

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 6th December, 2006

The House met at 9.00 a.m

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

PRAYERS

PAPER LAID

The following Paper was laid on the Table:-

The Report of the Workshop on the Role of the Fiscal Analysis and Appropriation Committee and the Office of Fiscal Analysis.

(By Mr. Oloo-Aringo)

NOTICE OF MOTION

MOTION OF NO CONFIDENCE
IN THE GOVERNMENT

Mr. Kenyatta: Mr. Temporary Deputy Speaker, Sir, I beg to give notice of the following Motion:-

THAT, noting with concern that the Government has failed in its role of providing leadership and guidance; being aware that the Government has failed to ensure the safety and security of its citizens and in view of the fact that the Government has failed to protect the democratic ideals enshrined in our Constitution and cognisant that the Government has wantonly disregarded the rule of law, violating the Constitution and thereby lost the moral, legal and constitutional authority to govern; this House, pursuant to the provisions of Section 69(3) of the Constitution, resolves that it has no confidence in the Government of Kenya.

(Applause)

QUESTIONS BY PRIVATE NOTICE

USE OF GOVERNMENT VEHICLE
BY FORD(K) OFFICIALS

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State for Public Service, the following Question by Private Notice.

(a) Is the Minister aware that on 30th November, 2006, Mr. Gerald Otieno Kopyio and

Captain (Rtd) Charles Masinde were driven in a Government vehicle, Registration Number GK 689H, to the Registrar of Societies to file and execute an alleged change of leadership in FORD(K)?

(b) Could the Minister inform the House to which officer this vehicle is assigned and state how the two individuals, who are not public servants, acquired the use of a Government vehicle?

(c) Could the Minister further state whether this does not amount to abuse of office by the officer who released the vehicle, contrary to the provisions of the Public Officer Ethics Act?

(d) What disciplinary measures is the Minister taking against the officer concerned?

The Assistant Minister for East African Community (Dr. Khalwale): On a point of order, Mr. Temporary Deputy Speaker, Sir. Going through this Question, it seems there is an electoral process which took place. Since this matter is a subject of a court process, would it not be *sub judice* if you went ahead and allowed this Question to be asked?

The Temporary Deputy Speaker (Mr. Poghisio): Why do you not allow the Minister to reply?

The Minister of State for Public Service (Mr. Akaranga): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) I am not aware.

(b) This vehicle is not assigned to any particular officer. The vehicle bearing the above Registration Number GK 689H belongs to the Ministry of Livestock and Fisheries Development. However, I am not aware that the two individuals used the vehicle on 30th November, 2006 as alleged.

(c) Yes, it will amount to abuse of office if the allegations are proved.

(d) No action is being taken as the Ministry of Livestock and Fisheries Development says that the vehicle was not used by the two individuals on 30th November, 2006.

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, you can hear the kind of answer coming from that Ministry. We have had an invisible hand in all the problems we are having right now in political parties.

(Applause)

We are not going to allow this matter to go on.

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Wamunyinyi! Ask your question!

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, the culture of hijacking political parties in this country cannot be allowed and this Minister--

The Temporary Deputy Speaker (Mr. Poghisio): Ask your question!

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, let me now ask my question. The television media showed this vehicle during news time. In fact, everybody saw Mr. Gerald Otieno Kopyo emerging from this vehicle at the Registrar of Societies office accompanied by Captain (Rtd) Charles Masinde.

The Temporary Deputy Speaker (Mr. Poghisio): What is your question?

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, I do not think this Minister wants to show that they are so ignorant that they did not see this vehicle on television!

The Temporary Deputy Speaker (Mr. Poghisio): Order! Mr. Wamunyinyi ask your question because this is a Question and Answer Session, and use parliamentary language!

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, now that I have informed this Minister that this vehicle was used by these two people and it was captured by the television media and everybody saw it, could he assure the House that the Government is going to withdraw its attempts of supporting political party hijackers?

Mr. Akaranga: Mr. Temporary Deputy Speaker, Sir, first of all, let me take this opportunity to congratulate the hon. Member of Parliament for having graduated the other day from the University of Nairobi.

(Applause)

One of the things he learned is that research is very important. Let me inform him that this particular vehicle was not used for that particular purpose because it belongs to the Ministry of Livestock and Fisheries Development. When the hon. Member says that everybody saw it on television, he includes even those people who do not own televisions, that they saw it. We cannot allow that. Let him bring facts!

(Laughter)

Mr. Oloo-Aringo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Minister to infer that, indeed, many Kenyans do not have TV sets and did not, therefore, see it on TV when, indeed, we also heard over the radio, the vehicle being named by the announcers?

The Temporary Deputy Speaker (Mr. Poghisio): What is your question, Mr. Kenyatta?

Mr. Kenyatta: Mr. Temporary Deputy Speaker, Sir, you have heard very clearly, the Minister refusing to answer the question. Is he in order to mislead this House when it is clear that the vehicle was not only seen on TV but its registration number was also mentioned over the radio? He is now telling us that, that vehicle was not used. Is he in order to mislead the House?

Mr. Akaranga: Mr. Temporary Deputy Speaker, Sir, if I have to answer this question on the basis of what people saw on TV, I would need your guidance. This is something which you could even confirm, and I am confirming to you that the particular vehicle belongs to the Ministry of Livestock and Fisheries Development. That Ministry has confirmed that the vehicle was not used. So, if the vehicle was not used---

*(Several hon. Members stood
up in their places)*

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order! Hon. Members, this is Question Time. As you know, we have only a certain amount of time for each Question.

Mr. Ndambuki, do you still have a supplementary question?

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, the Government is supposed to tell the truth, regardless of how hard it is to do so. We saw the vehicle. It is not a matter of reading in the Press about it or hearing it being mentioned on radio.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Ndambuki, ask your question now.

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, could the Minister say the truth? Was this vehicle involved? If it was involved, why did the Government get involved in the party's issue?

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order, hon. Members. The Minister has brought an answer of which you all have copies. If you pray so much for him to give his personal opinion, it is going to be different. So, let him answer the question but, please, do not keep on asking him for something beyond what he can answer.

Maj-Gen. Nkaiserry: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to mislead this House? He has admitted that the vehicle belongs to the Ministry of

Livestock and Fisheries Development. The issue is that the vehicle was used by the two individuals to go and register a political party supported by the Government. He has admitted that the vehicle belongs to the Government. The same vehicle was used by the two individuals. Is he in order to mislead this House?

Mr. Akaranga: Mr. Temporary Deputy Speaker, Sir, I do not think I will go by those allegations. I have confirmed that the particular vehicle belongs to the Ministry of Livestock and Fisheries Development, and that it was never used on that particular day. You know very well that I do not lie.

*(Several hon. Members stood
up in their places)*

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order, hon. Members! This is just one of many Questions. I will, therefore, allow only one more supplementary question from the leader of the Official Opposition.

Mr. Kenyatta: Mr. Temporary Deputy Speaker, Sir, the Government is, clearly, trying to deny that it has a hand in all these party coups. Is the Minister further aware that intelligence officers around the country are demanding from branch chairmen of the various political parties, lists of the delegates of those parties? Why is the Government so much interested in the affairs of political parties if it is not just for the purpose of interfering with the democratic process?

The Temporary Deputy Speaker (Mr. Poghisio): I do not think the Minister can answer that question, Mr. Kenyatta.

Hon. Members: Why not?

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order, hon. Members! You know, questions are answered according to the Question appearing on the Order Paper. Supplementary questions are based on answers given to questions raised earlier. You just keep on building on supplementary questions to get an answer. Let us not bring new Questions. I will now give the last chance to the Questioner.

An hon. Member: On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghisio): Overruled!

Last question, Mr. Wamunyinyi!

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, you have been told that Government officers are going round the country, collecting names of delegates.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order! Mr. Wamunyinyi, this is not a *baraza*! You are supposed to ask your last supplementary question. We cannot take so much time on one Question. We have other Questions as well. So, ask your last question.

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, it was wrong in the first place for the Minister to answer this Question, because he is an interested party in the matter raised.

(Applause)

The Temporary Deputy Speaker (Mr. Poghisio): What is your question?

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, let him deny or confirm to this House that he is an interested party in this matter since he is running for a leadership position in FORD(K), and that he has been misusing public vehicles himself.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order, hon. Members!

Mr. Maore: On a point of order, Mr. Temporary Deputy Speaker, Sir. This House expects public servants to tell the truth to the various Departmental Committees, the Public Accounts Committee and the Public Investments Committee, and not to mislead them.

The Temporary Deputy Speaker (Mr. Poghisio): What is your point of order?

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, you are presiding over some business where a Minister is bluntly misleading the House. What do you say about it?

The Temporary Deputy Speaker (Mr. Poghisio): What is your point of order?

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, my point of order is that the story from the Minister is a blunt lie because, we all saw the vehicle.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order! Even when you lose your composure, you cannot call anything that comes to the Floor of this House a lie. Do you know parliamentary language? We had better come back to where we, normally, are; the Sitting of Parliament.

Next Question, Mr. Wambora!

CONSTANT POWER FAILURE AT
RUNYENJES KCC COOLING PLANT

Mr. Wambora: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Co-operative Development and Marketing, the following Question by Private Notice.

(a) Is the Minister aware that following constant power failure at the New KCC Runyenjes cooling plant due to irregular power supply, the dairy farmers from Embu and Meru South districts have incurred huge losses in respect of unsold milk?

(b) If the answer to part "a" above is in the affirmative, what is the Government, and, or New KCC Limited doing to ensure that a generator is fixed at the Runyenjes Milk Cooling Plant?

The Temporary Deputy Speaker (Mr. Poghisio): Where is the Minister for Co-operative Development and Marketing?

An hon. Member: He should be dropped!

The Temporary Deputy Speaker (Mr. Poghisio): Who is the Minister for Co-operative Development and Marketing? Is the Assistant Minister not here?

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Temporary Deputy Speaker, Sir, normally, I check up with Ministers on the Questions they are supposed to answer. I expected both the Minister and his assistant to be here. So, probably, they should be walking in any time now.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Wambora, since the Minister is not here, is it okay if I defer your Question until tomorrow?

Mr. Wambora: It is okay, Mr. Temporary Deputy Speaker, Sir.

(Question deferred)

The Temporary Deputy Speaker (Mr. Poghisio): Next Question by Mr. Mirugi!

DRYING UP OF
LAKES ELEMENTAITA/NAKURU

(Mr. Mirugi) to ask the Minister for Tourism and Wildlife:-

(a) Is the Minister aware that Lakes Elementaita and Nakuru are about to dry up completely?

(b) What measures has the Minister taken to ensure that the status of these two lakes does not deteriorate any further?

(c) How much money has been set aside this financial year towards conservation of the lakes?

The Temporary Deputy Speaker (Mr. Poghio): Hon. Members, this Question was supposed to be answered by the Ministry of Environment and Natural Resources and not the Ministry of Tourism and Wildlife. Therefore, it is going to be deferred and redirected to the relevant Ministry.

(Question deferred)

ORAL ANSWERS TO QUESTIONS

Question No.476

POSTING OF LAND REGISTRAR/SURVEYOR/VALUER TO BUTERE/MUMIAS DISTRICT

Mr. Oparanya asked the Minister for Lands:-

(a) whether he is aware that there is no Land Officer, Land Registrar, Land Surveyor and Valuer at the Butere/Mumias District Headquarters; and,

(b) when he will post these officers to the district.

The Assistant Minister for Lands (Mr. Kamama): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) I am aware that my Ministry has not deployed a Land Officer, Land Registrar, Land Surveyor and Valuer at the Butere/Mumias District.

(b) Once adequate and secure offices are established, I will post the officers to that particular district.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Oparanya: Mr. Temporary Deputy Speaker, Sir, this Question was deferred on the Minister's request because he did not have a satisfactory answer. But the Assistant Minister has read out the same, same answer today. I do not know why the Minister asked for the Question to be deferred at that time.

Nevertheless, Butere/Mumias District was established nine years ago, and the Assistant Minister has said that once adequate and secure offices are established, he will post the officers to that particular district. Who is supposed to establish those offices? Is it the *wananchi* or the Government which is supposed to establish those offices?

Mr. Kamama: Mr. Temporary Deputy Speaker, Sir, this particular Question was deferred because we had not received sufficient information. The information that we have now is actually what we wanted to get from the ground.

I am aware that this particular district has actually stayed for nine years without getting those particular officers, but this situation is not only applicable to that particular region. We have many districts which are being served from neighbouring districts because of financial constraints. So, we are going to work very hard to make sure that we get finances to establish those offices. So, I would like to ask the hon. Member to be a bit patient and we will post those officers there once we get adequate resources.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. J. Nyagah: Mr. Temporary Deputy Speaker, Sir, just like Mumias/Butere District, the people of Mbeere District, after ten years of independence from Embu District, continue to travel long distances---

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order! Order, hon. Members! Hon. Members have begun to raise their voices when consulting. Consultations are getting louder. So, please, consult silently so that other hon. Members can hear the Questions and the answers.

Mr. J. Nyagah: Mr. Temporary Deputy Speaker, Sir, I was saying that, like Butere/Mumias District, the people of Mbeere District have been independent from Embu District for over ten years now, but they still have to travel very far to the Land Registrar in Embu District, and they are our brothers. Could you give priority to the oldest districts so that we know that the Government has a programme of posting those officers to the oldest new districts?

Mr. Kamama: Mr. Temporary Deputy Speaker, Sir, first, I am not aware that Mbeere District got independence from their neighbouring brothers, Embu District for over ten years now. I am only aware that they were given a new district and that quite a number of officers were posted there. But Land Officers were not posted there because it was found prudent that these services be actually provided from Embu District. But, nevertheless, we are going to draw a programme that will take care of all the new districts that were created at that time by the previous regime and the new districts that are going to be created by this regime.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Osundwa: Thank you, Mr. Temporary Deputy Speaker, Sir. You have heard that Butere/Mumias District is not one of the districts that were created during---

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

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Bifwoli! Take your seat!

