know what to say, but by the very definition of "patients", those are sick people!

Mr. Konchella: Mr. Speaker, Sir, the hon. Member knows that the hospital has all the facilities that it needs to operate as a district hospital, save for the space. Now that he says that there is space, we would like to see that land because we are not aware of it. Mr. Speaker, Sir, this week, we sent the Deputy Director of Medical Services and he has been on the ground. Maybe the hon. Member has not been to the hospital of late.

Dr. Galgalo: Mr. Speaker, Sir, the Assistant Minister says that the hospital is fully operational, and yet it has no theatre and mortuary. By any description, if a health facility does not have a theatre or a mortuary, it does not qualify to be called a hospital. It can best be described as a health centre.

Since the people in that area require those services, could the Ministry consider building a theatre and a mortuary as a matter of priority to ensure those people get the services? They qualify to have it because their catchment is more than 500,000 persons.

Mr. Konchella: Mr. Speaker, Sir, with due respect to the hon. Member, I agree there is no theatre or mortuary, but this is due to lack of planning by the previous Government. We have already---

Dr. Galgalo: Mr. Speaker, Sir, is the Assistant Minister in order to avoid answering a valid question? What happened during KANU's reign 40 years ago is history and you cannot live in history. The Government has an obligation to build a theatre and a mortuary for that community. Could the Assistant Minister state categorically whether the Ministry is going to do it or not?

Mr. Konchella: Mr. Speaker, Sir, precisely, we have allocated Kshs1 million this Financial Year for construction of the theatre, but we have no land to build a mortuary. I would like to ask the hon. Member to identify that land.

Mr. Speaker: Next Question!

KENYA'S PARTICIPATION IN
WORLD TRADE MARKET FAIR

Mr. Kagwe: Mr. Speaker, Sir, I beg to ask the Minister for Tourism and Information the following Question by Private Notice.

(a) In view of the World Trade Market Fair taking place in London on 6th November, 2003, and given the state of affairs in the tourism industry, what arrangements is the Government making to take advantage of the opportunity to promote Kenya as a tourist destination?

(b) What funds have been budgeted for this activity and have they been released?

(c) Has the Government paid its share of the money supposed to match the European Union contribution so that the latter can be released to the Tourism Board?

The Minister for Tourism and Information (Mr. Tuju): Mr. Speaker, Sir, I beg to reply.

(a) The Ministry of Tourism and Information in conjunction with the Kenya Tourist Board, is sending over 100 members from the tourism industry to the world tourism event. A number of activities have been arranged to promote Kenya as a tourist destination during the event, and these activities include: A centre stage presentation on wildlife conservation in the Maasai Mara by BBC world acclaimed Big Cat Diary; publicity to the consumers through radio broadcasts and interviews during that week in the United Kingdom; one of the leading television channels will be having interviews with our team from Kenya; press conferences for 50 media representatives; advertising targeted at the travel trade in travel guide and travel weekly publications and, travel agent incentive programmes aimed at increasing destination awareness.

(b) The amount budgeted for the World Travel Market is Kshs28,130,000. The funds have already been released to the Kenya Tourism Board.

(c) The memorandum of understanding between the Government and the European Union was signed on 10th July, 2003, after the current Budget had been finalised. However, the Government is committed to the recovery programme, and plans are underway to include the funds in the revised estimates.

Mr. Kagwe: Mr. Speaker, Sir, I applaud the effort being made by the Ministry of Tourism and Information to help in this serious sector, as far as economic development in this country is concerned. However, even as the Minister is telling us about the good work that is going to be done in London, simultaneously, flights are being cancelled from London to Kenya by charter companies such as Tui Flights and others. Could the Minister tell us what is happening in the tourism industry, because something is very wrong?

Mr. Tuju: Mr. Speaker, Sir, as a Government we are very concerned about cancellation of flights by charter companies like Tui and a few others who gave us notice to that effect. We are doing everything we can to ensure that we make Kenya an attractive destination. But the problem of promoting tourism cannot be the sole responsibility of the Ministry of Tourism and Information. Indeed, both sides of the House are all stakeholders in this matter.

Mr. Speaker, Sir, Mombasa and the coastal region is one area we have to address as far as tourism is concerned, and in this respect, just as we do our best to continue to persuade charter companies to bring tourists to Kenya, we also have to make improvements on the product side. People must like our product for them to buy it. Unfortunately, we remain very uncompetitive with respect to the Seychelles and Mauritius who are our competitors. Their beaches are extremely clean and they do not have problems like the beach operators.

Mr. Speaker, Sir, one of the things I would like to tell hon. Members and Kenyans at large, is that, as we try to solve the problem of beach operators in Mombasa, we should try our best not to politicise the matter, so that we make our beaches an attractive destination for tourists. It is just like when you have a restaurant where you may prepare very good food inside, but if people feel that it is dirty from the outside, they are not likely to come and patronise it.

Dr. Godana: Mr. Speaker, Sir, we agree that we are all stakeholders in this sector, and not just the Government side. The primary responsibility of giving leadership rests with the Ministry of Tourism and Information. The Minister is talking as if beaches are the primary attraction of this country. Seychelles and Mauritius are tiny islands. When you fly to Mauritius International Airport from the west coast, you can see the east coast of that island. It is really a pity that we are being compared with such tiny places. We have many other varieties. What is the Minister doing to diversify interest into those varieties, including the far north and other potential tourist destinations?

Mr. Tuju: Mr. Speaker, Sir, I agree with the hon. Member that we must diversify our tourism products. Indeed, maybe there has been too much concentration in terms of attention of us only thinking of our beaches as the main attraction. As a Ministry, we have made efforts to even include new circuits like the western circuit. Unfortunately, the northern circuit has not been very popular mainly because of a perceived problem of insecurity even where there is no problem. You cannot force

people to go to a place if they kind of feel that they are not completely secure.

Mr. Speaker, Sir, we are doing our best to---

Mr. Speaker: Order, Minister! That is precisely the worry of Dr. Godana. You are the Minister in charge of tourism. What are you doing to remove that perceived fear of insecurity? You are the Minister!

Mr. Tuju: Thank you, Mr. Speaker, Sir. The fear of insecurity is not a simple matter. For instance, the fear of insecurity by the American and the British markets has got nothing to do with Kenya. It has everything to do with their own international problems elsewhere. That is why one of the things we are doing to address this is not only to do diversification of the product, but also do diversification of the source market. Last week, I was in China and HongKong, trying to promote Kenyan Tourism to a new market that does not have the worries that the Americans and the British have. There is nothing we can do about them.

Mr. G.G. Kariuki: Mr. Speaker, Sir, could the Minister make a categorical statement to the effect that the reason for the cancellation is the perceived insecurity and not because we are lacking facilities to attract tourists?

Mr. Tuju: Mr. Speaker, Sir, we do have an extremely attractive tourism product. We have great diversity of tourism in this country. We have not promoted it enough in the past. We are doing what we can to promote this new product. I empathise with the hon. Members of Parliament who come from the northern parts of this country. Places like Loiyalangani which are now not being visited by tourists yet, are very important tourists attraction sites. We have attraction sites and problems of perceived insecurity in this part of the world and not necessarily just in Kenya. We and other countries are suffering from that. Tanzania and Uganda are also suffering. Kenyas problems are worse because of the problems we had with the incident in Mombasa last year at Kikambala and the one of 1998 which have increased the perception that we are not a safe destination.

Mr. Nyachae: Mr. Speaker, Sir, while thanking the Minister for what he is trying to do, the hon. Member who asked the original Question said that there was something that is seriously wrong. I would like the Government to admit that there is lack of coordination in supporting tourism within the Government. It is not just because of insecurity, but, also because of poor communication that tourists are not visiting Kenya.

I speak to people when I go abroad. If they were to go to the Maasai Mara, they would not be able to communicate with people in their offices. When they travel to Maasai Mara, they are unable to access Narok District by road. The road is impassable and tourists do not want to go there. The same applies to Samburu District. The issue is; are the communication facilities right? Are the roads right? Let us not be told that it is because of insecurity that the tourists are not visiting Kenya. Insecurity is just one of the factors. Insecurity is all over the world! Could the Minister prepare a Sessional Paper, table it in this House on what he is doing to promote tourism?

Mr. Tuju: Mr. Speaker, Sir, I indeed thank the hon. Member for the comments he has made. I respect his insight. I do agree with him that there is a conspiracy of factors that are responsible for the current predicament that we have in the tourism sector. The road to the Maasai Mara is a shame.

I am delighted to report to you that through funding from the French Government, the road will be re-done. I think that the tenders are have been completed, though I do not have the facts.

If I may be allowed to indulge in some naughtiness in this matter, it is not today that the road has become impassable. It has been impassable for sometime and we are taking responsibility as the Government at the moment, to address it. I would like to assure you that we are doing something about those roads. However, infrastructure is the source of problems.

Mr. Speaker, Sir, in the whole area of telephony, we are way behind our competitors in the region. We are even behind countries like Tanzania and Uganda. I am delighted to report to the Members of Parliament on the issue of insecurity that we have done a complete new recruitment of the tourists Police Unit. The proposed tourist police unit was approved by the Government some years

ago and should have taken effect in 1996. It has so far been a non-entity and we have only talked about it. It did not exist in the parameters that would be useful to this country. So, I would like to assure Members that we have 300 people who have been recruited. We are sourcing money from different sources to ensure that this particular unit will be working to enhance the security of tourists.

Finally, Mr. Speaker, Sir, I still would like to repeat that it is upon all of us Kenyans to realise that we are stakeholders in this. It is not only what people out there think, but, also what we make them think in terms of our utterances and in terms of the way we run this country, that keeps the tourists away.

Mr. Kagwe: Thank you, Mr. Speaker, Sir. I like the way the Minister has handled the Question. However, he is suggesting that beach girls and beach boys in the Coast are unnecessary. Could the Minister appreciate that their services are very much needed by tourists and particularly by the women from Germany and other places?

(Laughter)

Mr. Angwenyi: On a point of order, Mr. Speaker Sir!

Mr. Speaker: Order! Order, Mr. Angwenyi. The Minister must have rubbed you the wrong side when he said that he was going to re-do the Narok District road. I am sure you are happy about it. Now, what is it?

Mr. Angwenyi: Mr. Speaker, Sir, I believe that two weeks ago, you said that this House should conduct its Business with decorum and should not cast aspersions on any country, a system or any gender who are friendly to us. Are you going to allow this House to be given the type of expressions the Member has just spoken?

Mr. Speaker: Honestly, I will not! I think that the statement by the hon. Member will have the effect of scaring away tourists. I think he must withdraw!

(Applause)

Mr. Kagwe: Mr. Speaker, Sir, I withdraw any negative remarks regarding any gender or any country. However, facts remain facts. Having said that, could the Minister tell us what the Government is doing vis-a-vis the contribution they are supposed to make to match the EU funding, so that we can have all the money that we need to support tourism in this country?

Mr. Tuju: Mr. Speaker, Sir, I thank the Member for that Question. We did sign a memorandum of understanding with the European Union way back in July. Under that, the Government of Kenya was supposed to provide Kshs250 million towards a recovery plan for our tourism sector which is in dire straits. These were matching funds meaning that for every Dollar that the European Union was going to give, Kenya was going to give the same amount. Therefore, it was Kshs250 million from the Kenya Government, and an equivalent of that from the EU. I am delighted to report that the Treasury has already approved this amount of money and we have already started taking appropriate steps to ensure that that is done. We have a recovery plan which is going to be launched in London by the time we go there, two weeks from now, for the World Tourism Market fair. We do not have a problem in that area and I am most grateful to the Minister who has enabled that process to move forward.

COMMUNICATION FROM THE CHAIR

RESCHEDULING OF ORDINARY QUESTIONS

Mr. Speaker: Order, hon. Members. I am terribly sorry that we are unable to reach one single Question by ordinary notice. This is because we have taken too much time on individual questions.

From now on, we will restrict ourselves to one hour for all the Questions. That should give you about five minutes at the very maximum for every Question. So, please do understand that when the Chair does ask that we should move on, it is because of the time. For all the hon. Members whose Questions have not been reached, I am very sorry about it. They will be distributed in the course of the next few days on the Order Paper.

ORAL ANSWERS TO QUESTIONS

Question No.801

REHABILITATION/SALE OF
GOVERNMENT VEHICLES

(Question deferred)

Question No.693

REHABILITATION OF SUGAR FACTORIES

(Question deferred)

Question No.688

REVOCATION OF FORESTRY DEPARTMENT/
MUCHIMUKURU FACTORY AGREEMENT

(Question deferred)

Question No.672

ELEPHANT MENACE IN
NDARAGWA CONSTITUENCY

(Question deferred)

Question No.310

KVDA PROJECTS IN BARINGO EAST

(Question deferred)

Question No.393

SEWERAGE SYSTEM FOR KERUGOYA/
KUTUS MUNICIPALITY

(Question deferred)

Question No.633

REPOSSESSION OF KOIYET
CO-OPERATIVE SOCIETY LAND

(Question deferred)

COMMUNICATION FROM THE CHAIR

GUILLOTINE PROCEDURE ENDS
BUDGETARY CIRCLE

Question No.073

REVIVAL OF RIVATEX FACTORY

(Question deferred)

Question No.113

OWNERSHIP STATUS OF MILLING
CORPORATION OF KENYA

(Question deferred)

Mr. Speaker: We will now proceed to the next Order which I would like to explain because many hon. Members are new to this House. The very term "Guillotine" scares because it used to mean the chopping off of the heads of those who offended the King in France. This procedure is meant to bring to an end, the budgetary circle.

Today will be almost the end of the budgetary circle. It means, therefore, that after we have dealt with the Vote of the Ministry of Energy, and we must conclude that by 5.30 p.m., the Chair will direct that all Votes be dealt with at that time.

The hon. Minister for Energy will not only move the Vote of his own Ministry, but will continue to move the Votes for each and every outstanding Ministry until the very end. It simply means that we are voting to give money to those Ministries which we have not had an opportunity to discuss, hear their policies and peruse the various Vote Heads. That is what the Guillotine means.

After today when we finish this, then we will have completed the Committee of Supply. We will then go to other issues including the Appropriation Bill to ensure that the money which you will have voted will have the basis for use, that is the Appropriation Bill. So, I hope hon. Members understand. We will now proceed to the next Order.

COMMITTEE OF SUPPLY

*(Order for Committee Read being
20th and last Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW
LEAVE THE CHAIR

Vote 30 - Ministry of Energy

(The Minister for Energy on 22.10.2003)

*(Resumption of Debate interrupted
on 22.10.2003)*

Mr. Speaker: Prof. Maathai was on the Floor. She had eight minutes. If she is not interested, she will be deemed to have concluded her speech. Are you still interested, Prof. Maathai?

The Assistant Minister for Environment, Natural Resources and Wildlife (Prof. Maathai): Thank you, Mr. Speaker, Sir. I was saying that this Ministry has a very important responsibility towards, for example, maintaining the health of river beds in order to stop soil erosion. At the moment, a lot of cultivation is being carried out along the river beds and there is massive soil erosion that eventually ends up in our dams, causing siltation that will eventually affect the life of the dam and also the capacity of those dams to provide us with electricity.

Mr. Speaker, Sir, therefore, this Ministry will have to work very closely with the Ministry of Agriculture in order to protect the river beds and also the hillsides. It will also work with our Ministry of Environment, Natural Resources and Wildlife in order to protect catchment areas which continue to be destroyed, and because of which there is a lot of soil erosion.

(Loud consultations)

Mr. Speaker: Order, hon. Members! We have not concluded the Business of the House. The House is in Session and Prof. Maathai is on the Floor. Could we please listen to what she has to say, in silence?

Proceed.

The Assistant Minister for Environment, Natural Resources and Wildlife (Prof. Maathai): Thank you, Mr. Speaker, Sir. I was saying that as the catchment areas continue to be destroyed and deforested, we shall have less water in our rivers and therefore, in our dams. We shall, therefore, have less capacity to produce electricity. It is therefore, in the interest of this Ministry to work very closely with the relevant Ministries to protect these very valuable resources that will ensure that our rivers continue to flow.

Mr. Speaker, Sir, I want to draw the attention of the Ministry to the issue of pollution such as we observe in Ol Karia where we have geothermal power being used to generate electricity. We know that there is a lot of effluent flowing into the open and the surrounding areas. We are concerned about the exposure, of the surrounding community to sulphur. The Ministry should invest in cleaning up this pollution and providing health care to the communities that live in these areas, especially the pastoral communities.

This has been said repeatedly in many sessions, including during Question time; that there is absolutely no explanation that we can give as to why electricity is produced in certain areas, transported very far and yet the local communities are not provided with this resource. Communities that live around the areas where the dams are created or those in the geothermal areas must be provided with energy so as to benefit from this resource that is extracted from their community. This is something that is becoming more and more necessary. No matter what resource we are exploiting, we must create a culture where people living near these resources benefit.

Mr. Speaker, Sir, I want to mention wood energy which is used by more than 80 per cent of our people. I do not think that the Energy Ministry is investing enough in this sector. We need to invest, perhaps indirectly by making electricity cheaper and available to local communities. This means that rural electrification is very important to our people. The more we can make electricity cheaper, the more we will make it less necessary for our people to exploit wood energy.

We have been talking of new sources of energy, but I really have not seen much utilisation of this renewable resource in the last 20 years or so. It remains the energy for the poor. The poor continue to use this energy, especially in this country where as we have said many times, 56 per cent of

our people are poor. We continue to make charcoal and wood the main sources of energy and therefore, literally deforest and de-vegetate our country. Our country is becoming drier and drier because the majority of our people still use firewood while those in the urban areas continue to use charcoal. Therefore, this Ministry must try to make electricity available to the poor even in the urban centres and rural areas in order to cut down the demand for charcoal.

Mr. Speaker, Sir, I do not know to what extent the Ministry may wish to invest in charcoal. We know that some of the by-products of coffee do make the so-called "kahawa coal". But this "kahawa coal" has not been made available to the local people to the extent that it can make a difference. So, destruction of our forests for charcoal making is still extremely high.

Mr. Speaker, Sir, I want to mention something that I have mentioned many times here and which continues to cause pain, but there seems to be no end to it. That is the fact that we use so much wood to produce paper. Right now, there is a ban in the country on wood cutting. But we have allowed those industries or companies that produce paper to continue cutting our wood and yet we are most wasteful in the way we use paper, including in this House where we only use one side of the paper. We just literally have volumes of paper that are wasted.

Mr. Speaker, Sir, for me, it is very sad because we are a poor country and yet we continue to be extremely wasteful in the way we use wood, which will, eventually, indirectly contribute towards the acquisition of energy.

With these few remarks, I beg to support.

*(Mr. Speaker consulted the Clerk
of the National Assembly)*

Mr. Speaker: Just before I call another hon. Member, I was consulting the Clerk of the National Assembly on the contribution of Prof. Maathai as to why we are using only one side of the paper when printing the Order Paper. We must be responsible and understand when hon. Members contribute. We will be able to find out why.

Mr. Lesrima: Thank you, Mr. Speaker, Sir. In supporting this Motion, I have a few points to raise.

The first one is with regard to safety. We would like the Ministry of Energy to pay attention to the question of safety, particularly of the oil tankers in this country. We have had tragedies last weekend. If you recall, we lost about 40 people when an oil tanker overturned in Sidindi in Nyanza Province. Kenyans were advised to avoid rushing for free fuel when such accidents occur.

Mr. Speaker, Sir, last weekend, we had another tragedy just outside Nairobi where we lost a number of Kenyans. Yesterday, there was another tragedy in Nairobi where another oil tanker rolled down and Kenyans rushed for free fuel. The Ministry ought to invest heavily in training on safety as a matter of priority.

It is not very clear why very many oil tankers are plying the highways from Mombasa to Kisumu. Very often you find oil tankers have rolled around the Museum Hill roundabout spilling oil and causing problems to motorists. It is not clear, to some of us, why we have the Kenya Pipeline Company (KPC) but we still have fuel being transported by road. We have lost many Kenyans. We even lost an hon. Member at one time who hit a tanker on a highway around Rongai and he was burned to death.

Mr. Speaker, Sir, the other issue I want to raise is with regard to social responsibility on the part of KenGen and the Kenya Power and lighting Company (KPLC) and those who source power through the use of water in this country. Very often, it is not realised that without the co-operation of Kenyans in the catchment areas and where the dams are constructed; for instance, Turkwel Gorge and Masinga Dam, in protecting the environment around the catchment areas, the KPLC and KenGen would not have the water from which to generate power.

I think it is only fair that, as they extract power from those areas, they should have a sense of social responsibility. They should make a contribution not only in terms of supplying power to the people of Pokot, Mbeere and in the other catchment areas, but also, provide other facilities such as schools, roads, health care and other activities that would improve the welfare of those people. In addition, these organisations that benefit from the catchment areas should participate in tree planting as part of their core responsibility. I know somebody will say it is not their core responsibility to have programmes for tree planting around those areas.

Mr. Speaker, Sir, we are aware of the conflict between the Pokots around Turkwel Gorge and the people of Mbeere in terms of encroachment around the areas where these dams are located. I think we should not be high-handed in the manner in which we handle communities around those areas.

I think KenGen has a social responsibility to support the communities around those areas by employing them. It also has a responsibility to make sure that it enjoys a cordial relationship with the community in those areas. I am not issuing a threat, but I am just giving a caution. Kenyans are very good people but if they decided not to co-operate with KenGen or the KPLC and others, we would not have power in Nairobi.

Mr. Speaker, Sir, on the question of distribution of power in this country, my Constituency, Samburu West, happens to have power by sheer accident. We have power because one of the largest radars that guide aircrafts into the international airports is located in my constituency. So, there is a power-line to serve that radar. Also, one of the transmitting stations in Kenya for the Kenya Broadcasting Corporation (KBC) is located in my constituency. So, we have a power-line serving that. Even Maralal Urban Centre has power because of Administration.

It does not look very good to have a power-line going all the way to provide power to the Kenya Broadcasting Corporation, and yet many of our people do not even have television sets. They have radios but transmission is not very clear. I think it is just fair that when these power-lines are arranged, there should be distribution of power to small urban centres and schools along the way. That may be done through the Rural Electrification Programme. I have noticed that, in the majority of cases, they have provided Kshs9 million. I do not know what the amount is intended for. Is it intended to maintain the power lines at the Directorate of Civil Aviation radar and the Kenya Broadcasting Corporation (KBC)? Is it intended to supply electricity to rural communities, including schools?

Mr. Speaker, Sir, I would like to talk about the efficiency at the Kenya Power and Lighting Company (KPLC). The KPLC is very efficient when it comes to disconnecting power when you default to pay your bill. When you want to re-connect your power, you pay a deposit! I do not know how much money is held by the Kenya Power and Lighting Company in terms of deposits from consumers who have been promised power connection. Is it Kshs10 billion or Kshs20 billion, Mr. Minister? If so, where does the interest earned go to?

For example, in my constituency, I have several cases of pending connectivity. I have a school for the disabled and one disabled Lady Commissioner in the Constitution of Kenya Review Commission (CKRC) decided to pay Kshs120,000 out of her own salary to connect power to that school. The lady does not even come from my constituency. She did that a year ago and despite all that effort, power has not been installed!

I was there yesterday and visited the school. The KPLC received the money and power has not been connected. Could the KPLC develop a human face just for a while?

[Mr. Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Ethuro) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, the Minister should develop solar energy. There is room for solar energy development in the arid areas of this country. If solar energy is developed, children

could learn at night and get an opportunity to move into the technological era by using computers driven by solar energy.