Mr. Osundwa: Mr. Temporary Deputy Speaker, Sir. I was saying that Butere/Mumias District is not one of the districts that was created during the referendum period, when this Government was in disarray; and it is still in disarray even today. I want the Assistant Minister to assure this House that money will be allocated to establish those offices in Butere/Mumias District in the next financial year.

Mr. Kamama: Mr. Temporary Deputy Speaker, Sir, first, I want to confirm that this Government was not in disarray during the referendum period, because the referendum is provided for by the Constitution of Kenya Review Commission (CKRC) Act and it was carried out in accordance with the provisions of that Act. So, the issue of officers being posted in the next financial year will be subject to availability of funds from the Treasury. But we will work very hard to ensure that Butere/Mumias District is given priority, because I know that, that district is very populous and requires those services.

Thank you.

Mr. Bifwoli: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has said that Butere/Mumias District has been in existence for the last ten years, and this Government has not posted Land Officers, Land Registrars, Land Surveyors and Valuers. Why did the Government create the district if they were not ready to post officers there?

Mr. Kamama: First, Mr. Temporary Deputy Speaker, Sir, I want to confirm to the hon. Member that this Government has been in existence for only four years. I also want to confirm that this Government did not create Mumias/Butere District. It was created by the previous regime. So, that question is actually misdirected. Nevertheless, we know that the previous regime did not do it,

but we will do it once we have adequate resources.

Mr. Bifwoli: On a point of order, Mr. Temporary Deputy Speaker, Sir. You heard the Assistant Minister denying that they are not in the Government and that this country is still under the former Government. That is why they are unable to address the shortcomings facing this country.

Hon. Members: Is he in order!

Mr. Kamama: Mr. Temporary Deputy Speaker, Sir, those are not my words. Those are hon. Bifwoli's words.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order! Order, hon. Members! Mr. Assistant Minister, you were heard or I heard you saying that the question was misdirected. Those are your words!

Mr. Kamama: Mr. Temporary Deputy Speaker, Sir, the hon. Member for Bumula said that we have refused to post officers there, and this district has been in existence for over ten years. I said that we are willing to post officers there once we get adequate resources. The issue of saying that this question has been misdirected, I think that I told the hon. Member that, that decision was supposed to have been made by the previous regime. But since they failed to do that, we are going to assist that district.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghisio): Last question, Mr. Oparanya!

Mr. Oparanya: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister says that we have to be patient. However, we have been patient for the last ten years. I would like a commitment from him that, at least, a land surveyor will be sent to the district immediately.

Mr. Kamama: Mr. Temporary Deputy Speaker, Sir, that is a request. I wish to assure the hon. Member that, first of all, we will liaise with the Public Service Commission (PSC) to make sure that this issue of the newly-created districts is addressed in as far as the posting of those officers is concerned. But for the case of Butere/Mumias District, we will explore that possibility and post a surveyor there very soon.

Mr. Temporary Deputy Speaker (Mr. Poghisio): Next Question by Mr. Too!

Question No.694

RELOCATION OF OFFICERS FROM
NG'OMWET POLICE POST

Mr. Too asked the Minister of State for Administration and National Security:-

(a) if he is aware that police officers who were stationed at Ng'omwet Police Post in Kericho have been moved to Kipsitet Centre;

(b) if the answer to "a" above is in the affirmative, if he could confirm whether or not Kipsitet is gazetted as a Police Post; and,

(c) if he could also confirm whether or not Ng'omwet has been degazetted as a police post and if so, why.

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

(a) I am aware that police officers who were stationed at Ng'omwet Trading Centre Police Post in Kericho have been moved to Kipsitet Trading Centre.

(b) Kipsitet Police Post is not yet gazetted as the land where it stands belongs to Kipsitet Co-operative Society and the process of handing over the land to the police is ongoing. When complete, the police post will be gazetted.

(c) Ng'omwet Police Post was on private land, and therefore, it was not gazetted.

Mr. Too: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister says that Ng'omwet Police Post was not gazetted because it stands on private land. That police post is very old. It is actually strategically situated in as far as cattle rustling is concerned. It is situated on the boundary of the Kipsigis and Luos. Could he tell this House why it has taken a long time for the Government to acquire land and gazette that police post?

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, the structures at Ng'omwet Trading Centre were not adequate and the land did not belong to the Government. It, therefore, became necessary to move the police station. Kipsitet Trading Centre is only three kilometres from Ng'omwet Trading Centre. Therefore, the latter and the surrounding areas are adequately served from Kipsitet Trading Centre. Once the co-operative society and the Government agree on the ownership of land, we will gazette Kipsitet Police Post.

Capt. Nakitare: Mr. Temporary Deputy Speaker, Sir, you have heard the answer given by the Assistant Minister. Mr. Too was a Director of the CID and he knows that area very well. Why does he want to teach somebody who knows that area very well? Mr. Too says that the police post is situated on a security buffer on a cattle rustling route. What measures is he taking to protect people who are affected by this cattle rustling?

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, I am not in the business of teaching anybody here. I am just answering the Question asked by the hon. Member. The police post in Kipsitet is situated in a strategic place and it is able to serve the area. The hon. Member did not ask about cattle rustling in his Question. So, I would advise Capt. Nakitare to ask that Question and we will answer it.

The Temporary Deputy Speaker (Mr. Poghio): Is the police post still situated on private land?

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, it is still situated on private land, but the co-operative society is ready to hand it over to the Government. Once that is finalised, we will gazette the police post.

The Temporary Deputy Speaker (Mr. Poghio): Last question, Mr. Too!

Mr. Too: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister says that Kipsitet Co-operative Society is willing to give the Government land. That is still private land. Ng'omwet Trading Centre is situated right on the boundary. It can be used to handle cattle rustling better. Could he consider acquiring the land in Ng'omwet, so that a police post can be built there, rather than in Kipsitet?

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, we cannot force the private owner of the land in Ng'omwet to give it to the Government. But if the hon. Member is prepared to help us to negotiate, we are ready to transfer the police post. The land which we are in the process of acquiring is the one at Kipsitet, which is owned by the co-operative society. But if the owner of the land at Ng'omwet Trading Centre is ready to give it to the Government, we are ready to move the police post there.

Mr. Too: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Assistant Minister says that if I am willing to negotiate with the owner of the land, they will move the police post there. How do I do that when I do not even have land in that area. Is he in order?

The Temporary Deputy Speaker (Mr. Poghio): He is not out of order!

Next Question by Mr. M. Maitha!

Question No.693

DEATH OF MS. MAGDALENA MUTUKU

Mr. M. Maitha asked the Minister of State for Administration and National Security:-

- (a) whether he is aware that Magdalena Kamene Mutuku was burnt to death on 25th November, 2003, in Ngecha Village, Kiambu District; and,
- (b) what caused the fire and when her parents will be compensated.

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

(a) I am aware that Magdalena Kamene Mutuku was burnt to death on 25th November, 2003, in Ngecha Village, Kiambu District. An inquest file No.1/2003 and case file No.7/2006 have been opened to ascertain the cause of the fire.

(b) The cause of the fire has not been established and, therefore, the question of compensation at this particular stage has not been finalised. Until we are able to know what exactly caused the fire, we cannot conclusively give an answer to the question of compensation.

Mr. M. Maitha: Mr. Temporary Deputy Speaker, Sir, the safety of Kamene Mutuku was the responsibility of the house owner. An inquest file has been opened, but up to now, hearing of the inquest has not started. When will this hearing start, Mr. Assistant Minister?

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, an inquest file has been forwarded to the office of the Attorney-General for advice on the inquest. So, I cannot give the exact date when the hearing will start.

Mr. Ochilo-Ayacko: Mr. Temporary Deputy Speaker, Sir, this incident happened in November, 2003, four years ago. Only two activities have taken place. A file has been forwarded to the AG and an inquest has been recommended. Is the Assistant Minister satisfied that his department is efficient when it has taken four years to do just two things?

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, the investigations that have been done do not indicate any foul play. This is because the fire took place in a private house. It may have been an accident. So far investigations do not indicate that anybody could have been criminally responsible for this fire. The inquest is basically a routine whenever the cause of death is not known conclusively. Clearly, there is no indication of any criminal responsibility on the part of either the house owner or the house help. This lady was the house help, who was working in the house at that time the fire broke out. The owner of the House was not present at that particular time. If the relatives of the deceased want the owner of the house to compensate them, then this is a matter for courts to determine. The fire may have been caused by the people who were in the house at that particular time, including the deceased. We sympathise with the family of the deceased for the death, but there is very little that the Government can do.

The Temporary Deputy Speaker (Mr. Poghio): Last question, Mr. M. Maitha.

Mr. M. Maitha: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister says that the file was sent to the AG. According to what we have been hearing here, so many files have been sent to the AG for action, but he does not act on them. Could we request, through this House, His Excellency the President to sack the AG for incompetence?

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, if I may give more facts on this matter, the owner of the house lost two children in this fire. These children were under the care of the house help. So, the issue of the AG being fired by the President does not arise. So many inquest files pass through the AG and are processed. The hon. Member knows of the limitations of the staff in the AG's office and the workload that is involved.

The Temporary Deputy Speaker (Mr. Poghio): Just do not fire the AG! Next Question, Mr. Ochilo-Ayacko.

*Question No.622*LACK OF SUBSTANTIVE CHAIRMAN
FOR SONY SUGAR BOARD

Mr. Ochilo-Ayacko asked the Minister for Agriculture:-

(a) whether he is aware that South Nyanza Sugar Company has been operating without a substantive Chairman of the Board and with an acting Managing Director for the last four months;

(b) why this situation is allowed to prevail; and,

(c) the fate of performance contracts for both the management and the Board.

The Assistant Minister for Agriculture (Mr. Kaindi): Mr. Temporary Deputy Speaker, Sir, I beg to reply

(a) I am aware that South Nyanza (SONY) Sugar Company is operating without a substantive Chairman of the Board and with an acting Managing Director.

(b) The situation is being addressed as the process for the appointment of a Board Chairman is underway, and the Board is seeking consultancy services to recruit a Managing Director.

(c) The performance contracts for both the management and the Board are still valid and are being implemented.

Mr. Ochilo-Ayacko: Mr. Temporary Deputy Speaker, Sir, in the month of May, last year, the head of Government came to South Nyanza and said that the crushing capacity of SONY Sugar Company would be expanded twofold. Is the non-appointment of the Chairman of the Board for the last five months a way of expanding this company? Is the Government not killing SONY Sugar Company, contrary to what the head of Government told the people of South Nyanza and they clapped for him?

Mr. Kaindi: Mr. Temporary Deputy Speaker, Sir, I share the concerns of the hon. Member that there has been inordinate delay. But I just want to assure him that action is being taken and those posts will be filled. I also wish to indicate to the hon. Member that the financial and technical evaluation for the expansion of the factory has already been completed by the factory management and forwarded to us. My Ministry, together with the management, will look for ways and means of funding the proposed expansion of SONY Sugar Company.

Mr. Owino: Mr. Temporary Deputy Speaker, Sir, this expansion programme was given to the Ministry sometime last year. Why has it taken too long for it to be implemented?

Mr. Kaindi: Mr. Temporary Deputy Speaker, Sir, as I indicated earlier, expression of interest has already been put in the newspapers. On 12th January, 2007, a consultancy will be appointed to undertake the process of recruitment of a Managing Director. We have also held consultations with the Office of the President, and been assured that a chairman will be appointed as soon as possible.

Mr. Ochilo-Ayacko: Mr. Temporary Deputy Speaker, Sir, this Government has been famous for performance contracting. In the absence of a substantive chairman, and in the presence of an acting Managing Director, who is the person who can enter into binding and legal agreements on behalf of this State Corporation? I am asking this because when the acting MD goes to banks he is told: "You are merely acting; we are not sure if you will be there next week".

Mr. Kaindi: Yes, it is true that a performance contract was signed by a member of the Board. This is because every time the board members meet they appoint an acting chairman. A member of the Board was mandated to sign the contract on behalf of the chair. This contract, which I have here, is enforceable for one year, and is subject to renewal. As a Ministry, we think that this

contract is in force and the efforts being made are in conformity with the contract terms.

The Temporary Deputy Speaker (Mr. Poghisio): Next Question, Mr. Marende.

(Loud consultations)

Order, Order, hon. Members! Please, consult quietly.
Proceed, Mr. Marende.

Question No.596

MEASURES TO PREVENT DUPLICATION
IN INCORPORATION/ISSUANCE
OF CERTIFICATES FOR COMPANIES.

Mr. Marende asked the Attorney-General what action he is taking to streamline reservation of names, registration of businesses and incorporation of companies in the light of recent alarming public revelations that there is duplication in the incorporation and issuance of certificates for companies.

The Attorney-General (Mr. Wako): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

My office is undertaking a comprehensive computerization exercise of companies and business names registries. Phase I is now complete. Data on 100,000 companies and 300,000 business names has been captured. Phase II commenced in January, 2006. It is expected to be completed by 2008. When completed, the backlog of 40,000 files not yet computerized will have been removed and issues of duplication conclusively dealt with.

Mr. Marende: Mr. Temporary Deputy Speaker, Sir, I thank the Attorney-General for that answer. It, in effect, admits that there is duplication in the registration of business entities and professional companies. However, considering the gravity of the situation, the answer is not satisfactory. The prevailing situation is very dangerous. As you might recollect, a while ago, the Artur brothers registered a company known as Kensington Ltd, while another company was previously incorporated in the same name. Recently, there was another saga in the supply of Electronic Tax Registers (ETRs) by a company known as Princehood Limited. One company was already incorporated but, subsequently, another one was awarded the tender. What urgent measures is the Attorney-General taking in the meantime, before the computerization process is completed, to avoid duplication in the registration and incorporation of companies?