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

Mr. Khamasi: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving this opportunity to contribute to this Motion. I would like to state from the word go that I support this Motion. I hope that the President was wise enough to appoint two young men to that Ministry, whom we believe are not corrupt. I believe they are clean and will bring some sense into the Ministry, so that it could care for Kenyans.

Mr. Temporary Deputy Speaker, Sir, first of all, the law that brought into existence the independent power producers is not right. I believe that law should be relaxed, so that it is not discriminative and could give more people and organisations a chance to produce power and distribute it. The distribution of power by the KPLC was the most discriminative that you could ever think of. The electricity went to areas where people were well placed and politically correct. In some areas, electricity power lines would pass over areas and move for ten or twenty kilometres to a home of one prominent politician who is politically correct! We must bring that to an end. We must understand that electricity is not meant for one particular individual, but for all the people living in that area. I say that with pain because in Shinyalu Constituency, electricity is not properly distributed.

Mr. Temporary Deputy Speaker, Sir, at the time the Rural Electrification Programme came into effect in that place, power lines were extended for over ten kilometres and electricity was taken to a few homes. The people living in areas where the power lines passed requested for power but they were not considered. Now that they are asking for the power, the cost is prohibitive. That is another area which the Ministry needs to look into.

The NARC Government must apply affirmative action, particularly in areas which have been overlooked. In that region, electricity is concentrated in a few areas, completely leaving out most of the other Kenyans. It is important for the Ministry to look at that particular end and know that we need affirmative action, so that areas which have been neglected are also supplied with electricity.

Mr. Temporary Deputy Sir, we hope that the change at the top of the KPLC was for the better. That is because for a long time, the head of that parastatal lived there for many years and all he did was to mess Kenyans around. In fact, with KPLC having a monopoly of power supply in this country, it went into red. It was not able to support itself and one wonders why that was the case, unless the people in power were sharing the loot from the KPLC.

Mr. Temporary Deputy Sir, if we are thinking of continuing to source our electricity from hydro-electricity, we must think of how to locate our dams. The dams are located in only one side of this country. The other side of the country, where we have rains throughout the year, are completely ignored. If it is the intention of this Ministry to continue having hydro-electricity, then there must be a future plan to build dams in Western Province, where we have rains throughout the year.

Mr. Temporary Deputy Speaker, Sir, I would like to comment about the oil industry. The Government has left multi-national cartels to continue exploiting Kenyans. That must be looked into. We must encourage our indigenous people to get into that business. We should not discourage them by bringing down the buildings they are putting up. We must encourage them, so that the exploitation by multi-nationals could come to an end.

Mr. Temporary Deputy Speaker, Sir, I have got about three minutes to wind up my contribution. Because today we have the *Guillotine* procedure, I would like to touch on a few Ministries, whose Votes we have not had an opportunity to discuss in detail.

I would like to touch very briefly on the National Security Intelligence Service (NSIS), to which we have allocated nearly Kshs2 billion. What is this huge money allocated to the NSIS for when the NARC Government was popularly elected? Who are the officials of the NSIS spying for? His Excellency the President leads a normal life because he has no problem with anybody. To spend nearly Kshs2 billion on the NSIS to spy for a popularly elected Government is, in my opinion, a waste of money. This is another method of trying to get money into individuals' pockets and we should

resist it. These days people talk freely and there is nobody who hides anything. Recently, you heard the Minister for Local Government speak his mind, and yet nobody arrested him as it used to be the case before. So, there is no reason for the Government to spend over Kshs2 billion on the NSIS.

I would like to point out that corruption still exists in the Ministry of Lands and Settlement. There are too many people who loiter along the corridors of Ardhi House. We want to know what the Minister has done about these people because the Government is preaching zero tolerance to corruption. What do the people who loiter along the corridors of Ardhi House do?

I would like to request the Minister to ensure that all the land which was corruptly acquired is repossessed immediately. The Kenya Agricultural Research Institute (KARI) land, which was grabbed, should be repossessed immediately.

Mr. Temporary Deputy Speaker, Sir, lastly, I would like to comment on the Judicial Department, which has been allocated very little money. Justice is the hallmark of any democracy. This is the case, and yet the Government has allocated this Department only Kshs500 million to overhaul the rotten judicial system in this country. All Kenyans in this country would like to access legal services. Kenyans would like magistrates' courts to be established in every division and high courts established in every district. This should be the case, and yet the money which has been allocated to the Judicial Department is very little. We should ensure that this Department is allocated enough money when the Supplementary Estimates are brought to this House, so that it can provide legal services to all Kenyans.

I would like to congratulate this Department for removing corrupt judges from the Bench. Let us not read tribalism into this exercise. Let us support the Judicial Department in its efforts to rid itself of corruption in the Bench. However, some of us, who are now over 50 years of age, know that there are some judges who are in office, and yet they are not supposed to be there. We are yet to be told what these judges gave the inquiry team which was investigating the Bench. Despite this, the Judicial Department should be congratulated for removing corrupt judges from the Bench.

The Government should not confine the fight against corruption to the Judicial Department. I urge the President to extend the fight against corruption to other arms of the Government. I request the President to extend the fight against corruption to the Executive. The President should come down with his whip on some Permanent Secretaries whom we know are corrupt. I would like to request the President to extend his fight against corruption to the legislature.

Mr. Temporary Deputy speaker, Sir, there have been rumours that some of his Ministers are corrupt. If this is found to be true, we would like these Ministers to be removed from the Front Bench.

Let these Ministers occupy the Back Bench, or go out there and face the law. It is important that the Government acts fast and ensures that corruption which has permeated into every sector in this country, is brought to a halt.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support this Vote.

Mr. Kipchumba: Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to support this Vote of the Ministry of Energy. I would also like to support what the previous speaker has said about the Kenya Power and Lighting Company (KPLC), that there was one man who brought that giant company down. It is unfortunate that, that managing director was given his retirement benefits when other managing directors of other state corporations were taken to court and charged with abuse of office or corruption. The Ministry should explain this to Kenyans.

Mr. Temporary Deputy Speaker, Sir, if you look at the petroleum industry, you will find that the Kenya Oil Refineries Ltd. (KORL) enjoys Government support. We all know that refineries all over the world are very efficient and, in fact, produce more than 100 per cent of the initial input. But KORL always registers a 4 per cent loss on the input into it. The 4 per cent loss is borne by Kenyans, who pay an extra Kshs1 to Kshs2 for every litre of petrol produced in this country. Therefore, for the over 200 million litres of petroleum products that we consume in this country, we lose about Kshs500 million to the KORL.

It is time this company refined quality products in this country. As I speak here, there is no

country in the world which produces regular petrol. Even in the East African region, it is only Kenya which produces regular petrol. Even the regular petrol the KORL produces is sub-standard, and yet it enjoys waivers every year. It is time this refinery was upgraded or closed down altogether. I am saying this because the Kenya Bureau of Standards (KEBS) cannot continue giving waivers to this refinery to produce products which are harmful to Kenyans.

Mr. Temporary Deputy Speaker, Sir, many countries in the world produce unleaded petroleum products, while Kenya encourages the production of leaded petrol. Kenya produces petroleum products with a sulphur content of up to 1 per cent, while those produced in other countries have a sulphur content of as low as 0.25 per cent. It is time Kenyans got products which are not harmful to their children. I am saying this because all these products have long-term effects on us and our children. It is time Kenyans said no to the production of sub-standard petroleum products.

Mr. Temporary Deputy Speaker, Sir, on the KPLC, I would like to say that its charges are exorbitant. I am happy that the Minister for Energy has clearly stated that he will ensure that the cost of electricity in this country goes down. I would like to urge the KPLC not to continue holding millions of shillings of Kenyans and promising them that it will supply them with electricity under the Rural Electrification Programme. This is the case, and yet this company does not give Kenyans interest on the money it is holding. We are saddened that this company, which will instantly disconnect electricity to your house when you fail to pay electricity bills even for a day, cannot pay its debtors. The other day, the debt that this company owed KenGen was converted into equity. For how long will its debts be converted into equity? There is a limit to this. If the KPLC cannot stand on its own, then measures should be put in place to ensure that it does so.

Mr. Temporary Deputy Speaker, Sir, we have independent power producers in this country. If you look at the agreements they drew with the KPLC, you will find that they were designed to ensure that the KPLC maximises on losses. I am saying this because the buying price is higher than the selling price. It does not make any economic sense at all that a company buys a product at Kshs6 per unit and sells it at Kshs5. I do not know the kind of business the KPLC is doing under that kind of an arrangement.

Mr. Temporary Deputy Speaker, Sir, the taxes that we pay are quite prohibitive. With taxes as high as 50 per cent of the cost of products, we are making Kenyans poorer by the day. We would like to see a situation where taxes, and especially those on diesel, which is required for industrial development, are reduced to affordable levels. I do not understand why a farmer in a rural area is charged the road maintenance levy yet his tractor does not travel on anybody's road. We charge a farmer Kshs5.80 yet his tractor never goes to the road, and we still say we would like to improve agriculture in this country. I do not know why we are robbing Kenyans, especially farmers.

The liberalisation of the petroleum sector should be done 100 per cent. There is no reason why we should tell certain companies to process their crude oil at the Kenya Oil Refineries Limited (KORL) and others not to. We should ensure that there is a level playing ground.

The Ministry of Energy should bring a Petroleum Bill to this House. The Bill should ensure that all the players in this sector are given equal treatment. This is because the Ministry of Energy says that if your market share is less than 1 per cent, you are exempted from processing your crude oil at the KORL. If the refinery cannot be competitive, it should not enjoy any protection from the Government of this country. The Government should divest from the KORL as it enjoys profits but does not re-invest the money in the KORL.

As one hon. Member has just said, we should not leave the control of the energy sector to multinationals. The only way of denying them monopoly is by providing support to the National Oil Corporation (NOC). However, we cannot provide this support by paying the employees of NOC peanuts. As a result of low pay, each year there is an exodus of employees to other companies in the private sector as they get a tenth of what employees in other companies are paid. The solution is also not to provide Kshs400 million for a bottling plant but to go downstream, and give the NOC money to build petrol stations all over the country. Some of the people in this country travel far to buy petrol.

They, in fact, use as much money for fare as they use to buy petrol.

Storage of petroleum should only be done by the Kenya Pipeline Company (KPC). I do not see why storage should be undertaken by companies of questionable integrity and accountability. As a result of this, there has always been dumping of petroleum. At times I wonder why even the KPC is under the Ministry of Energy since its role is just to transport oil products from Mombasa to western Kenya. If we accept the reason for putting the KPC under the Ministry of Energy, then the Kenya Railways Corporation (KRC), which transports maize, should be under the Ministry of Agriculture. This does not make sense to me as the KPC produces no energy at all. Maybe it is a cash cow for many people and that is why, inspite of making Kshs4 billion in a year, it remits only Kshs30 million or so to the Exchequer. You wonder where the rest of the money is taken to. The Act which established the KPC is very defective and the Minister for Energy should bring it to this House for amendment. This will ensure that whatever money the KPC makes is all taken to the Exchequer.

Bunkering has been a source of dumping in this country. Many berges that pretend to be supplying fuel to ships turn around and sell the same fuel at the shores. This must stop! On the other hand, KenGen must develop socio-economic facilities in their areas of operation.

With those few remarks, I beg to support.

Mr. Muite: Mr. Temporary Deputy Speaker, Sir, we are all looking forward to economic recovery in our nation. The sooner it takes place the better. We want to uplift the living standards of our people. We can only do that if there is a very aggressive policy to revive the economy. What is going to underpin the recovery of the economy is the cost of energy. If we do not bring down the cost of energy, we are not going to succeed in reviving the economy. The Ministry of Energy is, therefore, one of the most important Ministries in the scheme of things that will lead to the revival of the economy.

What we are looking for is a very concrete road map, or programme of action. We know that the Minister has sensibly said that the cost of energy is going to be brought down. However, we want to know when and how he is going to do that. He should communicate to Kenyans the plans he has for bringing down the cost of energy and the timeframe for doing so. He should also invite participation by Kenyans. Once Kenyans understand what he wants to do, when and how he wants to do it, they will support him. We do not want generalities but specifics. We want to know how and when the Ministry is going to bring down the cost of energy.