Mr. Wako: Mr. Temporary Deputy Speaker, Sir, first of all, we admit that there is duplication in the registration of companies and business names. But I want to state that the rate of duplication in the registration of companies is not as high as it was, before we began the computerization of the companies registry. In fact, right now, there are very few duplications. Some of them have been outlined by the hon. Member.

Mr. Temporary Deputy Speaker, Sir, fortunately, under Section 20(ii)(a) of the Companies Act, the Registrar can take action and ask the second company to change its name. That is the way to follow for the time being, until the computerization of the registry is complete.

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, the Attorney-General knows the importance of registering companies. What he is saying is not true. When you register a company, you have to search the name. It takes a lot of money and one even needs to re-search to preserve a name. The Attorney-General should not just say that the Registrar can act and ask the second company to change its name.

The Attorney-General has been in that office for quite some time. He is now telling us that

the process of computerization will be completed by 2008. Why has it taken him so long to sort out that problem? Computers have been with us for quite some time.

Mr. Wako: Mr. Temporary Deputy Speaker, Sir, you can rest assured that we began the work when the money was availed by the Treasury. That was way back in 1996. We could not get any funding. In fact, it took a lot of effort to get the United Nations Development Programme (UNDP) to fund us at that time, when donors were not giving us any money. So, the Attorney-General tried his best to computerize the registry of companies. We did that because we know the importance of private companies, which play a vital role in the economic development of this country.

The Temporary Deputy Speaker (Mr. Poghisio): Last question, Mr. Marende!

Mr. Marende: Mr. Temporary Deputy Speaker, Sir, it is bad enough that duplication is still going on. The rate may not be so high but, the fact that it is there means that we are dealing with a situation that is most unhealthy and unpalatable.

Mr. Temporary Deputy Speaker, Sir, the Attorney-General has indicated that it will take up to four years to complete the computerization exercise. In view of the urgency of this matter, could he consider sub-contracting a private company which can complete that exercise in a few months?

Mr. Wako: Mr. Temporary Deputy Speaker, Sir, in fact, that is what is happening.

(Laughter)

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! The next Question is by Mr. Mwandawiro Mghanga.

Capt. Nakitare: On a point of order, Mr. Temporary Deputy Speaker, Sir. In the interest of the House, and noting that the Constituencies Development Fund (CDF) is an important initiative, could we defer this Question?

The Temporary Deputy Speaker (Mr. Poghisio): Well, that might happen. I have information that the Questioner is out of the country. Therefore, this Question is deferred generally.

Question No.446

PAYMENTS TO PUBLIC OFFICERS
INVOLVED IN CDF PROJECTS

(Question deferred)

Next Question by Mr. Gideon Ndambuki!

Question No.656

SAVINGS ACCRUED FROM SURRENDER OF
GOVERNMENT VEHICLES

Mr. Ndambuki asked the Minister for Finance:-

- (a) how many vehicles have been surrendered by Ministers and other Government officers since he issued a directive to that effect;
- (b) whether he could quantify the savings accruing from the surrender of the vehicles; and,
- (c) what disciplinary action he is taking against those who have not

complied with the directive.

The Assistant Minister for Finance (Mr. Kenneth): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) At the end of October, 2006, a total of 104 excess engine capacity vehicles had been surrendered by Ministers and other Government officers.

(b) Following the introduction of the new transport policy, the budget on transport across all Ministries and Government departments was reduced by Kshs1.3 billion, representing a saving.

(c) The Commissioner of Police has been instructed to impound any unauthorized Government vehicle with excess engine capacity.

Mr. Temporary Deputy Speaker, Sir, let me hasten to add that there is a Question requesting information on all other Government vehicles lying in the yards in the Ministries. It is scheduled to be answered next week.

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, I thank the Assistant Minister for that answer. I would like to know whether the saving of Kshs1.3 billion is as a result of saving from fuel or sale of the vehicles.

Mr. Kenneth: Mr. Temporary Deputy Speaker, Sir, no vehicle has been sold. The saving is as a result of withdrawal from use. It is in terms of fuel and maintenance that is no longer necessary, now that those vehicles have been withdrawn from use.

Mr. Owino: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister must be aware that, as long as those vehicles stay idle in the yards, they will deteriorate. What urgent arrangements does he have to dispose them?

Mr. Kenneth: Mr. Temporary Deputy Speaker, Sir, a task force was instituted to look at all those vehicles and, maybe, re-assign some to other Government departments. That task force will complete its work by 15th, December. Thereafter, there will be auctioning of unnecessary vehicles lying in Government yards.

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, a total of 104 vehicles were recovered by end of October. I understand the process is still going on. Does the Assistant Minister anticipate more vehicles to be surrendered by the Ministries?

Mr. Kenneth: Mr. Temporary Deputy Speaker, Sir, I said that the task force has scheduled its workings on 15th December, 2006. I am sure there will be more vehicles as at 15th December, 2006. This will be subject to disposal.

Question No.272

CONSTRUCTION OF BUS STAGES
ON KISII-CHEMOSIT ROAD

Mr. Masanya asked the Minister for Roads and Public Works:-

(a) why he has not constructed bus stages on the recently completed Kisii-Chemosit Road; and,

(b) whether he could consider tarmacking the deviation to Kebirigo and Nyaramba markets.

The Assistant Minister for Roads and Public Works (Eng. Toro): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) Bus stages have not been constructed on the recently completed Kisii-Chemosit Road because a decision was made to construct a wide road throughout to cater for stages and safety due to the super-elevation required for all the curves along the road.

(b) The quantities provided in the contract have been exhausted. Therefore, it will not be

possible to tarmac the deviations to Kebirigo and Nyaramba markets, respectively.

Mr. Masanya: Mr. Temporary Deputy Speaker, Sir, I thank the Assistant Minister for the answer. However, this road, which took over 20 years to be completed, initially, the contract sum included money for the deviations to the two markets and bus stages. What happened to the money?

Eng. Toro: Mr. Temporary Deputy Speaker, Sir, this is one road that has a very long history. If I may just recap what has been happening on this road, which has taken, as the hon. Member says, over 20 years, this road was first awarded to M/s Solel Bonel International in 1986 for a contract price of about Kshs146,500,000. It was terminated in 1998; two years later, due to lack of performance by the contractor. After that, Zakhem International was awarded the contract in April 1988 and it suspended the works after four years in March 1992 for non-payment by the previous Government. Then in 1997, after five years, the Ministry re-negotiated with Zakhem International and increased the contract price to Kshs558 million. Again, in June 1997, the same year, it was terminated because the Government was not paying the contractor. Then the third contract was awarded to HZ Company in July 1997 for an increased contract price of about Kshs800 million. The contractor suspended work in the year 2000 for non-payment. This is when the current contract, M/s Sarajevo were awarded in the year 2001 for a contract price of about Kshs897 million. M/s Sarajevo have been carrying out the work and there was some extension to Nyamira and from Nyamira to the Centre. The current contract price is about Kshs1.2 billion. All the work is going to be completed by April, 2007. In view of the exercise that has taken too long, the decision to widen the road was taken. The issue of putting up bus stages and roads, saving market centres was abandoned so that we could finish the entire road instead of doing part of the road. The funds would have been exhausted if we catered for bus stages and services to market centres.

Mr. Omondi: Mr. Temporary Deputy Speaker, Sir, the omission of these bus stages and connections to the main road is not unique only to Kisii-Chemosit Road. It is true for many recent designs made by the Ministry. I am wondering why they consider these plans foolproof with these omissions when they make it possible for the Bills of Quantities not to include the costs for this kind of jobs.

Eng. Toro: Mr. Temporary Deputy Speaker, Sir, it is not an omission. It is a deliberate plan to widen this road so that even when *matatus* and buses are stopping on the way for people to alight or embark, other vehicles would still comfortably be passing one another. For all the other roads, facilities for bus stages are put in the design. It is only that these days, *matatus* want to drop and pick passengers everywhere. They do not respect where the stages are. They want to stop even where there are no stages. We cannot, because of traffic regulations, put so many bus stages along the road.

Mr. Omondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. I have a typical example now. The Kasarani-Mwiki Road has not included all these things and the construction is ongoing.

The Temporary Deputy Speaker (Mr. Poghisio): What is the point of order?

Mr. Omondi: Mr. Temporary Deputy Speaker, Sir, is the Assistant Minister in order to mislead the House that, that statement is true?

Eng. Toro: Mr. Temporary Deputy Speaker, Sir, Kasarani-Mwiki Road is now being constructed. Until it is complete, the hon. Member cannot say that those facilities will not be provided.

Dr. Manduku: Mr. Temporary Deputy Speaker, Sir, from the history that has been given by the Assistant Minister, you realise that it has taken very many years to make this road. When you go to those areas of Kisii, they know that Kisii-Chemosit Road has been used as a political

tool. Every time there was going to be an election, they used to be told: "Now vote for us because we are going to make this road." However, after the elections, the road is not there. We should appreciate that the Government now has made it possible. Could we ask the Assistant Minister, therefore, to provide also some budget for making these diversions and the buses stages? All vehicles use that route because it is the only passable road, and, therefore, they need designated places to drop and pick passengers and turn into the markets.

Eng. Toro: Mr. Temporary Deputy Speaker, Sir, I agree with the hon. Member that this road was used before for many years as a political tool to vote in KANU during the last various elections. It is a testimony that this Government is not doing development so that it can be voted in. Immediately, it took power, this road was opened by the President and it is going to be complete by 2007.

The issue of the bus stages will be looked into once this road is completed and then all that is left is to look into how we are going to put loops and serve the market centres. That will be easier after the road has been completed.

Mr. Bett: Mr. Temporary Deputy Speaker, Sir, I want to believe also that it was a deliberate move to exclude road signs and road markings on that same road. The road signs are very few and they are not in places where you actually need them. For example, as you approach Chemosit Bridge, there are no signs to indicate to you that you are approaching a bridge, which, as it is today, looks precarious. Was it also a deliberate move to exclude road signs and markings on that road?

Eng. Toro: Mr. Temporary Deputy Speaker, Sir, if the road signs are not there, that is the mistake of the contractor and we will look into that. As I said, since the road is not fully complete and it will be completed in April 2007, we will look and re-examine the road signage all the way from Kisii to Chemosit and to the Centre.

Mr. Masanya: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister said that they widened the road. Now, this road is causing many accidents to happen because of the lack of these stages. The *matatus* drop or pick passengers in the middle of the road and this is causing many accidents. It is completely abnormal for a big road like that to have no stages. Could the Assistant Minister consider, as a matter of urgency to construct the buses stages? Many people are dying!

Eng. Toro: Mr. Temporary Deputy Speaker, Sir, I agree that when the design was done, we decided to widen the road instead of having many bus stops. We did not anticipate the problems that the hon. Member is raising. It is imperative that we have to provide bus stops. That will be looked into separately, because we cannot issue variation orders to the contractor. The Ministry does not issue variation orders now. It will have to be looked into as a separate tender. We shall award the tender to a person who will build those bus stops. We shall incorporate the service to market centres which were omitted in the previous design.

The Temporary Deputy Speaker (Mr. Poghiso): Next Question by the hon. Member for Kasipul-Kabondo.

Question No.560

NON-PAYMENT OF HARDSHIP ALLOWANCE
TO RACHUONYO DISTRICT TEACHERS

Mr. Ahenda asked the Minister for Education why teachers in Rachuonyo District are not paid hardship allowance in spite of the district being classified as an ASAL District.

The Assistant Minister for Education (Mrs. Mugo): Mr. Temporary Deputy Speaker, Sir,

I beg to reply.

Despite being classified as an arid and semi-arid area by the Office of the President, Rachuonyo District is not gazetted as a hardship area according to the Teachers Service Commission (TSC) Code of Regulation for teachers, which was revised in 2005. Teachers employed in that district cannot, therefore, be paid hardship allowance. However, a task force on harmonisation of hardship allowance in the public service appointed by the Office of the President, Directorate of Personnel Management, is currently addressing concerns regarding disparities of payment of hardship allowance in the entire public service, and making recommendations to the Government. The Ministry will, thus, make a decision on payment of hardship allowances for teachers after the report is officially released for implementation.

Mr. Ahenda: Mr. Temporary Deputy Speaker, Sir, I have a different answer but, what is important is that Rachuonyo District is actually an ASAL district as per the Ministry of Planning and National Development. Could the Assistant Minister confirm to the House that when that report is finalised, all the arrears for the teachers in Rachuonyo District will be paid?

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, we shall look at the report when it is completed. We cannot make any commitments at this stage. The code of regulations which has been followed is from the TSC. It is different from the one by the Office of the President. It is a negotiated document between the TSC and Kenya National Union of Teachers (KNUT). It is a new area of negotiation.

Mr. Karaba: Mr. Temporary Deputy Speaker, Sir, this House has been treated to very many reports, inquiries and commissions on various issues. I am sure that, that report might also take another five years to be released. Could the Assistant Minister assure this House that, that report will be completed as soon as possible and that, those teachers who are suffering will be rewarded?

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, the report will not take five years to be released. In fact, it is ready. It is being looked into by the Permanent Secretary in the line Ministry. I have a copy of a letter dated 18th September, 2006, which forwarded the report to all the Permanent Secretaries. As soon as they bring out their recommendations to the Government, I am sure the work will go on quickly.

Mr. Kajwang: Mr. Temporary Deputy Speaker, I just want the Assistant Minister to note the following, which is happening in Suba District where Mbita Constituency is situated.