There is a little unfinished business at the Kenya Power and Lighting Company (KPLC). Over the last two or so decades, it has been collecting money from people who get into groups and make applications for the supply of electricity to their areas. The KPLC has been very quick to collect millions of shillings, and for ten or more years, there have been groups of people, even in my constituency, which have paid money. That money is not earning any interest and has not been refunded. Now, after very many years, they are told to pay an equal amount of money. This is very poor public relations with the people and it needs to be looked into. Do not collect money from the public unless you are in a position, and are prepared, to supply them with power without any delay.

Mr. Temporary Deputy Speaker, Sir, the issue of privatising power generation is very important. Kenya is only next to New Zealand in terms of geothermal potential, and this needs to be exploited. However, while we are doing that as a long-term measure, we should also look into whether we can privatise power generation and allow people with their own money to generate electricity. There are many streams on both sides of the Rift Valley and in the Western Province towards Lake Victoria. We should find out whether there are investors who can come and build small units for generating power to distribute to particular areas, as doing this is cheaper. If you look at the trend in the world, you will see that power is not distributed over long distances. You lose a lot of energy when you do it that way.

If you generate in order to feed a small area, then the balance of that power can be fed into the national grid. We know that there is accumulation of rot in the Ministry of Energy. The Minister has got a lot of work; to clean up that rot. However, I would urge him to have a programme of action and

communicate it to the public, including the issue of petrol. It is appropriate to really express sorrow that when a petrol tanker overturns, you find women, children and men rushing to scoop that petrol. We have had several accidents of that nature because of the poverty in this country. When people see petrol oozing out of an overturned tanker and they have not eaten or paid school fees for their children, it is almost impossible for them to see the danger of taking that petrol. They will try and get that petrol in order to sell it. So, we have to uplift the socio-economic situation of our people. I take this opportunity to really express my sadness about the incident that happened in Kiambu District where so many people sustained such severe injuries. Some other day, we will see another tanker overturning and the same thing will repeat itself; people rushing there to scoop some petrol.

Mr. Temporary Deputy Speaker, Sir, we need to combine the Ministry of Foreign Affairs in terms of co-ordination. We need to promote the warmest possible relations with Southern Sudan. This is because, as we all know, there is a lot of oil in Southern Sudan. We need to treat the Sudan People's Liberation Army (SPLA) as our brothers. Indeed, they are our brothers because we are the natural trading partner to Southern Sudan. We can see how far ahead President Bush and the United States of America (USA) are. When we see them taking that sort of interest in Kenya, it is not for the love of Kenya, but it is because they want a pipeline to come from southern Sudan through Kenya to Mombasa City. We should be the first to benefit from that oil because they are our brothers. We should support them. I am very pleased that we stopped the importation of oil when it was inappropriate; when the proceeds were going to fighting those people in southern Sudan.

So, I wish to commend the Government because of the leading role which it has played in the issue of IGAD. However, the USA is planning ahead. We are next door. Let us plan right ahead. As we know, the Government of Southern Sudan is sitting in Lavington here in Nairobi waiting for the day when they will relocate to Juba, Southern Sudan. Instead of just talking about IGAD issues, let us talk trade with them. Let us tell them how we are ready to combine investment to upgrade the refinery in Mombasa. Let us not wait for the Americans to come and tell us how to put the oil pipeline. Let us do the planning between Kenya and Southern Sudan.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

The Assistant Minister for Agriculture (Mr. J. Nyagah): Mr. Temporary Deputy Speaker, Sir, I stand to support. The Ministry of Energy is a very important and critical in this country. In order to overcome the many problems that we face, as a country, in terms of development, we need to support the Ministry of Energy. I, therefore, fully support the effort that the Minister and his team have undertaken in this particular field. I would have liked to see much more money allocated to this particular Ministry. The money allocated to this Ministry this financial year is very little. They need much more money so that they can do the many things Kenyans expect from them; for example, rural electrification. For Kenya to develop, we need to take energy to the villages and the local markets. However, that is not possible given the very little money that has been allocated to the Ministry. If it is possible, I urge the Minister to fight very hard next financial year in order for the Government to double this amount. It is a sad situation that, for many years, Kenyans have contributed a lot of money towards rural electrification. For example, in my own constituency, almost every market has contributed a substantial amount of money towards this programme, but there is nothing to show on the ground. I think this money is in billion of shillings, but we do not know where it is.

Mr. Temporary Deputy Speaker, Sir, it is important that we give this Ministry a substantial amount of money if we want to have some impact in the rural areas. With this kind of money that we have allocated to this Ministry, I do not think there will be any impact. So, I hope the Minister will look into this and recognise those districts which host dams. There are five dams in Mbeere District. About 80 per cent of all the hydro-energy comes from this district. However, all the benefits go to other districts. I hope that the Minister is listening. I am very grateful that power was installed under the Rural Electrification Programme in my constituency. I hope that this is the beginning because, in the past, we promised them electricity, but we were unable to deliver. I am very happy with the Minister. He is doing a commendable job.

Mr. Temporary Deputy Speaker, Sir, I am confused on the role of Independent Power Producers (IPPs). What do they do these days? Has the Government re-negotiated the contracts? Are we comfortable with the contracts? Are you telling us that the Government is not able to re-negotiate? The NARC Government is very capable. It can sit down and re-negotiate with these people. Please, do not give us any excuses that you are unable to re-negotiate with IPPs. We all know that the amount of money we are losing is huge. So, I hope the Minister will re-negotiate with the IPPs because the substantial savings that can be made in that area are obvious to all of us.

I am very happy to hear that we might start importing energy from Congo. That will go a long way in reducing the cost of electricity to our people. I encourage the Government to implement this programme as fast as possible so that we can benefit.

Mr. Temporary Deputy Speaker, Sir, there is a tendency to think that hydro-power stations must be very big ones, like Masinga and Turkwel. As an hon. Member said earlier, we can now go for micro-hydro power stations. I visited China a few years ago and had the opportunity to see small micro-hydros; small rivers producing electricity for the local people. Could the Ministry look at the possibility of micro-hydros so that we can localise electricity at a reasonable cost? If it is not able to do it, let us encourage non-Governmental Organisations (NGOs) and license local communities to produce electricity. I think part of the problem is that we have very prohibitive laws.

In my local area, some local people tried to introduce a micro-hydro project, but it was impossible. What they went through was so frustrating that they gave up. If, indeed, the Ministry wants to help Kenyans that is one of the areas I think it needs to look at.

Mr. Temporary Deputy Speaker, Sir, recently, I visited Mumias Sugar Factory and other sugar factories in Western Kenya and Nyanza provinces. They told me that in the crisis years, two to three years ago, they sold electricity to the national grid. However, after the problem was resolved, the Kenya Power and Lighting Company (KPLC) did not go back to them. Is it possible that we could persuade KPLC to buy some of that energy which is being wasted? It might sound little, but it is cheap. They even told me that they are not even prepared to sell it at the market price. They do not even want huge profits. I encourage the Minister to talk to these sugar companies because they are wasting their energy at the moment. This energy could be supplied to small towns like Siakago and other small towns in the rural areas.

Mr. Temporary Deputy Speaker, Sir, KenGen works in our area, and we would like to see it support some local projects in that area. We have schools. Our people and goats are being eaten by crocodiles from those dams. May I persuade them to find a way of, cheaply, pumping water to just a kilometre away for my people, so that they can stop dying? Many of my people and their cows have died. My people will be very happy to have some water pumped to a watering point about one or half a kilometre away. They will be very happy if they are provided with corrugated iron sheets with which to roof school buildings.

My people gave KenGen the land on which they constructed the water dams almost for free. My grandfather was compensated at the rate of only Kshs5 per acre. Is that really compensation? I do not want to delve deeply into the history of how KenGen acquired that land, but I am asking the company to put up schools and health centres in that area, so that they can feel the same way as the people of South Nyanza, who gave up their land for the hydro-electricity project being undertaken by the Japanese Government. The Japanese Government has undertaken to look after the environment and protect the dam on their behalf. Little things which will cost very little will go a long way in helping our constituents.

Mr. Temporary Deputy Speaker, Sir, I now want to talk about the Kenya Pipeline Company and say that I have seen improvement in their activities. I would like the company to continue doing the same for my good friends.

With those few remarks, I beg to support.

Mr. Kones: Mr. Temporary Deputy Speaker, Sir, I thank you very much for giving me the opportunity to contribute to this important Vote.

As we try to pass this Vote, it is amazing that, under the *Guillotine*, we are going to give the National Security Intelligence Service (NSIS) about Kshs2 billion, while this very important Ministry, which serves the people to improve this country's economy, is being given less than Kshs1 billion. If we are really serious about development, we should be doing the reverse. We should not be putting a lot of money in the NSIS intelligence service at the expense of the development of this country.

*[The Temporary Deputy Speaker
(Mr. Ethuro) left the Chair]*

*[The Temporary Deputy Speaker
(Mr. Khamasi) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, we realise that with a bit of electricity supply to the rural areas, we are going to realise the dream of the National Rainbow Coalition (NARC) Government; of creating 500,000 jobs per year. I do not imagine that the NARC Government thought and imagined that it would bring people from the rural areas and employ them in our cities, where there is electricity. I was imagining in my own mind that NARC meant that it would create jobs in the rural areas. How on earth would you ever create a job for anybody in a rural area where people stay in darkness from 7.00 p.m. to 6.00 a.m.? They just stay idle. So, such people only do whatever work is available. Therefore, if this Ministry is serious, next year, it should ask for more than Kshs2 billion for the supply of electricity to rural areas.

We know certain areas which have been promised electricity through the Rural Electrification Programme (REP). Many years have now passed without that promise being fulfilled. We know of certain groups of people, organisations and individuals who applied and paid for the provision of electricity to their premises through the REP some five or ten years ago but, to date, nothing has happened. We know of certain rural areas where electricity lines pass through various villages, and you wonder where that power is going. They pass through communities which actually need electricity. Sometimes, I think, we need to be a bit serious. Where these electricity lines pass over, there are shopping centres and schools, but nothing is happening about them. They are in darkness, and yet this power goes over them to serve other people.

In my district, there is an electricity line from Bomet all the way to Siongiroi. The area through which the power line passes, there are big shopping centres and institutions, which need power supply. From Kapkoros to Bomet, for instance, there is a power line with transformers, where a line is sometimes dropped and then, for miles, nothing is done. We need to have a policy. What is the actual policy governing rural electrification? How do people get electricity? What are they supposed to do? What ceremonies are they supposed to perform, so that electricity can get to their homes?

In Bomet Constituency, there is a power line which extends from Longisa to Kembu. In 1998, that line was supposed to be extended from Kembu to Chemaner. Even today, there are electricity poles lying on the ground along that route. There is no reason why electricity has not been connected to that line. We have not been given any explanation as to why those undertaking the project were pulled out of it. It is documented that, that project has been surveyed and money allocated to it. Certainly, there were some funny operations which led to the pulling out of the people who were implementing that project.

I realise that the project could have stalled due to political reasons at that time, when I was representing that constituency in Parliament, but what is the reason today? Why can the project not be implemented? Sometimes people suffer from certain unexplained frustration. Therefore, I would urge the Minister to look into this project and others which had been allocated money as well as in areas where pledges had been made. I would like him to make a difference and prove to Kenyans that a new system of Government is in place.

Mr. Temporary Deputy Speaker, Sir, while talking of generation of electricity, we tend to

imagine that generation can only be undertaken along big rivers such as River Tana. We also have big rivers in Kipsigis; where we have a lot of rain. We have Rivers Chemosit, Nyongores and Mara, all of which start from the forests, and their waters flow all the way to Lake Victoria without being utilised. Why can we not put up small electricity generation plants along these rivers? Apart from Brooke Bond and African Highlands, which generate a lot of electricity from the waters of these rivers for their own use, nothing else happens.