First of all, a part of the district has been declared a hardship area and the teachers are getting their allowances. Teachers in another part, which is even "harder" in my view, do not get hardship allowance. Teachers are now moving from one part of the district to work in another part of the district, so that they can benefit from that allowance. That is one destabilizing factor.

Secondly, three years ago, that allowance was paid to the other part, but it was recovered. Teachers have not been earning salaries for the last three years. So, could you specifically confirm that you will look into the matter of Suba District?

The Temporary Deputy Speaker (Mr. Poghisio): Could you stop addressing the Assistant Minister directly?

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, the problem is not only in Suba District. It is in many districts. In fact, I have a list here, which shows some of the areas where teachers were erroneously paid the hardship allowances. That is because the TSC and KNUT negotiated that arrangement. There are some divisions or locations that are listed as hardship areas in one district, and others are not. For an area to be declared a hardship area, issues like availability of food, water, transport, communication and climatic conditions are taken into account. They vary from area to area. Some teachers are being deducted that money because they continued receiving that allowance even after being transferred from hardship areas.

Harmonisation is being done to cater for all civil servants, including teachers. When that is done, we shall agree which areas will be treated as having low, medium or high level of hardship. The report has recommended that some areas suffer from high level of hardship, others are medium and others are low, depending on the availability of all those six items in a certain area. One district may have arid and semi-arid areas as well as fertile lands which produce a lot of food. An example is Kieni Division in Nyeri District. It has to be given relief food when other parts of Nyeri are very fertile and have a lot of food. So, you cannot treat the whole district in the same way. That is why we are undertaking the harmonisation exercise. It will be fair because all the line Ministries are involved. The TSC will also be involved.

Mr. Temporary Deputy Speaker, Sir, I cannot give any undertaking now. But when the report comes out, it will be given due consideration for all the areas in the country.

The Temporary Deputy Speaker (Mr. Poghisio): The hon. Member for Nyatike, do you have a supplementary question or a remark?

Mr. Ogur: Mr. Temporary Deputy Speaker, Sir, the problem is the delay. Teachers in Nyatike, which is a totally arid area, have been waiting for that report for years. I have now heard that my neighbours in Suba and Rachuonyo are also affected. What is causing the delay? Is it the Ministry, Minister or the system?

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, I am looking for the part which shows when the task force was appointed. It is not taking years and I think that information is not correct. However, the TSC hardship area allowances were revised last year and agreed upon by the Kenya National Union of Teachers (KNUT), which is the representative organisation of all teachers. What is happening now is the harmonisation of TSC and the Civil Service and it is not taking as long as the hon. Member has suggested. As I said, as recent as September this year, the report was forwarded to the Ministry.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order, there are loud consultations coming from the back! Please, consult in low tones.

Mr. Ahenda: Mr. Temporary Deputy Speaker, Sir, you heard the Assistant Minister say that the information I have given is not correct. That means that the harmonisation process started in 2002, and has taken more than four years. If that is not correct, then I do not know what else is correct. Secondly, it is dehumanising for teachers in Rachuonyo District to see their colleagues in neighbouring constituencies being paid hardship allowances in Nyando District, yet Rachuonyo is an ASAL area gazetted by the Office of the President. Could the Assistant Minister give us a specific date as to when the report will be out?

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, the report should not be coming from the Ministry of Education. I think I have said that before and I cannot keep on answering the same question. I cannot give the specific date as to when the report will be out. However, all the information the hon. Member has is correct.

Question No.508

ELECTRIFICATION OF PUBLIC FACILITIES
IN MATHIOYA DIVISION

Mr. Kamotho asked the Minister for Energy:-

(a) when electricity will be supplied to Karugiro Coffee Factory, Thuita

Secondary School and Kairi Trading Centre in Kamacharia Location, Mathioya Division of Murang'a District;

(b) what the position of the Ministry is, with regard to electricity supply to trading centres, secondary and technical schools, coffee and tea factories located in the rural areas; and,

(c) whether he is aware that providing electricity to trading centres will promote economic growth and create employment opportunities.

The Assistant Minister for Energy (Mr. Kiunjuri): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) The Ministry of Energy cannot give a time frame as to when electricity will be supplied to Karugiro Coffee Factory, Thuita Secondary School and Kairi Trading Centre in Kamacharia Location, Mathioya Division of Murang'a District because implementation of Rural Electrification Programme (REP) is currently done on the basis of recommendations from District Development Committees (DDCs) and the availability of funds. Unfortunately, the four mentioned schemes were not among those submitted by Murang'a DDC to the Ministry for funding consideration over the next two to three years.

(b) Under the current Rural Electrification Policy, priority is given to public facilities including market centres, secondary schools, technical schools, health centres and coffee/tea factories upon recommendation by the respective DDC. However, due to financial resource constraints and high demand for electrification, not all such projects can be implemented in one given time.

(c) Yes, I am aware that providing electricity to trading centres will promote economic growth and employment opportunities which is in line with the Government strategy of wealth creation and poverty eradication. It is for that reason that the Government, since the year 2003, increased funding for the REP relative to the years before.

Mr. Kamotho: Mr. Temporary Deputy Speaker, Sir, I would like to thank the Assistant Minister for that answer. However, I would like him to tell us whether the Ministry is aware that since the advent of CDF, the DDCs have become more or less irrelevant and in fact, most of the work that DDCs used to do is being done by CDF committees in the constituencies? So, when it comes to giving priority to electrification projects, if anything, maybe, the Ministry should liaise with the CDF committees so that they can chip in and ensure that *wananchi* in rural areas can access electricity as soon as practicable.

Mr. Kiunjuri: Mr. Temporary Deputy Speaker, Sir, I think what the hon. Member is trying to say is that we should delink our communication with DDCs and communicate directly with the CDF committees. However, the reason why we deal with DDCs is because we deal with a whole district. If we were to deal with the CDF committees, there would be no proper coordination because we would only be dealing with constituencies. Prioritisation is done at the constituency level and then forwarded to DDCs which prioritise projects according to the constituencies' priorities. If there are any other methods you would like us to apply in order to prioritise the projects according to districts, then we can consider it. But I agree with the hon. Member, that DDCs are becoming irrelevant.

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, could the Assistant Minister tell us whether they have any policies in place in terms of stepping down electricity? You will find that we have power lines passing through trading centres, seven to eight kilometres, yet nothing is done to ensure that we have power in those trading centres. Do we have any policy regarding that?

Mr. Kiunjuri: Mr. Temporary Deputy Speaker, Sir, we now have performance contracts. That being the case, we are very happy to step down power. The hon. Member needs to come and tell us about the market centre where power lines pass and we shall step down the supply. I would like to assure the hon. Member that we will do it.

Mr. Omamba: Mr. Temporary Deputy Speaker, Sir, the supply of power in rural areas is

not done well. There is a health centre in my constituency which was awarded Kshs3.9 million, for the implementation of the REP. So far, nothing is happening. When I called the Ministry, I was referred to its offices in Kisumu. When I called the Kisumu office, I was told that the person I was supposed to speak to was out in the field and, therefore, I did not find any assistance. Could the Assistant Minister tell us when electricity will be supplied to the local health centre which was awarded money sometime ago?

Mr. Kiunjuri: Mr. Temporary Deputy Speaker, Sir, I sympathise with the hon. Member because that is a case of a contractor who has not fulfilled his obligation. I urge the hon. Member to report to us such cases, where a contractor has been on site for more than three to four months. I want to assure the hon. Member that by 15th of this month, we will blacklist all of them.

Mr. Sambu: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to say that hon. Members should be involved in some of these projects, yet, when they appoint contractors, they do not even inform us? We do not know who these contractors are. Would I be in order to ask that he provides us with a list of the contractors in every constituency, so that we can see the progress of the work?

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Sambu, that is not a point of order. You could have just asked a question.

Mr. Kiunjuri, could you respond to that?

Mr. Kiunjuri: Mr. Temporary Deputy Speaker, Sir, to clear the matter, I said the hon. Member should either forward the name of the project or the contractor, so that we can blacklist those who are not performing.

The Temporary Deputy Speaker (Mr. Poghisio): Last question, Mr. Kamotho!

Mr. Kamotho: Mr. Temporary Deputy Speaker, Sir, can the Assistant Minister confirm or deny that in this particular case, Karugiro Coffee Factory was among the coffee factories where money was given from the European Fund to the Kenya Power and Lighting Company (KPLC) to provide electricity some years back through the Co-operative Bank, but the project was never completed and, therefore, the factory was left without electricity? What is the Government doing to ensure that issues concerning projects that stalled are addressed, so that these projects are completed?

Mr. Kiunjuri: Mr. Temporary Deputy Speaker, Sir, Mr. Kamotho has been a Minister for a long time. What he has said might be true. However, I would have to check my records. We will require Kshs2.9 million to connect Karugiro Coffee Factory. If it is really a priority for the hon. Member, he can visit my office, so that we review what has been given to us from the District Development Committee (DDC). I will check on that record. If that is the case, it will be very unfortunate that the former Government was not able to do that. I encourage the former Minister to come to my office, so that we check on what should be prioritized for his constituency.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Am I in order to inform the House that Mr. Kiunjuri is one of the very few Assistant Ministers who addresses our problems whenever we go to his office?

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Angwenyi! That is not a point of order!

Hon. Members, that marks the end of Question Time. Let us move on to the next Order.

MOTION

ABOLITION OF 8-4-4 SYSTEM
OF EDUCATION

Mr. Karaba: Mr. Temporary Deputy Speaker, Sir, I beg to move this Motion of the Ministry of Education---

The Temporary Deputy Speaker (Mr. Poghio): Order, Mr. Karaba! Could you move the Motion in the right manner. Read it as it is!

Mr. Karaba: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, considering that the country spends over Kshs400 million in form of foreign currency when parents take their sons/daughters to other countries for "A" level education; considering further that students from Kenya are at times required to undergo "A" level studies before proceeding to universities abroad; this House urges the Government to abolish the 8-4-4 System of Education and re-introduce the 7-4-2-3 System.

Mr. Temporary Deputy Speaker, Sir, we all know that the Mackay Report of 1985 recommended the introduction of the 8-4-4 System of Education in Kenya. At inception, students were going through "O" level, proceeding to "A" level and, thereafter, they would join university. At that point, institutions offering "A" level were scattered in various parts of the country. Students were enrolled in such institutions and they would interact with other students living in the same region. This increased cohesion, promoted and created a national outlook to issues. The students were able to understand one another. Then, the word "tribalism" was talked about with less degree than it is done today. The "A" level studies allowed subject choices; a student was not prejudiced whether to study the science or the arts subjects. This meant that someone would specialise in some of these subjects in the "A" level and pursue the same at the university level. In that regard, we had graduates who specialised in either the arts or the science based subjects. Today, a lot of emphasis is being put in some subjects, which later on frustrate our students. Newly registered schools are being forced to offer science subjects such as Physics, Biology and Chemistry which are compulsory under the 8-4-4 System of Education. When students do not perform well in the "O" level, in the 8-4-4 System of Education, they are frustrated because they fail to secure a place in the university. I am, therefore, urging that if the 8-4-4 System of Education was abolished, we would have students pursuing either the arts or science subjects depending on how well they perform in either of them. If they perform well, they proceed to university to pursue a degree related to either the arts or science subjects.

This is one of the reasons why I felt it is necessary that the Government re-introduces the former system. This system encouraged students to study up to the "A" level and then proceed to the university. This is not happening today.

In our current system of education, we have observed that students stop their studies at Form Four because they are not able to pursue the compulsory subjects. Unfortunately, that is not their fault, but of the system, which can be changed.

Mr. Temporary Deputy Speaker, Sir, we note that from 1985, several commissions of inquiry have been put in place, so that we amend and streamline the current system of education. There are many students who are not proceeding to university because the grade to join university is very high. Today, the grade to join the university is a B plus of 79 points. It is very hard for students to continue with this kind of education. This has resulted in students moving to other countries such as Uganda and Tanzania for further studies. We have seen a situation where the Government is losing too much money to those countries and that is why I am seeking leave from this House that we introduce "A" levels so that those students who are not able to join university can continue with Forms V and VI, just the way they do in Uganda and other neighbouring countries.

Mr. Temporary Deputy Speaker, Sir, when we get those students out there, they will be forced to continue with Forms V and VI and later on proceed to join Makerere University and other

universities even here in Kenya. So, this negates the same principle that was made to benefit the students in our country. The moment we do not have Form Four leavers joining university, the rate of production of our "O" level students will be very high to a point where at one time, we will be seeing like we are sitting on a time bomb which will explode because most of these students will be stressed, and of course, they are stressed already because the number of subjects that they are supposed to take are too many.

The Koech Report which was there two or four years back recommended the reintroduction of the 7-4-2-3 System of Education but nothing much has happened. I would, therefore, urge the Government to take over and see to it that the system which stresses most of the students, frustrates most of the teachers and which also frustrates most of the parents, by making students not even proceed after Form Four is done away with so that we have those students continue with further education both here and out.

Mr. Temporary Deputy Speaker, Sir, you know that when these students go up to Form Six, they will now have better combination of subjects and they will have realised their intellect and skills that they can even pursue after leaving school Form Four. In this regard, you will realise that students will always pursue subjects of their choice but not what they are made to pursue in their "O" level, having not even thought about it. In terms of age, students also grow, and when they leave Form Four at 17 or 18 years and they do not proceed to Forms V and VI, it means that they will have two years short. The rate at which students now are leaving school after Form Four is very high and unemployment rate has also been created leading to a lot of stress and frustration by the same student body.