The Mara River flows from the border of Narok right through the Mara Game Reserve, but there is no tapping of this water power whatsoever, and yet we can do a lot. We do not even have to have all the compensation that my friend has been talking about, because that land is unoccupied. If we tap the waters of those rivers, we will not only generate electricity out of it, but also do a bit of irrigation using that water. It is, therefore, high time that some survey was done with a view to tapping the waters of these rivers, which flow into Lake Victoria unutilized and, therefore, on transit to the River Nile.

Mr. Temporary Deputy Speaker, Sir, because today is the *Guillotine* Day, I would like to speak about certain Motions which were brought to this House, particularly with regard to the Ministry of Lands and Settlement. Probably, before, I do so, I should ask the Minister, when he replies, to explain what his Ministry and the Ministry of Environment, Natural Resources and Wildlife have in store for charcoal burners, charcoal traders and charcoal users. We know that some people have enriched themselves out of just punishing charcoal traders. We know that it is illegal to burn trees and convert them into charcoal, but what makes me wonder is that, at one stage, charcoal becomes legal. When do we say: "Charcoal is now legal"?

I am sure that if today we go to the house of this Minister and that of the Minister for Environment, Natural Resources and Wildlife, we are likely to find bags of charcoal. So, we would like to know the stage at which charcoal becomes illegal, so that our people do not continue suffering. There are roadblocks all the way from Mulot to Sotik. All the police officers who man these roadblocks, throughout the night, only check transportation of charcoal. The people dealing in charcoal suffer a lot due to these roadblocks. They are not charcoal burners themselves.

We know that the police collude with certain officers of the Ministry of Environment, Natural Resources and Wildlife and allow charcoal burning to take place in certain forests. However, when people go out to trade in this commodity, they get punished for it. So, we would like [Mr. Kones] to know when charcoal burning is legal and when it is illegal and what the substitute for charcoal is. This is something which I feel we should address very well, and not haphazardly. I believe that when the Minister replies to this debate, he will give a good answer to that question.

Mr. Temporary Deputy Speaker, Sir, on the same issue of the environment, I would like to congratulate the Minister for Environment, Natural Resources and Wildlife because, yesterday, he sacked all the forest officers. He did a wonderful job. But we should not confuse those officers with the persons who were settled in areas that were de-gazetted as forests. In Nakuru District, for example, we have thousands of people who were settled in areas that were forests before. The previous Government decided that they were good settlement areas. When the Minister issued a Statement the other day, certain fellows took advantage and started throwing out people who were settled in those areas. Their reason was that they thought those people encroached on the forest.

If we are confusing what was done by the previous Government, and have started throwing out people who were legally settled in those areas, are living with their families, have built schools, hospitals and other infrastructure, we are not achieving anything. We support that the environment must be protected! But we do not support a situation where officers are taking advantage of a settlement that was put in place by a legally constituted Government. It does not matter whether it was KANU's Government or Kenyatta's Government! What we are saying is that those people are there legally and they should not be disturbed.

We have endless problems where people settled in forest areas are evicted after some time. They are brought back two years later, only to be evicted again after some time! Let that not cause confusion. We support the Government's policy on the protection of forests. We support that corrupt

officers must be sacked. They should be interrogated for the sins they have committed. Let us not disturb those who are legally settled any more. There was need for them to be settled there. Let them stay there in peace. They are willing to support the projects initiated by the Government.

With those few remarks, I beg to support.

Mr. G.G. Kariuki: Thank you very much, Mr. Temporary Deputy Speaker, Sir. I would like to make a few comments on this Motion. First of all, I would like to thank the Minister and his team for what they have professed to do. They have indicated to Kenyans, through this House, that they are willing to do better than before.

The mandate given to this Ministry is to improve the social and economic welfare of our country by providing affordable electricity to all areas of our nation. For that to be done is a lot of work. I am sure the Ministry is aware of that. The Ministry is headed by a very energetic young man who, I believe, is not corrupt like those who have been there before. I would like him to show this nation that there was need to have him in that Ministry.

Mr. Temporary Deputy Speaker, Sir, the only thing we expect him to do, and he indicated it when he moved his Motion, is to improve the management of the energy sector. That sector has made producers suffer a great deal because of shortage of power, mismanagement, unreliable power supply and high cost of energy. It is important for the Minister to realise that Kenyans, whether in the NARC Government or the Opposition, want that service in their homes. If you go around the country, although the Minister had indicated that he is going to provide power to about 90 urban centres, he needs to tell this House where those centres are. We hope that it is not going to be politicised as has been in the past. Areas to be supported must have high populations and *Jua Kali* artisans who are suffering without power supply.

We are talking about the creation of 500,000 jobs per year! How are we going to create those employment opportunities? That can only be achieved if electricity is supplied to those centres where individuals are willing to employ themselves, without referring to the Government. I hope the Minister will do that in good time.

Producers of commodities in Kenya are suffering huge losses in the international market due to unreliable supply of electricity. The Minister needs to realise that he cannot attract investors to this country unless that area is managed properly. The investors will always have what we call "comparative advantages". If they find power and a stable economy, they will invest. They might find it easier to invest in Uganda because the power sector there is managed better than here in Kenya. They will go because of the returns they expect from their investments. It is, therefore, important that investors are given what they require. That is the only way we can attract them. That would include political stability.

The mismanagement of the power sector is forcing people to generate their own power in a *jua kali* way. That is because of frustration. The Kshs2.687 billion that we voted to assist in the Rural Electrification Programme should be spent properly. We shall see that in June next year. The Departmental Committee in charge of the power sector needs to follow up this Ministry, and make sure that that money is properly spent. We do not want to go by the experiences of the past where we always had problems and it was difficult for the Kenya Power and Lighting Company to manage itself. When they incurred losses, they asked the public to pay. Kenyans have been paying taxes that are not accounted for.

We understand that Kenya Power and Lighting Company (KPLC) at one time did not have money. They raised their taxes so that people could absorb their losses. I think this idea should disappear. The only way these things can be put under control is, first of all, to amend the laws governing energy because the law as it is now, has a lot of loopholes leading to the power management becoming problematic. Again, they have completely liberalised the power industry. If we continue with a monopolised industry like the one we have today, although they have started liberalising it, I think we will not get anywhere. We need complete liberalisation of the energy sector and there should be no questions about it.

Mr. Temporary Deputy Speaker, Sir, another point is the sector reform programme which will go along with the liberalisation process. These reforms must also be effected in the process of amending that Act. A complete audit is required for funds which have gone into energy from the private sector. The majority of Members of Parliament have complained about it, but we would want to hear from the Minister how much money we are talking about. This is money that has been paid by our people to the Ministry and up to now nothing is happening. That policy is the poorest policy I have ever heard of. Why does the Ministry take public money, put it into their kitty and do nothing with it and not even hold discussions with the people who paid their money? It shows that the people of this country are so frustrated that they can even pay money without worrying about what will happen to that money. That is what is happening now. People have paid money and we do not know the figure. In Laikipia District alone, more than Kshs10 million has been paid. Who is going to pay us back that money? Are we going to get power? Are we going to get our money back? The Minister is expected to answer that question.

Mr. Temporary Deputy Speaker, Sir, there are small falls like Thompson Falls in Nyahururu. It is an area where you can also generate power to service the whole of Nyahururu Municipality and also the surroundings but I cannot remember any one time when the Minister visited those falls. Maybe the Minister does not even know where those falls are situated, but if he does, some of his officials need to go there and see whether there is anything that can be developed from that particular river.

Mr. Temporary Deputy Speaker, Sir, our target to employ 500,000 people, if I repeat again, will only be achieved in areas where power is properly developed. As regards the deposits which the Ministry has, I think it is important when he is establishing the KPLC management and also investments boards, needs to think and make sure that most districts which have been left behind in the distribution of power are considered so that they can also participate in the employment of jobless people.

I beg to support.

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members, I think as you can see, by 5 o'clock we should be calling upon the Minister to reply and despite the fact that many hon. Members want to discuss this Vote, I will donate the remaining five minutes to hon. Muturi.

(Several hon. Members stood up in their places as the Temporary Deputy Speaker addressed the House)

Mr. G.G. Kariuki: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Members to continue standing when you are addressing the House?

The Temporary Deputy Speaker (Mr. Khamasi): Yes, hon. G.G. Kariuki, you are right. I think there is continuous disobedience of the House rules. Once the Speaker stands, everybody must be seated. I hope we shall observe that rule next time.

Proceed, Mr. Muturi!

Mr. Muturi: Thank you very much, Mr. Temporary Deputy Speaker, Sir. To start with, I want to remind the Minister that last week, when he moved the Vote of this Ministry, he did indicate to Kenyans that he had allocated Kshs800 million for rural electrification, but it is a pity that, that is the only amount he said he had allocated for that very vital sub-sector. What he is asking for today in total, is Kshs845,640,295. Indeed, as you can see, we need to really sympathise with the Minister. This is a very critical Ministry. We cannot hope to really develop without addressing the ills that bedevil this Ministry. Mr. Temporary Deputy Speaker, Sir, in my view, there has been over-dependence on donor support in this Ministry and especially in the area of rural electrification. I would want to urge the Minister, and the Government as a whole, to reconsider this over-reliance and over-dependence on donor support because if the Minister is only seeking Kshs845,640,295 for the entire Ministry and he has already said that Kshs800 million is going for rural electrification, you can see that the Minister is

just saying that: "Actually, if I had more, I would have allocated sufficient funds to cover enough areas of this country."

Mr. Temporary Deputy Speaker, Sir, I want to suggest that the Minister should start re-thinking on how to overhaul the existing legal regime in the power sub-sector. There is an urgent need for a review of the Electric Power Act because, as it is, a lot of projects that could be commenced at the micro-level that hon. Members have been talking about here, cannot be undertaken because of the stringent conditions that are imposed upon anybody willing to invest in the power sub-sector especially in the area of micro-hydro-electric power production. I think the Minister should tell us what he is doing to liberalise the area of hydro-power production. He should especially have a fresh look at the Electric Power Act.

Mr. Temporary Deputy Speaker, Sir, we do observe that there has been some small improvement in the area of the management of Kenya Pipeline Company (KPC). I am happy that the Minister is well aware of the waste that had in the past visited the Kenya Pipeline Company which should have been generating revenue for the Government but which, as we all know from various Reports of this House, has been---

Mr. Maore: Has been stolen!

Mr. Muturi: Mr. Temporary Deputy Speaker, Sir, I want to use my own words. They have been misplaced or misapplied.

Mr. Temporary Deputy Speaker, Sir, while addressing the area of power, could the Minister tell us why, indeed, it is necessary to have three bodies? First of all, there is Tana and Athi Rivers Development Authority (TARDA) owning some land on which there are dams. There is KenGen generating power within the same place and then KPLC, a different entity, taking over from what has been generated under an Act. What is all this mystery about having three "plates"? What is it in need of? Is it not possible to have proper management in this sector? The Government should structure these entities so that if TARDA is supposed to deal with the irrigation aspects within those dams, that is taken over by---

QUORUM

Mr. Chepkitony: On a point of order, Mr. Temporary Deputy Speaker, Sir. There is no quorum in the House.

The Temporary Deputy Speaker (Mr. Khamasi): Yes, we do not have a quorum. I order that the Division Bell be rung.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Khamasi): Order, Members! Order! We have a quorum now and it is time to ask the Minister for Energy to reply.

The Minister for Energy (Mr. Ochilo-Ayacko): Thank you, Mr. Temporary Deputy Speaker, Sir. With your kind indulgence, may I donate five minutes of my time to the Minister for Finance and another five minutes to the Minister for Livestock and Fisheries Development. I believe that their contribution will add value to my reply.

The Minister for Finance (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, I thank the Minister for Energy for giving me these few minutes to contribute to this Motion.

I would like to start off by congratulating him and his team for the good work they are doing.