Mr. Temporary Deputy Speaker, Sir, in 1989, we had double intake at the universities. This is when the "O" level and "A" level students leavers were all admitted. From that time, we have had problems with double intakes up to date. This is why the university places are even pegged on bed capacity. This has frustrated very many students, and that is why they have been leaving this country to go to neighbouring countries. I would, therefore, imagine that any country that has been independent for the last 40 years should be able to come up and evolve a system which is relevant to the economic and social needs of our country. The only system which is fair is that one which will open up the students to the faculties of higher learning, and this one can only be done when we have some of the schools that were reserved for "A" level studies revived. Of course, the Government has done that. All we need to do is to enforce it. They have done it through the establishment of two centres of excellence in every district. You wonder what the two centres of excellence will be doing if they will not be furnishing students before they proceed to Forms V and VI.

The same has happened in Uganda and Tanzania where students are prepared adequately before they proceed to the universities. In this regard, I note that the subjects of study which are there have increased in "O" levels, and when the students go to university, most of these subjects are dropped and not many students can even get places. I am, therefore, asking Members to find it possible to contribute to this Motion so that we can increase the years to Forms V and VI so that those students who complete "O" level studies will find more time to prepare as they proceed to the university.

Mr. Temporary Deputy Speaker, Sir, most neighbouring countries, for example, Tanzania and Uganda have the same system. The same system has now denied most of the Kenyan students who are here to even advance further to overseas universities. That has continued to add more frustrations to our students. In Uganda, for example, those students who move from Kenya to join "A" level in Uganda will end up undertaking the "A" level studies the same time with students who are in Kenya, who will have been left behind by two years, meaning that the time span which is in Kenya and Uganda is compensated by that student who gets to Form Six and the same student in

Form Six will be superior in terms of subject choices than one who will be here in Kenya.

The other thing is that when we consider the number of students who do KCSE, they are very many; over 150,000 students sit the same exam and only 10,000 are admitted to our local universities. This is as a result of the structure of education that we have had. The structure is such that the students who are from rural areas will never access the university places because of the subject combination. They are supposed to take two languages, that is English and Kiswahili; Mathematics, which is compulsory, they are supposed to take two sciences, which are compulsory and may be one or two practical subjects. Not many schools in our country can afford to do those subjects at a go. So, what you find is that those students who study in national schools and very good provincial schools are the only ones who will end up getting to the university and the same students who end up completing the university. They are the same students who will even end up doing professional courses in the university. So, this one now will create corruption in our country, where those students who can afford to continue with education proper, both in national and provincial schools will continue even doing better professional studies in our universities.

That means that a time will come when the haves will continue having and the poor will continue being poorer, because of the system of education that we have. So, let our students, particularly in the rural areas who, otherwise, would have continued with the university education be given another chance to try may be in Forms Five and Six as we abolish the 8-4-4 System of Education so that we can reintroduce the 7-4-2-3 System of Education.

Mr. Temporary Deputy Speaker, Sir, this a system where, if students from Kenya want to continue with international studies, they are forced to do two years after Form Four. So, why do we not then introduce the two years here so that we are in conformity with international education standards, so that as soon as we have our students leave Form Six, that student can either go to the university in Kenya or overseas or even in our neighbouring countries. This system has also isolated us in the East African Community.

The Departmental Committee on Education, Research and Technology, to which I belong, visited Uganda and Tanzania, and they were laughing at us. They were asking us why are we now asking about East African Community if we cannot even harmonise the education system in East Africa. So, if we want to have mobility of our students; credit transfers from one university to another, the only thing that can happen is that we have to harmonise the education programmes in the East African region so that students or even lecturers can have exchange programmes and that way we are going to promote our education system in a better way.

Mr. Temporary Deputy Speaker, Sir, education is a very important aspect. We need to think about it so much so that we do not make trials and errors such that at one time we have this system and another time we have the other. The moment we have a system which is adopted by many countries in the world, which is dynamic and working, let us go by that. The system which is better is that one which exposes our students from our country to our neighbouring countries and even internationally. I would, therefore, urge the Government to think about it and come up with measures which are in line with the world.

Mr. Temporary Deputy Speaker, Sir, you will note that after Form Four, somebody has to get a job. The kind of education that we are offering is not marketable. You find that the market for our Form Four graduates is not there because of lack of specialisation. If we have to go to specialisation and we have our institutes of higher learning, we are going to have specialised skilled labour which, our course, will be created by our education system. That is the system we are now talking about. I believe that the Government will take keen interest in it and review the current system of education so that we are not isolated internationally.

Mr. Temporary Deputy Speaker, Sir, it is important to note that the current wave of problems that we have in this country are as a result of our education system. The system is

stressful because students are made to study so many subjects. In the evening, after school, children are unable to play. We all know that all play and no work makes Jack a dull boy. So, we need to involve the ego, super ego and the id of the child as he or she grows up. We need to give children some breathing space apart from studying only.

The problems facing our youth presently are as a result of the education system that they have to go through. If we are really serious about the future of this country, we need to review the current education system. It is a system that produces a frustrated lot of students. Unfortunately, they are the same people who will grow into adults with no sense or essence of living in this country or associating well with others.

Mr. Temporary Deputy Speaker, Sir, several reports have been written with regard to our education system. They include the Mackay Report, the Koech Report and the Sagini Report which was about rampant indiscipline in our schools. All these reports criticised the current education system. The reports indicate that our current education system has reduced very many students to robots. Only a few students excel and manage to secure places in excellent schools. This is really the crux of the matter.

Mr. Temporary Deputy Speaker, Sir, if we really intend to benefit all students in all corners of this country, then we need to adopt a system that will tap the brains, skills and talents of all our students out there. We need to identify the skills and talents in our students, say music or drama, so that we give them a chance to exploit them after completing their Fourth Form. The 8-4-4 System of Education does not allow for that. The system only allows students to be combined and tested after Form Four something which limits the performance of talented students. If this system could be reviewed so that we reintroduce the "A" Level Studies, the students who are talented in various fields will continue to excel in those fields. That way, we shall be able to nurture the talents in the students thus developing a better student lot that will benefit this country.

Mr. Temporary Deputy Speaker, Sir, the Sagini Report of 1990 was mandated to look at why strikes were rampant in this country then. The cause of those strikes, it was found out, was the 8-4-4 System of Education. Students were not happy with what they were being offered in their schools. Most of them attended school in their local areas because they had graduated from a primary school to a secondary school in the same area. That made students not integrate well with others. If the 7-4-2-3 System of Education would be reintroduced and revised, this kind of problems would not arise. The situation would be such like a student from Nyanza Province going to school in Central Province or a student from Coast Province going to study in a school upcountry and vice versa. That is what used to happen before. It will also minimise strikes and other problems we are now faced with and which are related to tribal feelings and sentiments. The 7-4-2-3 System of Education is being recommended so that we can move ahead as a country and think like nationalists.

Mr. Temporary Deputy Speaker, Sir, finally, I would like to urge hon. Members to understand that the society is dynamic because of the dynamic education in that society. The pride of a country is so much pegged on the pride of the education system in that country. Our current education system negates the principle idea of giving quality education to a child right from primary school to university. I have highlighted the demerits of this education system and, therefore, urge the Government to come up with a better education system.

Mr. Temporary Deputy Speaker, Sir, with those remarks, I beg to move and ask hon. Capt. Nakitare to second.

Capt. Nakitare: Mr. Temporary Deputy Speaker, Sir, I stand to second this Motion.

Education is the beginning of life. I have looked at this Motion keenly and would like to go back to the old days when students in Kenya used to go to South Africa to do an examination called Matriculation. This was because there was no way forward in this country. There were so

many limitations. For so many years, the highest primary education level attainable was Standard Four. At that time there was an examination called Competitive Common Entrance Examination. Some of the people who failed that examination went to Uganda to study what was called "Junior Five". This was supposed to take you through the "A" level education. Then there was Kenya African Preliminary Examination (KAPE). This was a stage from Standard Four to Standard Eight. The KAPE was the genesis for proliferation of knowledge. Indeed, it was a wake up call for Kenyans. We were made to understand that the system was not a hurdle, but a system of refinement that would prepare a student for college and university life.

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

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

Mr. Temporary Deputy Speaker, Sir, you have heard what hon. Karaba has said. However, I would wish to elaborate further. When a student goes for a school certificate, he starts to get a taste of the "A" level of education. This will enable the student do an English test meant for foreign students. That examination is the only way forward for a student who is aspiring to go overseas for further studies. However, without a proper foundation, it becomes very hard to force a student who does not have relevant education material to advance his or her studies overseas. Such a student will not be able to sit an overseas examination or even have a sense of feeling that one can actually board an aeroplane and go overseas for further studies.

The general certificates of education, that is, "A" level and "O" level are steps that are meant to prepare students for higher and greater heights in the education system. We know that, professionally, there are steps that have not been applied in the 8-4-4 System of Education. I do not know much about this education system because it was introduced long after I had completed my education. The education system that I went through was called General Certificate of Education (GCE). It is that system that made me who I am now.

Mr. Temporary Deputy Speaker, Sir, generally, the 8-4-4 System of Education should be terminated. It has made it very hard for students who leave this country for further studies overseas because they are again subjected to two-years orientation. This has embarrassed the students and has become a burden to the parents who raise funds for their tuition and air ticket.

After the GCE, we had two years entrance in college. That did not mean that it was the end of a student who joined a technical or medical college. A college was another step of refining a student to join a university, where the medical students spent seven years. The engineers spent seven years doing practicals. Therefore, a student spent 14 years at the university in order to qualify as an engineer.

As a person with knowledge in aeronautical engineering, I know the system works where it applies. This is like a beacon. Therefore, we must start preparing students for university entrance from the beginning.

On the other hand, it also bothers me as much as it bothers parents and even teachers - I wonder what the Ministry of Education does - that there is a change in the syllabus of the 8-4-4 System of Education every year. Teachers are forced to tell the students to tell their parents to buy different textbooks written by different authors every year.

Even the publishers have commercialised education to the point that we are not getting the right materials. I will highlight that. For many years, text books like the Biology ones written by Abbot took us from the "O" level to "A" level. We had the Physics textbook written by Mackean.

We also had books by Durrel both in Arithmetic and Algebra and Trigonometry. It is as if those books were to stay forever. They were books that were handled and taught in schools by Carey Francis in Alliance High School, Shimo La Tewa High School, Mangu High School and Kakamega High School. Those books were used for a long time by the students who joined Makerere University. Those students became engineers, doctors and philosophers. I think we have to choose what is right for our people. Did we gain Independence to change to a system that will not lead us anywhere? I do not think there is value in burdening a children with 15 subjects when we did a maximum of eight subjects, including practicals. We had carpentry and homecraft at that time. What is the difference? Claywork was also included. Why should a school teach technical subjects instead of theory? What is the purpose of a technical college, a medical college and a teacher training college? These are the things that we need to harmonise.

The Ministry of Education should come down. I know it is at a "high" because it is not easy to change a system in a Government. However, I think we are speaking for the people. The burden is in the syllabus; that is changing textbooks year in, year out. Mr. Karaba talked about languages. We speak French, English and Kiswahili we learnt from the 7-4-2-3 System of Education. We had books like *Alfu Lela Ulela* in Kiswahili. If I speak the Kiswahili from that textbook, modern students will not understand it in most cases. This is because they have no *methali*. We had a book like *Students Companion* with proverbs. Students in the 8-4-4 System of Education are raised in a cosmetic lab lifestyle. They are overburdened with the 15 subjects they take. However, what do they gain?

Mr. Temporary Deputy Speaker, Sir, I am told that the number of candidates who sit for the Kenya Certificate of Primary Education (KCPE) per year are 600,000. They do the same thing.

I beg to second the Motion.

(Question proposed)

Mr. Kajwang: Mr. Temporary Deputy Speaker, Sir, I will talk about three aspects regarding the 8-4-4 System of Education that has been a disaster to a poor district like Suba, which is one the poorest districts in this country.

The 8-4-4 System of Education came with another policy that states that you can only admit 15 per cent of the students from outside your district. This means that 85 per cent of the students who qualify to join secondary schools must be admitted in the secondary schools in their home districts. The policy also said that Kiswahili is an examinable and compulsory subject. The three policies are a disaster to Suba District. We had a chance to discuss this with the Minister for Education at another forum. I will explain this further.

Mr. Temporary Deputy Speaker, Sir, it is now a requirement that before you join a university for a professional degree course, you must obtain an "A" in all the eight or nine examinable subjects. If you get a "C+" out of the eight subjects, you will not get a chance to join the university. In fact, if you obtained an "A-", it is most likely you will not get a professional degree course. That is the damage that the 8-4-4 System of Education has done to Suba District.

There is only one good school in Suba District where I learnt. That is Mbita High School. If the school is very lucky, it gets two, three or four students who have scored a mean grade of "A-". That means that for almost 15 years no student from Suba District has been admitted to a public university to do medicine. I think there is a student from that district who has been admitted at the university to do law. There is no student who has been admitted to the university to do engineering from Suba District. This is likely to continue for I do not know how long. This is because if you get "As" and fail in Kiswahili, which the Suba people fail and I do not know why, you will not do a professional degree course at the university. That subject is not very relevant in medicine, law and

engineering although it is compulsory and examinable.

I was not very good in Maths, but I was very good in English, History and Geography. I joined Forms V and VI and later qualified to do law. If it was a requirement that I had to get an "A" in Maths, I would not have qualified to be a lawyer today. Mr. Temporary Deputy Speaker, Sir, that is the truth and the damage that we are doing to this country. Some students are so good in Maths, Physics and Chemistry, but they are not so good in History, Religious Studies and Kiswahili. You force them that unless they get "As" both in Maths, Physics, Religious Studies and Kiswahili they will not do professional courses. That is the damage which the 8-4-4 System of Education is doing. In those years, you could choose. If you were good in Maths and Physics, you just did Maths, Physics, Chemistry and Biology and became a doctor. I can tell you that the doctors who qualified with us in our time, very few of them ever did History and Religious Studies but they are doctors because they chose it and they did the entire science subjects. In this country now, you have to pass even what you do not like, even what you do not have an aptitude for in order to be a professional. It is not right. It is destroying our education system and ultimately our country.

Mr. Temporary Deputy Speaker, Sir, what does it then do to the child? The child has to go through the stress of having to go to school, I think seven days a week and read up to beyond midnight daily to get an "A". I do not know why it is necessary. Some of us read for very few hours and joked for most of the hours, but still managed to go to university. Our children now do not joke or play but they have to read beyond midnight for seven days a week with coaching in order to get those "As" to go to university. It is not necessary.

Mr. Temporary Deputy Speaker, Sir, I can see my time is running out so fast but let me just give you an example. The other policy that came was the rise of academies. Academies simply teach people to pass exams. If you cannot afford them, then it is too bad for you, if you come from Suba District since it is a poor district. Then there are national schools which are now target schools because you cannot afford the exorbitant fees there even if you were to qualify to go to a national school. Then there is the parallel programme which is only open to the rich. Suba people do not have a chance to go to those parallel degree courses because they do not have coffee, tea, milk or a cash crop. So, they cannot go to those parallel courses. So, if we are not careful we are going to have a country which is lopsided. It will be a country where one region seems to be excelling in education and professional courses and the other districts go down the drain. It will be a country where families continue going for professional courses while others have no chance because of the education system. I think this system was designed by certain people for certain people. We have to change.

Mr. Temporary Deputy Speaker, Sir, in East Africa here, as was said by Mr. Karaba, it is a shame that a student from Kenya has to go to another school in Uganda to do two years in order to be admitted to Makerere University and he has to pay that kind of fees. I have had to pay some time for a child to go to another secondary school in Uganda in order to go to Makerere University. Why is it that we cannot do just what our neighbours are doing? We are talking of integrating East Africa into one country; a federal government, and we are not even harmonising our education system.

When I was expelled from Nairobi University in my third year, I went to Makerere University and my credits were transferred and I did not have to do second year again. I went and did my third year and finished my degree course. You cannot do it now because the education system in Nairobi University which admits people after Form Four is very different from Dar-es-Salaam and Makerere universities. This means that a student from Nairobi University who wants to continue his studies in Makerere University cannot have his credits transferred. He will have to start afresh. Why are we punishing our country? Why are we an island in a continent where everybody is training people in one harmonised education system?

Mr. Temporary Deputy Speaker, Sir, we had a Sessional Paper here sometimes back, I think two years ago, and we seemed to have been zeroing in on this 8-4-4 System of Education but nobody had the courage to deal with it then. It is unfortunate that this country is still proceeding with it. This system is killing our children with stress. It is making our children not do the courses which they always have dreamt to do.

I will give you an example. My friend and our colleague, hon. Nyauchi, I was with him in one school. He was in Form Two and I was in Form One. He was very bad in Maths and I was second to him in badness in Maths but we did law. He failed Maths but went to Alliance High School from South Nyanza and came to Nairobi University and got a First Class Honours degree. If he had been forced to pass Maths, he would not have been a lawyer and would not have gotten his First Class Honours Degree from Nairobi University. Look at the kind of problems here. There was another one who is now a Professor of Mathematics at Nairobi University who did not like English but because he chose Maths, Physics and Chemistry, he is now a Professor of Maths at Nairobi University. He would not have done that if he was forced to pass English and History. So, this 8-4-4 System of Education is bad. For that reason alone, I want to support hon. Karaba that we change our system of education.

Mr. Temporary Deputy Speaker, Sir, let me just add one more point before my time expires. In South Nyanza and in Nyanza generally, I think it is a matter of attitude. We were taught that Kiswahili is not a very civilised language and so we never learnt it. Now, our own teachers in primary and secondary schools do not know Kiswahili and we are not allowed to import teachers from outside to teach Kiswahili.

With all those remarks, I support.

The Assistant Minister for Water and Irrigation (Maj. Sugow): Thank you very much, Mr. Temporary Deputy Speaker, Sir. I stand here to support this Motion.

Sometime when Siad Barre became the President of Somalia, many of his people did not have any secular education. The majority of them, about 90 per cent, were illiterate. Those who were opposed to his rule were educated to western standards. Compared to his people, they were civilisations ahead. So, what Siad Barre did was to render all those who were carrying those "foreign papers" as he called them irrelevant and introduced a new system of education and the medium of teaching became the Somali language. In the process, a lot changed in Somalia. They were taken back centuries and what we see today in Somalia is part and parcel of that same problem which Siad Barre started when he came to power and decided to change the system of education in his country. In other words, what he was trying to do was to create some level playing field that gives advantage to his people and render others irrelevant.

Mr. Temporary Deputy Speaker, Sir, I concur with hon. Kajwang here that when the 8-4-4 System of Education was introduced, it marginalised certain areas in this country because no infrastructure commensurate with the system itself was put in place. There was no enough staff to be able to run that system that was put in place. The end result was a deliberate system that was lopsided and in favour of areas that were able to put this infrastructure in places of their own. It helped bring up cartels that are taking advantage and coming up with institutions that are fleecing Kenyans. It helped siphon money out of this country in the form of foreign exchange by students going to seek that same system that we abolished in our neighbouring countries.

Mr. Temporary Deputy Speaker, Sir, all is not bad in the 8-4-4 System of Education but, as Kenyans have said many times, the system needs a serious review. That review has not been forthcoming to make it relevant enough and acceptable within the region. Today, the majority of Form Four leavers from the North Eastern Province do not make it to university. They have actually given up. Recently, they started venturing into our neighbouring countries because, there, regardless of the papers they have, they have an opportunity to start at a certain level and continue

with their education.

Mr. Temporary Deputy Speaker, Sir, the 8-4-4 system has also made education very expensive in this country. Form Four leavers from the North Eastern Province who have already lost hope of joining university, and who aim to just join middle-level colleges also have a problem. Today, if you want to study for a Diploma in Clinical Medicine at the Kenya Medical Training College, you must pass either English or Kiswahili. If you want to study for a Diploma in Education (Arts) at Kagumo Teachers Training College, you must pass Mathematics. The same things that are happening at the university-level are happening at the middle-level colleges.

So, Form Four leavers from the North Eastern Province, who cannot score the necessary grades for admission to university, and whose aim has been to struggle to join the middle-level colleges, are faced with a problem whereby if they want to pursue an arts-related career, they have to pass in the science subjects and where, if they want to pursue a sciences-related career, they have to pass in arts subjects. In the circumstances, there is no hope for them. That is why I very much support this Motion.

Mr. Temporary Deputy Speaker, Sir, the system is further ailed by poor infrastructure in many districts. Up to now, many districts do not have the relevant infrastructure for pursuing the particular system of education. Staffing problems have added to this problem. For instance, Garissa District alone, today, has a shortage of over 300 teachers. The entire North Eastern Province has a shortage of close to 1,200 teachers. In a school of eight double-stream classes, you may find four teachers. In a school with Class One to Class Five, you will, probably, find the headmaster and one teacher. How are they expected to deliver the system, which is so detailed, with intense curricular? How are children in such schools expected to pass examinations?

Incidentally, when some of our children who complete Fourth Form go for "A" level studies in schools in our neighbouring countries, or proceed elsewhere for pre-university studies, as they are supposed to, they emerge the best students. Therefore, there is something good in this system of education. The problem is that we are not trying to find out exactly what is good and, properly, reform the system to make our students more comfortable and ensure that parents pay less. So, in the absence of such effort, and with the continuous cry of our people over the years, I strongly believe that we should revert to the previous system of education.

Mr. Temporary Deputy Speaker, Sir, it is high time that, as Government and Parliament, we became sensitive to the plight of Kenyans. We must ensure that when the public cry over something, we take it seriously and do something about it. The issue of the 8-4-4 System of Education has been talked about for a long time. It is high time that we take the bull by the horns and do something about it. What do we do? Let us revert to the old system of education.

With those few remarks, I beg to support.

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, I thank you for allowing me to contribute to this very important Motion.

A lot has been said about abolishing the current system of education and reverting to the old system. This is not the first time this House is talking about abolishing the 8-4-4 System of Education. You can recall that the last Parliament passed a Motion, calling upon the Ministry of Education to liaise with stakeholders in the education sector and ensure that we reverted to the old education system. To-date, that has not happened.

Mr. Temporary Deputy Speaker, Sir, why are we talking about abolishing the 8-4-4 education system? Whenever an eight-year old child, who is supposed to be in Standard Two, goes to school, the parent must carry his or her school bag, because it is too heavy for the child. When I was an Assistant Minister for Education we did agree that we must revert to the old system of education. Just as my colleagues have mentioned, the 8-4-4 is a system which cannot work.

The 8-4-4 system was introduced in 1985 after the Americans forced us to do so. The only

problem then was that there was no foundation by which to phase out the previous education system slowly. In 2001, I was an Assistant Minister for Education. I went to Tanzania and signed an education treaty whose import was to look into ways of harmonizing the education system within East Africa. We agreed in principle that the 8-4-4 system is bad. The 8-4-4 system was intended to gear children towards technical subjects. However, that change was not adequately prepared for because, those who were in the Government then wanted to misappropriate the money that was meant for that preparation. So, implementation of the 8-4-4 system was fast-tracked.

Mr. Temporary Deputy Speaker, Sir, as Mr. Kajwang' said, if you want to study for a law degree, why should you be forced to do Kiswahili? If you want to be a doctor, why should it be a must that you must do Kiswahili? They wanted to disadvantage some people. If you force children in South Nyanza to do Kiswahili to qualify to study Medicine, you will never find a doctor in South Nyanza. It is not possible. I say so because, even the teachers for Kiswahili are not there in the first place. I will give one example. Ratanga Primary School, where I come from, has 456 children and only six teachers. Last month, one of the teachers died.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to say that we should not learn our national language and that, instead, we should learn and ape foreign languages like English?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, I have not said that. That is a very frivolous point of order. He should learn to listen when the Government is on its feet!

Mr. Temporary Deputy Speaker, Sir, what I am saying, basically, is that when I was an Assistant Minister for Foreign Affairs---

(Laughter)

Mr. Sambu: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Ojode in the Government? Is he in order to mislead the House? He was made a Minister and he turned the offer down! So, is he in the Government? Is he in order to mislead the House?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, when the hon. Member brings KANU problems into the House, it becomes a very big problem!

(Laughter)

Mr. Temporary Deputy Speaker, Sir, we are here to debate on a very important Motion and we do not have anything to do with KANU. Let KANU problems be discussed outside!

(Loud consultations)

Mr. Temporary Deputy Speaker, Sir, please, protect me from these guys!

What I was saying is that---

The Assistant Minister for Planning and National Development (Mr. Ethuro): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for Mr. Ojode to continue misleading this House by talking as if he is a Member of the Government when he is not and, more importantly, to assume that the problems of KANU are not ODM problems?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, that is a very frivolous point of order.

I was giving an example. I said that it is mandatory for every student to do and pass Kiswahili in order to be a doctor. That is what I was saying, and that is the truth of the matter. I was also saying that I had an opportunity to sign an East African Education Treaty in Tanzania when I was an Assistant Minister for Education.

An hon. Member: Really?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, what we wanted at that particular time was to harmonize the education systems. I have given an example of Ratang'a Primary School in my constituency, which has 456 pupils and only six teachers. One of the teachers died last month, leaving only five teachers behind. One more teacher went on maternity leave, leaving only four teachers behind, while another teacher is sick, so we only have three teachers. In your own thinking, do you think that three teachers will be enough to teach 456 pupils?

The Assistant Minister for Planning and National Development (Mr. Ethuro): No, those are not enough. I agree with you.

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, that is why I am saying that, when the 8-4-4 system was introduced, the Government did not take into consideration the repercussions. When I was in Form Four and taking literature as a subject, we were reading *The Lion and the Jewel*, *Mine Boy*, *The River Between* and all those texts. Those texts could be examined for three to four years. But as we speak, if, for example, if *The Lion and the Jewel* was examined today, you would not find it next year. Why is that so? It is because they have commercialized the education system.

Mr. Temporary Deputy Speaker, Sir, it is important for us to re-introduce the old system of education. Let us call the stakeholders in order to sit and agree on what method and what ways we would want to implement the old system of education. When they were talking about mechanics, artisans or whatever else, all these were not put into place. We were even forced to build another room for a workshop or shed. Even if they were built and there was no machinery, it was a futile exercise! So, this particular Motion should be passed without any complaint or conditions being put to the Minister.

Mr. Temporary Deputy Speaker, Sir, on the issue of teachers, if we really want our people to be moulded and to continue learning within the same system, the Government needs to employ more teachers. The Government should come up and tell us what they are going to do in order to post more teachers to our schools.

With those few remarks, I beg to support.

Thank you.

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, you must look at our side. What is happening now?

(Dr. Mwiria stood up in his place)

The Temporary Deputy Speaker (Mr. Waithaka): I have given this chance to Dr. Mwiria!

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, hon. Angwenyi will still have an opportunity to contribute.

First of all, I appreciate the comments from hon. Members on the issue of the 8-4-4 system of education, which we have discussed many times in the past. I would like to begin by talking about some misconceptions about this system. Some people say that the reason why there is unemployment is because of the 8-4-4 system of education. Unemployment would still be a problem even if we still had the A-Level system, because it has a lot to do much more with the economy than with the kind of education system that is in place. Unemployment has nothing to do with the education system. It is because we have fewer jobs now and that we have not done enough in terms of expanding opportunities for employment irrespective of the education system, which is not an issue. The same opportunities for training in terms of middle level skills are still available even for graduates of the 8-4-4 system. You can still go to Kenya Utalii College, you can join the police force, you can go wherever you want in terms of all the opportunities that are available.