The NARC Government is trying to revive the Ministry of Energy. We have had to look for over Kshs2 billion to revive the pipeline which is a money spinner, but whose efforts, in the past, have been used to fleece money. I really congratulate the Minister for Energy for the good work he is doing together with his staff.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Khamasi): Order, Members! It is not possible to hear what the Minister for Finance is saying. Could we please, consult in low tones so that we hear what he is saying?

The Minister for Finance (Mr. Mwiraria): Thank you, Mr. Temporary Deputy Speaker, Sir. I really want to thank the Minister for Energy for widening the net, particularly in the area of electricity. I want to commend him for looking west, Uganda, for additional power; south, Tanzania and Zambia for additional power. We should widen the net even internally by generating more out of the geothermal resource that we have.

Without energy we cannot talk of development. It is for this reason that I am very happy about the efforts being made by the Minister.

I would, however, like to warn him that it is not necessary for the Ministry of Energy to accommodate any more independent power producers, particularly the really too expensive types that we have had in the past. Believe it or not, the independent power producers concluded such good arrangements which are, in fact, too good to believe. We pay them a commitment fee, which means that whether they are generating power or not, we still pay them for having the equipment installed. As a result of this, the country is paying more to the independent power producers than what Kenya Power and Lighting Company (KPLC) gets after buying electricity from them and then selling it to the consumers. What I am saying, in other words, is that we pay more for power generated by these independent power producers than we get when we sell it to the Kenyan people.

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, is the Minister for Finance in order to lament in this House that he is paying the millions we are giving him for non delivery of services by the independent power producers? Why can you not stop paying them?

The Minister for Finance (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, the truth shall remain and shall be told. I want the House to know what the previous Government gave to this country.

(Applause)

Let me move on from that point and say that let this country diversify its power sources. This country is endowed with hydrocarbon resources, but at the moment we do not know whether they are coal, gas or petroleum products. We need a little bit more research to find out whether we too, like Tanzania, Sudan and Ethiopia have got petroleum products.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to support.

The Minister for Livestock and Fisheries Development (Mr. Munyao): Mr. Temporary Deputy Speaker, Sir, I thank you, once again, for giving me the chance to contribute. I would also like to thank the Minister for Energy for donating to me these five minutes. Let me join the speakers who have spoken earlier in congratulating the Minister for Energy and his staff for, once again, trying to do the impossible. I will also support hon. Muturi in saying that the amount of money that has been allocated to the Ministry of Energy is not adequate. It is, indeed, peanuts. The NARC Government has only been in power for less than one year, but it is our hope that it will reign for 80 years; double the number of years that KANU was in power. If we get a bonus of 20 years, that will be 100 years, so the Ministry of Energy will have time to do all that is required of it.

Within the nine months that the NARC Government has been in power, the Minister has shown that it is possible to accomplish the impossible. He has even brought down the tariff, and because of that, electricity is now affordable.

Power generation in this country is very vital. When the Masinga Dam Agreement was made by the World Bank - whichever year it was made - there was a clear understanding, which was documented, that 2.5 per cent of the profit that would be got from the sale of the power generated

would be used in Masinga area in order to develop it. This would have been used to develop roads, schools, churches and whatever else that was needed. Above all---

Mr. Kipchumba: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to tell us that power costs have come down when the Minister clearly told us that it will come down?

The Minister for Livestock and Fisheries Development (Mr. Munyao): Mr. Temporary Deputy Speaker, Sir, I was saying that the World Bank agreement, when Masinga Dam was being constructed, was that 2.5 per cent of the income generated from the dam be utilised in the area. Even the things which were to be done, such as developing schools, churches, roads and health centres, were not done. The worst point is that power lines run from Masinga Dam to other parts of the country. Ukambani, where that power comes from, has no electricity. Will the Minister now undertake to extend power lines from Masinga Dam to other areas in Ukambani?

We have very good sites for power generation. There have been four proposals to construct dams along Athi River, which runs all the way from Thika to the Indian Ocean. There is also River Thwake. These rivers, which flood all the time, can be dammed and power generated from them. That is a very good idea and we would like the Minister to take it into account.

Mr. Temporary Deputy Speaker, Sir, my constituency, Mbooni, is the only dark constituency in Ukambani and, perhaps, in Kenya. Mbooni Constituency borders other constituencies in Machakos, Makueni and Kitui districts. It is the only dark constituency, yet it is the oldest. We have been told year in, year out, that plans are there to supply electricity to Mbooni Constituency. When will these plans be realised? We want to turn those plans into reality. It is true that plans are there. I remember that at one time, there was a Minister in charge of energy and when the Rural Electrification Programme was started, he transported all the transformers which were in Mombasa to an area that I will not mention. There is an able Minister for Energy now. I know that some of the transformers were not used, and I believe they are in some "granaries" somewhere. Could the Minister now get the transformers, so that they could be installed in various parts of the country? We need them. This is known and even Mr. Muturi, when he was contributing, alluded to that.

With those few remarks, I support the Vote.

The Minister for Energy (Mr. Ochilo-Ayacko): Mr. Temporary Deputy Speaker, Sir, I have been requested for five minutes by Mr. Moi. He is the Chairman of the Departmental Committee on Energy, Communications and Public Works.

(Loud consultations)

Mr. Maore: On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Khamasi): Order, hon. Members! We can have only one person chairing the House; not all of you.

Mr. Maore, what is your point of order?

Mr. Maore: On a point of order, Mr. Temporary Deputy Speaker, Sir. Some hon. Members were almost yelling. I wanted to plead with the Chair to allocate ten minutes to Mr. Moi because his is a maiden speech.

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Maore! Hon. Members do not yell here. You are out of order. I give this chance to Mr. Moi.

Mr. Moi: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to thank the Minister for being gracious and giving me five minutes.

The economic recovery in this country will depend on a variety of issues and our success on them. The energy sector is a very important component in the recovery plan. The most repeated argument is that the cost of energy in this country, compared to the cost of it in South Africa and Egypt, is too high. Businessmen will tell you that the key to prosperity is cutting down your cost. If you look at the Recurrent Expenditure, you will find that 50 per cent of it is incurred in

general administration. We have been told here to vote 50 per cent of the Recurrent Expenditure for general administration and not for wood fuel, alternative energy or the maintenance of the national grid. It does not make absolute economic sense to have 50 per cent of your budget allocated to general administration. I would have liked to see some of that money allocated to alternative energy.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the hon. Member on the Floor declare his interest in power production in this country before he contributes on the issue?

Mr. Moi: Mr. Temporary Deputy Speaker, Sir, I have no interest in independent power producers.

One of the alternative energies is wind power. We have had studies done even in Marsabit, and if we use the wind energy and tap it into the national grid, the whole of that area, about which we have heard complaints from hon. Members from North Eastern Province, will have sufficient energy.

The other area is petroleum exploration. You can see that in the Printed Estimates, the Minister has allocated only Kshs16 million to this area. If you look at it in a snap shot, you will find that it is a minute portion of the whole expenditure. Although 500,000 people right now are connected to the national grid, the Minister should target, at least, 3 million people. The Kenya Power and Lighting Company (KPLC), as you know, is having financial problems, and yet consumers are asking for lower costs. This is a big dilemma for the KPLC. If the KPLC could supply power to 3 million consumers, it will benefit. One of the parameters one can look at is cellphone usage in this country. Today, we have nearly 3 million cellphone users. So, the disparity is too wide, which we need to close.

I have no quarrel with the Development Expenditure. It is in tandem with the requirements of the energy sector. The Minister has asked for Kshs1.6 billion from the donors, or what, nowadays, we like calling development partners. Will the money be forthcoming?

Thank you very much.

The Minister for Energy (Mr. Ochilo-Ayacko): Mr. Temporary Deputy Speaker, Sir, I would like to take this opportunity to thank all the hon. Members who have contributed to this Motion. I would like to thank them, especially, for their positive criticisms of what the energy sector needs to do. I want also to thank the entire House for showing interest in the Ministry of Energy and their concern that this Ministry be allocated more funds.

Mr. Temporary Deputy Speaker, Sir, there are many issues that were raised by the contributors. However, I may not capture all of them in my response, but I believe the officers from the Ministry have taken them into account. We, as a Ministry, will address these issues when they arise or recur.

One of the issues that was of concern to many hon. Members was on exploration of oil and coal in this country. Hon. Members wanted to know what progress we have made in exploring for oil and whether there are coal deposits in this country. Since 1954, to date, we have only dug 34 exploratory wells, which are very few in number as compared to countries for exploring oil. If you want to find oil, you need to increase your exploration density up to about 100 wells a year. In the current Budget, we are seeking additional funding so that we can step up our exploration.

Mr. Temporary Deputy Speaker, Sir, with regard to coal, there are indications that there are coal deposits in Kitui, Mwingi, Kwale and Kilifi districts. It was the concern of some hon. Members that coal is a pollutant. However, there are countries that have developed the technique of mining coal. There are ways and means of utilising coal in a clean way that is friendly to the environment. Therefore, if we discover coal, we will save a lot of things and we will, probably, be able to generate energy in a cost-effective manner.

Mr. Temporary Deputy Speaker, Sir, hon. Members touched on the social responsibility that Kenya Electricity Generating Company (KenGen) should have. They said that KenGen, as a generating plant, both in the Turkwel and in the Tana River, should be more friendly to the inhabitants of those areas. One thing that has not come forward that I would like to share with this House is that

KenGen annually gives to Tana and Athi Rivers Development Authority (TARDA), Kshs62 million. It also gives another Kshs45 million to Kerio Valley Development Authority (KVDA). The understanding is that these huge sums of money would be used to improve the welfare, infrastructure and physical facilities of the inhabitants of those areas. If we go down a little further, we will find out that there are one or two schools that are supported by KenGen. There are also hospital facilities that are supported by KenGen. These facilities are available to inhabitants of those areas as Kenyans. If we put more pressure that KenGen or the Government gives more money to communities inhabiting those areas, then that money is definitely going to come from higher tariffs. That would mean increasing or charging more for the electricity that is sold to the public. That is not tenable at the moment because the national board demands that we reduce electricity tariffs.

Mr. Temporary Deputy Speaker, Sir, in their contribution, some hon. Members were concerned that there was malpractice in the past when Kenya Power and Lighting Company (KPLC), was under the previous management. It is obvious and it is no longer a secret that we changed the management. It is also well known that we appointed auditing committees. The reports of these committees were submitted to us a week ago. It was done when I was just about to leave the country. We are trying to look at these reports so that we can come up with a final report. This report is likely to come up with areas where there was malpractice. When we identify the persons who perpetrated these malpractices, we will certainly deal with them.

I want to assure the House that those who run down KPLC, Kenya Pipeline company, NOC and KenGen are not going to be spared by the big whip.

Mr. Temporary Deputy Speaker, Sir, there was concern from hon. Members of the House that applicants for connectivity were in the past asked to pay 10 per cent, and these monies have not been accounted for to date. There is a little misunderstanding that I want to shed light on. When a person is asked to pay 10 per cent, it does not mean that KPLC is liable to put him or her on connection. What it basically means is that, the individual is a serious applicant. The body that is charged with the responsibility of ensuring connectivity is Government. The Government does so through the Ministry of Energy, and the Ministry or Energy's ability to ensure connectivity is hampered when little funds are provided for. We cannot do it. So, there are several potential consumers who have shown interest, but they have not been attended to because the Ministry has not been given sufficient energy to give KPLC, in order to empower it as an agent of the Ministry to connect power to people. So, the blame is not entirely on KPLC.

There are also costs attendant to connectivity that must be addressed by the provision of the 10 per cent, for instance, services like doing the design work. Those services are contracted out. Before the actual implementation of a scheme, such services must be paid for, and that is where the 10 per cent goes to. But the fact that 10 per cent is still paid by a particular applicant is actually positive. What we are doing is that, we are going to prioritise those who have paid the 10 per cent because they have shown more commitment than people who are shouting loudest but have not committed any penny towards that.