The second myth about this education system is that, the 8-4-4 system has introduced so much competition, that it has become much more difficult for young people and that it is really a struggle for them. It has been said that they are no longer children. In view of the limited places available for employment and post-secondary training, there would still be more competition now than there was those days. At that time, there were fewer schools and students and even the public school system was the main system. There were no academies as we know them now. These have come up because we have to compete for places that have become even more limited. In other words, these days, it has become more difficult to go to--- Even if you went to law school or medical school, it is much more difficult to become a successful lawyer or medical doctor because opportunities have become more limited. Therefore, because of the overall competition, we have to expect to have competition even at the level of our education system.

It is not just our children who have to face this competition. In fact, in Japan, in terms of the difficulties that young people are experiencing because of the strains we are talking about here, so many of them even commit suicide because they cannot cope. So, it is a general problem that goes with competing for very limited places. That would have been the case even if we continued with the A-Level system, because the opportunities that are available are shrinking with time.

The other issue is about inequality. It is said that with the 8-4-4 system, some areas get more disadvantaged. Yes, there is an extent to which that is true, especially in areas that do not have well-established schools. But, in terms of inequality, the problem is much more about equality in society itself which is translated into inequality even within all systems, including the education system. Those who are able, be they hon. Members or Ministers, will pass that advantage to their children. So, there will be differences just because we are passing over advantage. It is much more an issue of class differentiation, that is likely to continue, unless we address the issue at a much broader level beyond education.

There is a perception that the 8-4-4 System of Education has promoted disunity; that we are much more divided because it restricts the admission of students to districts. It allows only 15 per cent of the students to be admitted from outside their respective districts. Let me correct that and say that, in the last few years, we have expanded that percentage to 35. There is much more that has been done to mix students from different districts in the last two years. But still, national unity has nothing to do with education. It has got a lot to do with the politics and politicians.

Mr. Temporary Deputy Speaker, Sir, it is very difficult for the education system to make national unity possible if the people who are seen to be the leaders are the ones who are dividing the country the most. Young people just go by what they see their leaders practise. Even if we speak to students all the time about why they should be united, it makes no sense if our political parties are divided along ethnic lines. When people are in positions of authority, they employ people on the basis of where they come from and so on. Likewise, if corruption is associated with ethnicity, it will be very difficult to expect that children from Kisumu, for example, will change if they go to Meru. It will be very difficult to convince our students at the university that they should be more national in outlook, yet, when they leave the university, they have to think who it is that they can contact from their home areas, so that they can get jobs. It will be very difficult if the Ministers who have responsibilities in the Government, appoint people in parastatals on the basis of the ethnic groups that they come from. So, if the leaders themselves are practising that, it will be very difficult for us to expect the education system to do any better.

So, again, even if we continued with the 8-4-4 System of Education, we would expect the same. As long as the Bukusus are talking about FORD(K) as being their own party and the people of Mt. Kenya region are talking about---

The Assistant Minister for East African Community (Dr. Khalwale): On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you hear the Assistant Minister tribalise and speak

very negatively about the national party called FORD(K), to which I am a member and I am not from the Bukusu community? Is he in order!

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, I think to limit it to the Bukus is a bit unfortunate. But, let me say, if Luhyas believed that FORD(K) is their party, or members of the Luo community believed that they must belong to the LDP and so on--- We know that this is a fact. There nothing to hide. We need to re-examine ourselves before expecting much more from our school system. If what we are showing is completely different from what we are asking the young people to be, it will not work. So, Dr. Khalwale, I would be very happy if you joined NARC(K) or LDP. That is the only way we would prove that we do not think that your national party is an ethnic party.

Mr. Lesrima: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Assistant Minister to continue campaigning for the NARC(K) when he should be addressing the Chair and not Dr. Khalwale?

(Applause)

The Temporary Deputy Speaker (Mr. Waithaka): Definitely, he is out of order!
Proceed, Dr. Mwiria!

The Assistant Minister for East African Community (Dr. Khalwale): On a point of order, Mr. Temporary Deputy Speaker, Sir. Could I request the Chair to order the Assistant Minister to withdraw his remarks? He says that the only way I can prove to be a nationalist is to belong to the party to which he subscribes.

The Temporary Deputy Speaker (Mr. Waithaka): Dr. Mwiria, I think you should withdraw those remarks.

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, I did not say that it is the only way. I said that it is one of the ways for all of us, hon. Members of Parliament. Even me, Dr. Mwiria, should not just talk about NARC(K), but also about the LDP. In that way, we will have people from different parts of the country belonging to parties that are not championed by tribal chiefs. This is the point I made, and it is a fact.

Mr. Temporary Deputy Speaker, Sir, there is another misconception about the 8-4-4 System of Education. It is not that many of our young people go to Uganda in order to sit the A-Level examination and then join Makerere University and other universities. Many people go to Uganda in search of a second chance. It is because they do not make it to join our public universities. It is because they have not attained a good grades. So, they know that if they go to Uganda, they can do the A-Level examination and have a chance of joining other universities. It has absolutely nothing to do with the fact that the education in Uganda is of higher quality than that of Kenya. This is common knowledge.

Mr. Ochilo-Ayacko: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister, who is a very good friend of mine, in order to mislead the House?

An hon. Member: Is he?

Mr. Ochilo-Ayacko: He is! Is he in order to mislead the House that those students who go to Uganda are not qualified to join the local universities, when the same Ministry to which he belongs, has set the grade for joining public universities at C+? It is the chances that are not enough!

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, it is, indeed, true that hon. Ochilo-Ayacko was my friend when he was a Minister, and even after he left the Cabinet, and hon. Members should not doubt it. I have so many friends. Even hon. Khalwale, who is challenging me, has always being my friend. Many of the hon. Members whose

views I am opposing today are my good friends. This must be appreciated.

I am saying that it is true that very many of our students score a C+, but because of competition they do not join our public universities. Places that are available are not enough to accommodate all those who have the minimum grade. So, they have to find chances elsewhere. I agree that many of them have C+, but the point is that they do not enter our public universities because of shortage of places.

The Temporary Deputy Speaker (Mr. Waithaka): Your remark was that they go to Uganda because they happen to have failed to make it here! That is what we want you to clarify.

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, it is true that we admit 10,000 students to our public universities. Unfortunately only those who have grades "A" "A-" and "B+" manage to be in this lot of 10,000. Is it not true, by implication, that those not among the 10,000 happen not to have made the entry grade?

An hon. Member: In terms of the entry grade.

The Assistant Minister for Education (Dr. Mwiria): Yes; I mean in terms of the entry grade.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to mislead the House that it is students who fail to make it when, in fact, it is the Government which has failed to provide opportunities for those who are qualified to join university?

The Temporary Deputy Speaker (Mr. Waithaka): Mr. Assistant Minister that is the issue. Either it is the students who have failed to make it or it is the public universities which cannot accommodate them. We must get it right!

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir Let me come up with a compromise. There are not enough places for all those who have the minimum grade. So, that way, we blame neither the Government nor the students.

Mr. Ahenda: On a point of order, Mr. Temporary Deputy Speaker, Sir. Now that the Assistant Minister has accepted that there are not enough places, is it not an honourable thing for him to withdraw and apologise for misleading the House? He misled the House and the Chair has pointed out that he was actually doing that.

The Temporary Deputy Speaker (Mr. Waithaka): He has nothing to withdraw. This was an argument.

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, you are better than other Temporary Deputy Speakers.

Let me say that I agree with the many points that were raised with regard to the volume of work, books that our students have to carry and constant changes. Many of our institutions were never prepared in terms of equipment and facilities to match the increase in the number of students. This is what we have been trying to change. We have reduced syllabus contents. We are saying that schools that are disadvantaged should be given a priority in terms of investments that we are putting in to deal with pockets of poverty, provide equipment and infrastructural development. We appreciate that there is a problem, but something is happening.

In terms of disadvantage, if you come from newly-created districts that do not have established schools, of course you are disadvantaged. The issue is what we are doing to address that. We are trying to establish centres of excellence. We will have two good schools in every district. We will insist that students have to join a national school irrespective of where they come from. Those schools will be in a position to compete with the already existing 16 national schools such as Alliance High School, Mang'u High School and so on. This is a way of getting to ensure that there is more equity than is the case now.

I agree that we cannot talk about the East African Community if we are not harmonised

educationally. I agree that this a major hindrance. It is very difficult for us to go and take up places in Makerere University, as hon. Kajwang did when he was expelled from the University of Nairobi. I wish he had gone there even without having been expelled. But the point is that it is unfortunate that some will be disadvantaged.

Mr. Kajwang: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Assistant Minister does not seem to know the history of Mr. Kajwang. I was fighting for his freedom which he now enjoys.

An hon. Member: He knows that!

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, that is not in dispute. I said that even for strugglers like him, it is good to find other opportunities. That should not just happen when they are in misery. I know he was fighting for my freedom. In fact, he was my lawyer during the UASU days.

An hon. Member: Unqualified?

The Assistant Minister for Education (Dr. Mwiria): He is very qualified! He was a very good lawyer.

Mr. Temporary Deputy Speaker, Sir, harmonisation is a good thing. We should do harmonisation in terms of quality. Honestly, I must say this. I have some experience to say it with confidence, in spite of our many problems. Our education system is still very competitive worldwide. When our students find opportunities in the United States of America (USA) and other countries, they really do very well. That cannot be said of institutions in Uganda, Tanzania and so on. So, harmonisation should not just be about the structure. It should be about what kind of institutions we are harmonising. If we are far ahead in terms of education, are we going to harmonise just for the sake of it? It is like harmonising different currencies. You can see the differences between our currencies in terms of value. There are many questions which we need to ask beyond just the structure.

Mr. Temporary Deputy Speaker, Sir, it is true that A-Level system allowed specialisation. In fact, you could become a lawyer or a medical doctor without passing all the subjects. Certainly, that was good for those who had no interest in other subjects. But do we think it is a good idea to be broad-minded? Is it good for a medical doctor to be good in the English language or Kiswahili? Is it good for a lawyer to be good in Kiswahili? You have to communicate with the public. Is it good for a medical doctor to appreciate the history and traditions of Kenya?

What I am saying is the essence of our system of education, if we implemented it the way we should. It is about being more broad-minded. I think a student who is broad-minded is better in serving the society. You can appreciate a broad cross-section of issues. You are not limited. The problem with the Doctor of Philosophy (PhD) dissertation--- Many times, we have many problems with people who hold PhDs like myself. Sometimes, we spend too many years just focusing on one thing. So, basically, we are too narrow in specialisation.

Mr. Kajwang: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is true, as the Assistant Minister is saying, that you can still do 8-4-4 and be broad-minded, and still do a science course---

The Temporary Deputy Speaker (Mr. Waithaka): What is your point of order?

Mr. Kajwang: The point of order is: Is the Assistant Minister not confusing us that when you do O-level, you become more broad-minded than if you do---

Mr. Ochilo-Ayacko: On a point of order, Mr. Temporary Deputy Speaker, Sir. At the risk of upsetting my friend, is it in order for Dr. Mwiria to mislead this House that some of us who went through the old system of education are not broad-minded? We studied many subjects, including Kiswahili, and excelled.

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker,

Sir, I never implied that they are not broad-minded at all. I just asked: Are you likely to be more broad-minded if you are exposed to a broader range of subjects than they were? You are already broad-minded. We can tell that. However, if you have a broader access to more subjects, are you likely to be much more broad-minded?

On the issue of confusion, it is never our intention to confuse anyone. Hon. Members can also refuse to be confused. So, it is a point of argument.

Mr. Temporary Deputy Speaker, Sir, about specialisation, I think the real problem with the 8-4-4 System of Education as far as I am concerned is that, we started and never completed it. We have eight years of primary education, four years of secondary education and four years of university education. When we follow the American system, why is it that it is difficult for pupils from disadvantaged institutions to become medical doctors and engineers? It is because from Form IV, one qualifies straight to a professional degree course. Why can we not improve the system by creating more opportunities? We should insist that when you go to a university, you should do general courses in the first two years. Then, if you want to study medicine, you do a qualifying examination across the board. That exam will be done by a student who went to a disadvantaged rural school and one who went to Alliance High School. That way, you will have had a similar experience at the university. This is the best way to ensure that medical, engineering, architectural degrees and so on, are not monopolised by those who are privileged. We just need to give them that chance because the exposure is the same, they do entrance examinations and we begin to select for professional degrees at that point.

Mr. Temporary Deputy Speaker, Sir, there is plenty more to say but I better rest my case here. Let us think about improving the system that we have. It is very expensive! Changing an education system is not like moving from one house to another.

With those few remarks, I beg to oppose.

An hon. Member: It is a polygamous relationship!

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion calling for change from the current 8-4-4 to the seven years in primary school, four in secondary school, two years for A-Level or in a technical school or what they call grammar schools in other countries and three years in the university (7-4-2-3). Since changing to the 8-4-4 system of education, several things have happened. First, although the Ministry denies, there are many Kenyans who are joining other universities abroad. When they go out to nearby countries, they find that the system there is not similar to ours. When they join Makerere University, they spend two years in A-Level before they can qualify to do a degree course. They pay the same fees as the university students there. We are in touch. In fact, in the North Rift, many students go to Uganda and we have to pay for the first two years for A-Level. However, they pay the same amount as university students. Therefore, we are draining our foreign exchange because they do not pay in Kenya shillings but have to go and convert. That is first a symptom.

Secondly, even the students, and the truth should be told here, who go to our universities, they are told that it is a three-year course. However, if the Minister could table how many students go through their degrees courses here in all these universities in three years, there will be none. They spend five to six years in the universities. If it is a parallel course, the amount at the rate of nearly Kshs150,000 to Kshs200,000 a year, it is an astronomical cost to the parents and to the nation.