Mr. Temporary Deputy Speaker, Sir, rural electrification was done haphazardly. It was done on the basis of how well connected one was. That is a system that we are trying to discourage. What we are doing currently is to ensure that areas that have not had connectivity in the past score more.

The other additional score is on the basis of population of those areas and the expanse of the area. This is something that we are trying to address and it is just fortunate that this is our first Budget. If we had probably read a Budget earlier, which was not possible, then we would be able to show some examples, but that is the problem that we had.

Mr. Temporary Deputy Speaker, Sir, Mr. Sirma mentioned something to do with a health centre in his constituency for which a donor had paid some money. That is Arama Health Centre. There is provision in the current Budget and that health centre will be supplied with electricity. I would like to assure him of that.

Mr. Temporary Deputy Speaker, Sir, there were also concerns from hon. Members from

Garissa Town about the quality of supply of electricity in that region. In spite of the fact that the revenues that we get from Garissa area are Kshs17 million, operation and maintenance expenses amount to Kshs117 million, leading to a loss of about Kshs100 million. The Government through KengGen is committed to buying a generator of about 1.5 MVA at a cost of Kshs125 million, to make sure that quality in Garissa is maintained. We are committed to doing this because Garissa is as much part of Kenya as any other region in Kenya.

There were other comments regarding the supply of electricity to Tana River. In order to do the grid, it would cost about Kshs5 billion. We do not have that kind of money, but we are already trying to organise plans to spend about Kshs130 million in Garsen. That is dependant upon receipt of funds from donors because the project cannot be implemented under the current Budget.

Mr. Temporary Deputy Speaker, Sir, the KPLC intends to improve quality of services to consumers, and we are already talking to donors to give us money to strengthen the distribution and supply line so that blackouts become an issue of the past. We are also trying to talk to KPLC to improve connectivity so that their customer base is expanded and they have more customers and, therefore, more revenue and there will be less loss.

Mr. Temporary Deputy Speaker, Sir, regarding the Kenya Pipeline Company, one hon. Member had said that this company charges highly to transport petroleum products than it is charged through the road or the railway. That is an incorrect position. It costs about Kshs1.53 to transport a litre of petroleum products from Mombasa to Nairobi by Kenya Pipeline Company, whereas it costs Kshs1.86 by railway, and Kshs3 by road. So, it is not correct that Kenya Pipeline Company is expensive. In fact, Kenya Pipeline Company is doing commendable work, and very soon it will be back on course and the quality of that service will improve.

It is unfortunate that accidents are happening on the roads. We condole the families of the people who have suffered those accidents, and I think we should use more of the pipeline. On the other hand, we can do less because transport of petroleum products is liberalised, and we cannot insist that tankers do not use the roads.

Mr. Temporary Deputy Speaker, Sir, that is the reason for which a few tankers are still using the road, and probably the state of the road is also bad.

With those many remarks, I beg to move.

(Question put and agreed to)

*(Interruption of Business
Pursuant to Standing Order 142(7))*

*[The Temporary Deputy Speaker
(Mr. Khamasi) left the Chair]*
IN THE COMMITTEE

*[The Temporary Deputy Chairman
(Mr. Khamasi) took the Chair]*

The Temporary Deputy Chairman (Mr. Khamasi): Order, hon. Members! We are in the Committee, and this is the *Guillotine* procedure under Standing Order No.142(7). The rules are that there will be no debate. The Minister will move the Vote and I will put the Question, and then the House will resolve on all the Motions as shown on page 452 of the Order Paper.

Vote 30 - Ministry of Energy

THAT, a sum not exceeding Kshs845,640,295 be issued from the Consolidated Fund

to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 30 - Ministry of Energy

(Question put and agreed to)

Vote 02 - State House

THAT, a sum not exceeding Kshs554,625,215 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 02 - State House

(Question put and agreed to)

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir. Are we allowed to comment on these Votes?

The Temporary Deputy Chairman (Mr. Khamasi): Under Standing Order No.142(7), there is no debate. This is *Guillotine*.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, are we not allowed to make comments?

The Temporary Deputy Chairman (Mr. Khamasi): No, thank you! Under the rules, you cannot.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, so that is just rubber-stamping?

The Temporary Deputy Chairman (Mr. Khamasi): Order, Mr. Angwenyi! We are going by the rules of the House.

Vote 03 - Directorate of Personnel

Management

That, a sum not exceeding Kshs782,628,210 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2004, in respect of:-

Vote 03 - Directorate of Personnel

Management

Mr. Kajwang: On a point of order, Mr. Temporary Deputy Chairman, Sir. We are voting money for Ministries and Constitutional Offices. The Directorate of Personnel Management is neither a Ministry nor a Constitutional Office. What is it? We cannot vote for something that we do not know. This is a very fundamental issue. The Directorate of Personnel Management has the same roles that another constitutional office has, and which we are going to vote for; that is, the Public Service Commission.

We cannot sit here and allow things which are unconstitutional to pass through our fingers just like that!

The Temporary Deputy Chairman (Mr. Khamasi): Very well. Hon. Mr. Kajwang, this is not the first time we are voting money for it. It has been the case in all the departments, whether constitutional or not. As long as the Votes are in the Estimates and under the Standing Orders under

which we are disposing all of them, it is very clear that we cannot debate any of them.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir!

The Temporary Deputy Chairman (Mr. Khamasi): What is your point of order, Mr. Angwenyi?

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, recently, we were ridiculed in the Goldenberg proceedings that we are Members of Parliament who look like fools; that we pass things because they have been passed before. The question raised by hon. Mr. Kajwang is pertinent.

The Temporary Deputy Chairman (Mr. Khamasi): I do appreciate what you have said, Mr. Angwenyi. If you have any question, please, put it to the right Ministry, or else we amend the Standing Orders so that we can be able to debate at this point in time. However, as it is now, and according to the rules of the House, we are going to go through the Motions by the Guillotine as described in our own rules.

(Mr. Angwenyi stood up in his place)

Order, Mr. Angwenyi! You will now comply with the orders of the Chair. We are going to proceed, and I will ask the Minister to proceed. There will be no more questions raised about the manner in which we are voting as prescribed in the Order Paper.

Proceed, Mr. Minister!

The Minister for Energy (Mr. Ochilo-Ayacko): Mr. Temporary Deputy Speaker, Sir, I need your guidance. I just moved Vote 03 and the question had not been put.

The Temporary Deputy Speaker (Mr. Khamasi): Okay, I will then put the question.

(Question put and agreed to)

Mr. Cheboi: On a point of order, Mr. Temporary Deputy Chairman, Sir! Now that it seems all the Votes will be voted in that same manner, why can you not let all of them be read as one Vote, then we simply vote?

The Temporary Deputy Chairman (Mr. Khamasi): Order, Mr. Cheboi; that is not the procedure. We will follow the procedure as laid down in our rules.

(Mr. Omingo stood up in his place)

Hon. Omingo, I hope you are not standing to speak on the same subject. If you are, then you are out of order. If it is a different point of order, I will allow it.

Mr. Omingo: Mr. Temporary Deputy Chairman, Sir, I am talking about the quantities of sums involved in this. I know it may hurt you; I do not want to raise your anger, but as it were, I must go on record as having said on the Floor of this House that what used to happen in the past must not be done because it was a practice.

The Temporary Deputy Chairman (Mr. Khamasi): You are out of order, and I have already said that if you are dissatisfied with this, we must change our own rules. Until you have changed the rules, we can do nothing about this. You are at liberty to change the rules of this House any time.

Vote 04 - Ministry of Foreign Affairs

THAT, a sum not exceeding Kshs1,843,131,500 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 04 - Ministry of Foreign Affairs

(Question put and agreed to)

Vote 05 - Office of the Vice-President and Ministry of Home Affairs

THAT, a sum not exceeding Kshs2,492,089,030 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 05 - Office of the Vice-President and Ministry of Home Affairs

(Question put and agreed to)

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir. We have all sworn to uphold and defend the Constitution of Kenya. The Constitution of Kenya says we should only discuss Ministries or departments of Government. We cannot discuss anything which is not a Ministry or a department of the Government. If we have all taken the oath to protect and defend the Constitution of Kenya, including the Chair, I do not think it is fair to discuss matters that are unconstitutional on the pretext that we have been doing it before.

The Temporary Deputy Chairman (Mr. Khamasi): Mr. Angwenyi, you are out of order. Mr. Minister, could you proceed.

Vote 06 - Ministry for Planning and National Development

THAT, a sum not exceeding Kshs462,899,945 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 06 - Ministry for Planning and National Development

(Question put and agreed to)

Vote 07 - Ministry of Finance

THAT, a sum not exceeding Kshs10,399,946,235 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 07 - Ministry of Finance

(Question put and agreed to)

Vote 08 - Department of Defence

THAT, a sum not exceeding Kshs8,897,217,150 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 08 - Department of Defence

(Question put and agreed to)

Vote 09 - Ministry of Regional Development

THAT, a sum not exceeding Kshs611,850,310 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 09 - Ministry of Regional Development

(Question put and agreed to)

Vote 14 - Ministry of Transport and Communications

THAT, a sum not exceeding Kshs1,009,001,255 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 14 - Ministry of Transport and Communications

(Question put and agreed to)

Dr. Galgalo: On a point of order, Mr. Temporary Deputy Chairman, Sir. To be fair to the Kenyan taxpayers, we are passing huge sums of money here but even the Ministers of these Ministries are not here.

Mr. Temporary Deputy Chairman, Sir, at least, they should have had the courtesy to be here to listen, although this is a ceremony in which we have to go through.

The Temporary Deputy Chairman (Mr. Khamasi): So, what is your point of order, Dr. Galgalo?

Dr. Galgalo: Is it in order for Ministers to be away when we are passing their Votes?

The Temporary Deputy Chairman (Mr. Khamasi): Once they are represented here, that is in order. Proceed, Mr. Minister!

Vote 15 - Ministry of Labour and Human Resource Development

THAT, a sum not exceeding Kshs761,750,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 15 - Ministry of Labour and Human Resource Development

(Question put and agreed to)

Vote 16 - Ministry of Trade and Industry

THAT, a sum not exceeding Kshs887,043,880 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June,

2004, in respect of:-

Vote 16 - Ministry of Trade and Industry

(Question put and agreed to)

Vote 17 - Ministry of Justice and Constitutional Affairs

THAT, a sum not exceeding Kshs95,424,780 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 17 - Ministry of Justice and Constitutional Affairs

(Question put and agreed to)

Vote 18 - Ministry of Gender, Sports, Culture and Social Services

THAT, a sum not exceeding Kshs559,974,150 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 18 - Ministry of Gender, Sports, Culture and Social Services

(Question put and agreed to)

The Temporary Deputy Chairman (Mr. Khamasi): Order, hon. Members! I think we should do this in silence. There are a lot of disturbances and I would kindly ask hon. Members to observe that, when we are passing a Vote on these Ministries, we must do it in silence.

Vote 25 - Office of the Attorney-General

THAT, a sum not exceeding Kshs198,336,980 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 25 - Office of the Attorney-General.

(Question put and agreed to)

Vote 26 - Judicial Department

THAT, a sum not exceeding Kshs554,182,100 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 26 - Judicial Department.

(Question put and agreed to)

Vote 27 - Public Service Commission

THAT, a sum not exceeding Kshs104,850,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 27 - Public Service Commission.

(Question put and agreed to)

Vote 28 - Office of the Controller and Auditor-General

THAT, a sum not exceeding Kshs202,550,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 28 - Office of the Controller and Auditor-General.

(Question put and agreed to)

Vote 29 - National Assembly

THAT, a sum not exceeding Kshs2,336,229,950 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 29 - National Assembly.

(Question put and agreed to)

Vote 33 - Electoral Commission

THAT, a sum not exceeding Kshs605,400,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 33 - Electoral Commission.

(Question put and agreed to)

Vote 36 - Ministry of Lands and Settlement

THAT a sum not exceeding Kshs736,117,445 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 36 - Ministry of Lands and Settlement

(Question put and agreed to)

Vote 45 - National Security Intelligence Service

THAT a sum not exceeding Kshs1,950,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 45 - National Security Intelligence Service

(Question put and agreed to)

Vote 46 - Ministry of Tourism and Information

THAT a sum not exceeding Kshs529,225,740 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 46 - Ministry of Tourism and Information

(Question put and agreed to)

The Minister for Energy (Mr. Ochilo-Ayacko): Mr. Temporary Deputy Chairman, Sir, I beg to move that the Committee of Supply do report to the House its consideration of the Resolution and its approval of the same without amendment.

(Question put and agreed to)

[The House resumed]

*[The Temporary Deputy Speaker
(Mr. Ethuro) in the Chair]*

REPORTS

REMAINING VOTES IN COMMITTEE OF SUPPLY ON TWENTIETH AND LAST ALLOTTED DAY

The Temporary Deputy Speaker (Mr. Ethuro): Mr. Khamasi, you may just make it the sum voted and the Vote without the formal words.

The Temporary Deputy Chairman (Mr. Khamasi): Thank you, Mr. Temporary Deputy Speaker, Sir.

[The Temporary Deputy Chairman]

	KShs
Vote 02 - State House	554,625,215
Vote 03 - Directorate of	

Personnel Management	782,628,210
Vote 04 - Ministry of Foreign Affairs	1,843,131,500
Vote 05 - Office of the Vice-President and Ministry of Home Affairs	2,492,089,030
Vote 06 - Ministry of Planning and National Development	462,899,945
Vote 07 - Ministry of Finance	10,399,946,235
Vote 08 - Department of Defence	8,897,217,150
Vote 09 - Ministry of Regional Development	611,850,310
Vote 14 - Ministry of Transport and Communications	1,009,001,255
Vote 15 - Ministry of Labour and Human Resource Development	761,750,000
Vote 16 - Ministry of Trade and Industry	887,043,880
Vote 17 - Ministry of Justice and Constitutional Affairs	95,424,780
Vote 18 - Ministry of Gender, Sports, Culture and Social Services	559,974,150
Vote 25 - Office of the Attorney-General	198,336,980
Vote 26 - Judicial Department	554,182,100
Vote 27 - Public Service Commission	104,850,000
Vote 28 - Office of the Controller and Auditor-General	202,550,000
Vote 29 - National Assembly	2,336,229,950
Vote 33 - Electoral Commission	605,400,000
Vote 36 - Ministry of Lands and Settlement	736,117,445
Vote 45 - National Security Intelligence Service	1,950,000,000
Vote 46 - Ministry of Tourism and Information	529,225,740

The Minister for Energy (Mr. Ochillo-Ayacko): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolutions.

The Minister for Finance (Mr. Mwiraria) seconded.

(Question proposed)

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, we are now approving the Budget for the Government and I would like to reiterate that the funds we are about to approve should be properly spent for the benefit of Kenyans. I know that the Minister for Finance is a man of great integrity.

(Applause)

I know this because I have worked with him in Committees of the House, and he has proven to be a man beyond reproach. However, I would like to remind him that there are certain loopholes which have been inherited from the previous system, and which which he must, therefore, close. We know that we pay Kshs100 million every month to Westmont, an independent power producer. The cost of power from this company is five times more than what it costs to get power from KenGen. The rates for power are so high, and yet the people we pay do not supply us with power most of the time. The Minister for Energy should not collude with those people who are supplying power at exorbitant rates. He can save our resources and use them to supply services to this country.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Ethuro): Hon. Members, I want to ask you to make very brief comments. Do not open debate again.

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, I want to congratulate the Minister for Finance for having the first NARC Budget passed by this august House. I also wish to say that in the previous Government, Ministers used to be belittled by the Permanent Secretaries and the other civil servants.

Mr. Temporary Deputy speaker, Sir, this Government has given Ministers powers, but we need a mechanism to stop them from creating tribal territories. Every Minister who has appointed officers in his Ministry has favoured his constituents. We need a balance as the country is larger than Ministers' constituencies. However, I do not want to give examples now that the Temporary Deputy Speaker has asked us not to re-open debate. But if I were to give examples, I would name a minimum of five within of a second.

With those few remarks, I beg to support.

Eng. Muriuki: Mr. Temporary Deputy Speaker, Sir, I stand to support the Motion that the House is about to adopt. However, it is about time that this House reviewed the whole process of the Budget. We should have the Budget presented and each Minister tabling his Vote, and we just make general comments without room for adjusting them.

At the end of the day, we end up with more than half the Votes being passed through the Guillotine procedure, which means the House, although in good faith, does not really know what those Votes are all about. The House is not given an opportunity to examine those Votes. I think it is about time we followed what is more common in the rest of the world where Ministries' Votes are examined and scrutinised by the relevant Departmental Committees. If it is for the Ministry of Agriculture, it is referred to the Agriculture, Lands and Natural Resources Committee so that, on behalf of the House, it can scrutinise that particular Vote and make a report to the House.

My final point is that, way back in May this year, I did file a Motion to change the budgetary procedure so that these estimates are referred to the relevant Departmental Committees before they are brought to the House. For some reason, which I cannot understand, it has not been approved. I have written twice to the Speaker, but I have not gotten an answer. I would urge that one way or the other, a decision be made, so that this House can have an opportunity to debate and decide which way it wants to go. Right now, excuse my words, it is like we are wasting a lot of time.

Thank you very much.

Mr. Mwandawiro: Asante sana, Bw. Naibu Spika wa Muda. Nachukua nafasi hii kumpongeza Waziri wa Fedha kwa kuwakilisha Bajeti yake ya kwanza chini ya uongozi wa Serikali ya NARC. Ningeomba tu kwamba wakati huu tunapotekeleza Bajeti hii, tuhakikishe ya kwamba tutatumia pesa hizi vizuri kurekebisha maovu yote yaliyofanywa hapo awali. Naunga mkono harakati zote za kupambana na ufisadi zinazoendelea hapa nchini. Hata hivyo, Bunge hili ni lazima lihakikishe ya kwamba wananchi wetu wana imani na shirika la National Security Intelligence Services (NSIS). Wakati huu tumewapa pesa nyingi sana ili waendeleo kuaminika na kulinda usalama wetu. Hata hivyo, maofisa wote waliohusika kuwatesa watu katika Nyayo House ni lazima tuwachukulie hatua ili

wananchi wawe na imani na NSIS, kwamba italinda haki za binadamu.

Mr. ole Ntimama: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to say something about equitable distribution of resources in this country. I have been saying it many times. We have now passed all Votes here. However, early this afternoon, an hon. Member talked about the impossibility of accessing Maasailand in Narok District or going to the Maasai Mara Game Reserve because there are no roads. What is there are cattle tracks. What has been happening is that some powerful people have stopped developing the roads in Narok District because they wanted to get their aeroplane business flourish. Some of these things must stop so that the people can really be assisted. How do you develop tourism, especially in an area that is so---

The Temporary Deputy Speaker (Mr. Ethuro): Mr. ole Ntimama, just make a brief comment.

Mr. ole Ntimama: I am finishing off, Mr. Temporary Deputy Speaker, Sir. Let roads leading to Maasai Mara Game Reserve and everywhere else be done, if we want tourism to flourish.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Dr. Galgallo: Thank you, Mr. Temporary Deputy Speaker, Sir. I have two quick comments. First, we know the NARC Government promised that it will give special consideration to marginalised areas. We did not see much of it this year. We pray that next financial year, and in subsequent years, we will see a difference and that there will be a focus that will give greater allocation to the marginalised areas of northern Kenya.

Secondly, although we trust this Minister, it is painful that he had to budget about 50 per cent based on donor support, which may not come.

We want to ask the Minister to, as much as possible, see what he can raise locally and save this country rather than being taken round in circles by the so-called "donors" and say that he has 50 per cent of the budget of a certain project. The pledged amount may come or may not come. So, let us look around and save our country.

The Minister for Finance (Mr. Mwiraria): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Ethuro): Is it necessary, Mr. Minister?

The Minister for Finance (Mr. Mwiraria): Mr. Temporary Deputy Speaker, Sir, is it in order for the hon. Member to say that we are depending 50 per cent on donor support when our dependence on donor support has not even reached 12 per cent?

The Temporary Deputy Speaker (Mr. Ethuro): You may have the Floor, Mr. Omondi.

Mr. Omondi: Mr. Temporary Deputy Speaker, Sir, there is one very glaring anomaly here that we were really restrained from debating, namely, the role of the Directorate of Personnel Management (DPM) as opposed to that of the Public Service Commission (PSC). Basically, these bodies, I think, do the same thing. I feel that what the DPM does is not actually as known to the community as the PSC. But to my surprise, the DPM has been given close to Kshs1 billion, while the PSC has only been given Kshs104 million. I think, in future, this matter must get attention.

Ms. Mbarire: Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion, and also to say that I would wish that, in future, we see wider consultations in the process leading to the Budget, so that we, as Members of Parliament and representatives of other sectoral interests, can have a say in what actually comes out of the final Budget. I am also keen that, in future, we do not just have a Budget that is read to us on the Budget Day when we were not expecting anything of the sort. We would like to have a clue of what to expect in the final Budget. So, I wish to request the Minister that, from next year, let us have wider consultations. Let us look at the gender implications of whatever resources will be given out. Let us also look at all the other marginalised areas and see whether the resources that will be allocated will sufficiently meet their needs.

With that, I beg to support.

Mr. Muiruri: Mr. Temporary Deputy Speaker, Sir, mine is purely a small observation. I stand to support the Motion.

Mr. Temporary Deputy Speaker, Sir, if you look at the Budget, you will realise that the amount allocated to the Electoral Commission of Kenya (ECK) is Kshs605 million, which is much more than what has been allocated to vital Ministries. The ECK is only active at the time of the General Elections. One wonders then why it has been allocated so much money when very important Ministries have been left with almost nothing.

Mr. Syongoh: Mr. Temporary Deputy Speaker, Sir, I thank you very much for giving me the opportunity to make just two observations.

First of all, I would like to support Mr. ole Ntimama in his assertion that there must be affirmative action in order to bring into line those areas of the Republic of Kenya which have, for 40 years, been neglected and left to feel as if they are not part and parcel of Kenya.

Secondly, there is need for the Government to be business-minded. There are certain areas in this country which, if the Government makes just a little additional investment in terms of infrastructure, it stands to gain considerable amounts of money in terms of foreign exchange as well as contribution to the Gross Domestic Product (GDP). A glaring example is Suba District, which, presently produces Kshs3 billion worth of fish for export, excluding the fish that is supplied to the domestic market. However, because fish is perishable, 40 per cent of the fish that is produced goes to waste due to lack of electricity.

Mr. Temporary Deputy Speaker, Sir, if we invested just Kshs200 million on the beaches through the Rural Electrification Programme, we would increase our foreign exchange by Kshs1.6 billion. There is, therefore, need for the Government to be business-minded and put our money where our mouths are.

Thank you.

The Temporary Deputy Speaker (Mr. Ethuro): Finally, the Minister!

The Minister for Energy (Mr. Ochilo-Ayacko): Mr. Temporary Deputy Speaker, Sir, on behalf of the Government, I want to thank all Members who have participated in supporting this Motion. We, as the Government, will make sure that the public gets value for the money they give us.

I just want to correct the impression given by one hon. Member that we are in collusion with one of the Independent Power Producers (IPPs). There is an IPP, that is Westmont Power Company, whose term is up. We have given them notice to conform to the prevailing rates. If they are not able to conform to the rates, I have given instructions that they are at liberty to pack up and go.

With those few remarks, I beg to support.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ethuro): Hon. Members, it is now time to interrupt the business of the House. The House is, therefore, adjourned until tomorrow morning, Wednesday, 29th October, 2003, at 9.00 a.m.

The House rose at 6.25 p.m.