Mr. Temporary Deputy Speaker, Sir, I would strongly recommend that we go back to the 7-4-2-3 system. The two years for A-Level should be made optional. If a student does not want to proceed to university, we should open up many technical schools and polytechnics so that, that student, who is not planning to go to the university, will get a technical course to be an artisan or a technician. We have told this Government, and even the KANU Government when we were there,

that a nation is not only built by degree holders. The majority of the people who build a nation are mainly the artisans and the technicians, for example, tailors and mechanics. Even professionals, like doctors, have to be supported by diploma or certificate holders. The doctors have to do their work with the help of the nurses and lab technicians. These are diploma or certificate holders in the particular courses. So, we have to establish these institutions. I am happy that we are putting up polytechnics with the money we are getting from the Constituencies Development Fund (CDF), but the Government should help us. One of the ways to help us is by re-introducing the 7-4-2-3 education system. The two years should be used to help the students qualify technically as artisans or technicians.

The Government is wasting a lot of resources in turning schools into compulsory boarding schools. I come from an area where the secondary schools were built by the local communities. In my own district, Nandi District, there was no Government assistance whatsoever. We built our own schools! However, the Government has come in and dictated that the schools must be boarding. Whoever goes to a secondary school must be a boarder. He or she must pay between Kshs25,000 to Kshs30,000 and yet, the schools are just close by. They were built by the local communities. I am talking about high potential areas. It is a different matter when you talk about arid and semi-arid areas. I am talking about areas where primary schools are within two or three kilometres apart, and there is a secondary school built by the community in-between. They are forced to become boarders and pay Kshs25,000 to Kshs30,000 a year and yet day-scholars in nearby schools pay Kshs9,000 a year. With four children who are boarders, you are forced to "cough" Kshs100,000! If you have four children who are day-scholars in a nearby school, you pay only Kshs40,000. That is a saving of Kshs60,000 per year. That is enough to pay fees for those four children in the next year. I request the Government to seriously consider those issues - the 7-4-2-3 system, boarding and day schools. I would like to know the policy of the Government. Under what section of the Education Act are those boarding schools created and made compulsory where parents must pay Kshs25,000 and yet, they contributed to the building of those schools? Under what section of the Education Act do you derive those powers? Is it the District Education Boards (DEBs) or the head teachers? They want boarding schools as a way - I am sorry to say so - of exploiting parents. That is a fact! When the auditors from the Ministry of Education go to those schools, they do not look at the truth.

Whereas I support the Government for having introduced free primary education, how many children manage to go to secondary schools? What affects their education is the issue of expensive boarding schools. We would like the Government to allow day schools where the proximity to "catchment" primary schools is near. What we can save from expensive boarding schools can be used to employ more secondary school teachers. There are many schools which experience shortage of teachers and yet, boarding schools are made a priority. It would be better to save the money so that we could employ enough secondary school teachers. I strongly speak in support of day schools in high potential areas in Kenya.

For arid and semi-arid areas, the Government should support boarding schools. But for high potential areas, let us save that money to employ more teachers. In any case, where did this Government get money to employ extra teachers and not pay for boarding schools? Where did this Government get the notion that one has to be a boarder? Boarding is a notion of the rich, those who can afford to pay for it. Instead of paying Kshs25,000 or Kshs30,000 per year as boarding fee, I would rather buy my child a bicycle so that he can be riding it to school. I went to a day intermediate school; Class Four to Eight, and we used to go cycling for ten to 20 kilometres away. Why can we not do it

now? Our children can be cycling to school and develop some discipline. I believe that there is a lot of indiscipline in boarding schools in the evenings. Right now, three or four of the schools in

my constituency - Moisergoi, Mosoriot and Lelmoko High School, just before they closed school, the students rioted because children from the neighbouring villages were idling after being expelled after they failed to raise boarding fees. We have to be realistic.

The Assistant Minister for Education (Dr. Mwiria): On a point of order, Mr. Temporary Deputy Speaker, Sir. I just wanted to correct the impression that boarding schools are Government's imposition. It is parents who ask for it and students who insist on it. As we let our children go to those schools, let us ask ourselves if they can compete with those who are in schools which are much more facilitated.

Mr. Sambu: Time is going, Mr. Temporary Deputy Speaker, Sir. I would like to tell the Assistant Minister, through you, that teaching is done during the day and teachers do not appear in schools at night. Students end up doing bad things at night and that is when they riot.

Mr. Angwenyi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. First, I want to commend the hon. Member for bringing up this matter. I hope that once we pass the Motion, the Government will be ready to implement our decision.

Most of us went through the former education system where there were levels of filtration. You could not have a student who could not perform for 12 years. There were various levels where students could be deregistered and redirect to do something else. I remember during my time, when one got to Standard Seven and they could not perform well, they had to join Sigalagala to train in masonry. If one could not join Form Four and did not make it to higher education, he or she had to join a tertiary college. When one finished Form Four and did not pass well, he had to join another tertiary college and train on how to provide services to our people. What is happening now is that we are jamming our institutions. That is why our universities cannot accommodate a quarter of the students who qualify to attain the criteria set by the Ministry of Education for joining universities. That is embarrassing and I am surprised that the Assistant Minister is not surprised that they have set a criteria for joining the university, yet they cannot fulfil their obligation to all the students who qualify.

We have broken the hopes of our youth. When a student works hard to attain a B+ because she or he knows that the grade, according to the education policy, can qualify him or her to join the universities but is disappointed by not being enrolled due to lack of accommodation is not fair. Why can we not provide education for these students and let them operate from their homes? Why we do tax them by offering parallel education which is very expensive? The fees we pay for our children to study through the parallel degree programmes are higher than what we would pay for our students to study in universities in Russia, Malaysia or some African countries. The Ministry is proud of what it is doing. They want to oppose this good suggestion which will help them filter at various levels the progress of our youth.

Mr. Temporary Deputy Speaker, Sir, we have pumped a lot of information and knowledge into our youth. We all know from the old adage that you can be a jack of all trades, but a master of none. We are producing jacks of all trades and masters of none. If we adopt the system of education that is proposed in this Motion, we will get people who are masters of their professions. We should know, for instance, that when a student is enrolling for university education, he or she will study medicine or law because he or she will be prepared for it. That was done to Mr. Kajwang and it becomes the reason why he was able to join Makerere University to pursue his education. Imagine if Mr. Kajwang went through the 8-4-4 system of education and he was expelled for fighting for the rights of students, he would not have joined Makerere University because he would have had to go through the "A" Level system of education. Therefore, let us prepare our youth for professions. If a student wants to join the teaching profession, he or she should be prepared as he or she progresses in his or her education.

Mr. Temporary Deputy Speaker, Sir, let us also, when we adopt this system, make it mandatory that students must pass the Kiswahili subject. We should be proud of our national language. Last week, I attended a conference in Geneva. There were a variety of languages in use, which I have never heard before. These languages have been approved for international use. Unfortunately, Kiswahili language was not among these languages. Some of the languages are spoken by less than 30 million people, but Kiswahili language is spoken by over 100 million people in East and Central Africa. For a change, let us be proud of ourselves. Let us not imitate the English, Spanish or the Portuguese. How many Portuguese are there in the world compared to the people who speak the Kiswahili language? Let us make it mandatory that other languages be optional. If we do this, we will improve the quality of education at various levels. The Government will afford to provide equal education opportunities to all our youth. A student in Nairobi has better knowledge than a student in a primary school in Kitutu Chache Constituency. The student in Nairobi has access to the internet and also has computer knowledge. The student in Kitutu Chache Constituency has no access to those facilities yet education is being provided by the same Government.

If we adopt the old system, we will be able to provide, at various levels, the same education throughout the Republic of Kenya.

If we have the high schools as they were, that I had to travel from Kisii District to Kikuyuland to study, this will be very good. Some of my best friends are the people I met at high school. We came from all the communities in this country. Therefore, the Ministry should not confine us to this discarded system of education which has failed our students.

Mr. Temporary Deputy Speaker, Sir, we should encourage boarding schools. In fact, up to Form Four, we should encourage segregated boarding schools so that we have good girls' and boys' schools and when they go to university, they will have matured and they can respect each other. Hon. Sambu was saying something to the effect that when you put those kids together before they mature and learn life, that is when they do the things he was saying they do during prep time when there are no teachers. We should have adequate opportunities---

Mr. Ochilo-Ayacko: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Member on the Floor referred to pupils as kids. Is it Parliamentary? Is it in order for the Member to refer to pupils as kids?

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, I thought that anybody you have given birth to is your kid. I have given birth to kids who are as old as 30 years. I am talking about people who are definitely below 25 years and you can understand why I am calling them kids.

Mr. Temporary Deputy Speaker, Sir, I am saying that we should create boarding schools because there we can provide adequate facilities.

Prof. Olweny: On a point of order, Mr. Temporary Deputy Speaker, Sir. Would I be in order to request the Chair to call upon the Mover to reply?

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, that man does not understand the Standing Orders of Parliament, although he is a professor!

I was finishing by saying that the fees being paid---

Mr. Ojode: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Angwenyi to call Prof. Olweny "this man", yet Prof. Olweny is an elected hon. Member of this House. Is he in order?

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, I thought he said he learnt English, and you cannot raise a point of order on top of another point of order. The Standing Orders do not allow.

The Temporary Deputy Speaker (Mr. Waithaka): Order! There is no harm in the hon. Member being referred to as a man, because even at the entrance you can see it is written "For the

Welfare of Society and the Just Government of Men."

(Laughter)

Prof. Olweny: On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Angwenyi's time has run out.

The Temporary Deputy Speaker (Mr. Waithaka): Order, Mr. Angwenyi! Your time is up!

Prof. Maathai, you have three minutes!

Prof. Maathai: Thank you, very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to support this Motion and congratulate the Member who has brought it forward. I think, in this country, we have been asking why so many of our children go to neighbouring countries and have to first go and waste two years? Why can the East African Community not synchronise our education system? Since we have gone through the 8-4-4 system and we have not felt satisfied, I want to agree that we should synchronise our education system and reintroduce the 7-4-2-3 system.

Mr. Temporary Deputy Speaker, Sir, since I do not have much time, I want to support my colleague and say that it is extremely important that our children are able to filter into schools especially technical institutions before they get into university. When they get to university, they should first have an opportunity to have general education before they can begin to specialise.

Mr. Temporary Deputy Speaker, Sir, my opinion is that our education system encourages our children to learn foreign languages even before they can read and write. We must have a policy where people can be allowed to read and write in their mother tongue so that they, at least, can communicate and keep records even if they come out of school at Standard VII.

Mr. Temporary Deputy Speaker, Sir, it is very important for us to understand that the Intelligence Quotient (IQ) of a child is not given by the teachers. One gets one's IQ from the parents and from the environment in which one grows. Teachers only help to sharpen your IQ and show you how to utilise it. Therefore, it is important that we encourage our children to be creative. We are not supposed to instil fear in our children. We have raised that issue in this House before and I know it is a phenomenon that is mostly found in our primary schools. Teachers are known to instil fear in pupils. I would like to urge the Ministry of Education to look into this matter. Why is it that, in both primary and secondary schools, teachers instil fear in students? As a result of this, the only language that they know is rioting. We do not encourage them to speak to teachers. We must learn to listen to our children.

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

The Temporary Deputy Speaker (Mr. Waithaka): Hon. Members, I will now call upon the Mover to reply.

Mr. Karaba: Mr. Temporary Deputy Speaker, Sir, I would like to donate two minutes to hon. Ethuro because he is my very great friend.

The Assistant Minister for Planning and National Development (Mr. Ethuro): Mr. Temporary Deputy Speaker, Sir, I would like to thank hon. Karaba for giving me this opportunity.

It is my view that the interest of this Motion is right, but what it is intending to do will not solve that problem. As a House, we passed the Sessional Paper on Education after a national consensus on what we need to do. It was agreed, even before the matter was brought before this House, that the 8-4-4 education system is good only that it was implemented in a haphazard manner. The workload for pupils, it was said, was too much. The matter was brought before us in this House and we passed the sessional paper. It will be a terrible memory loss if this House reneges on a Sessional Paper that it passed.

Secondly, there are real issues to be addressed concerning this Motion. The problem is not that this is not a better system. I think that since most of us went through the 7-4-2-3 System of Education, we tend to think that it is the best. That argument is the same as thinking that the best cook is your mother. That, for sure, cannot be true. There are better cooks in five-star hotels!

What we need to do is to improve the performance of our pupils at the starting level in this education system. Hon. Members have talked about the number of teachers in our primary schools. The Ministry of Education needs to hire teachers. They only hire teachers to replace the dead ones. We need to hire teachers in addition to those we hire because of natural attrition processes.

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

Mr. Karaba: Mr. Temporary Deputy Speaker, Sir, I would like to thank all the hon. Members who have supported this Motion. Once this Motion is passed, the Government should be able to practise what this Motion is urging them to do.

Some of us were teachers in the former system of education and the current one. So, we know the merits and demerits of both systems of education. When we stand here to talk of the merits of the former system of education, we know better of what we are talking about than some hon. Members who have talked against it. The duration covered in both systems of education is 16 years. Therefore, there is no change in terms of the number of years a student will complete in school. What really matters here is the structure of the education system and that is what hon. Members are concerned with.

We need to put in place a mechanism whereby students who go to secondary school and qualify are given a chance to pursue the "A" Level education. Those who do not qualify should be allowed to pursue other courses at that secondary level and then proceed to university. That will bring professionalism in our education system. That is what is being done in our neighbouring countries and it is what we are advocating for.

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

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Waithaka): Hon. Members, that concludes the business on the Order Paper. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.