

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Tuesday, 16th November, 2004

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

PRAYERS

### PAPERS LAID

The following papers were laid on the Table:-  
Report of the Departmental Committee on Finance, Trade, Tourism and Planning on the Government Financial Management Bill (2004)

*(By Mr. Oparanya)*

Report of the recommendations of the Departmental Committee on Health, Housing, Labour and Social Welfare on the National Social Health Insurance Fund Bill (2004).

*(By the Chairman of the Departmental  
Committee on Health, Housing, Labour and  
Social Welfare (Dr. Manduku))*

### ORAL ANSWERS TO QUESTIONS

*Question No.831*

DEATH GRATUITY FOR LATE  
PHILLIP BORE'S WIDOW

**Mr. Speaker:** Mr. Kimeto's Question is deferred to Thursday, 18th November, 2004.

*(Question deferred)*

Next Question, Eng. Muriuki!

*Question No.567*

ROLE OF VILLAGE ELDERS

**Eng. Muriuki:** Mr. Speaker, Sir, before I ask my Question, I would like to state that I have not received the written answer.

**Eng. Muriuki** asked the Minister of State, Office of the President:-

- (a) whether he is aware that village elders play an important role in helping the chiefs and their assistants; and,  
(b) who pays the village elders for their work.

**The Assistant Minister, Office of the President** (Dr. Machage): Mr. Speaker, Sir, although this Question is for the Office of the President, the Minister concerned is not here. I beg that you wait for him a little.

**Mr. Speaker:** All right, I will try.  
Next Question by Mr. Masanya!

*Question No.222*

NBK BRANCH FOR NYAMIRA TOWN

**Mr. Masanya** asked the Minister Finance when the National Bank of Kenya will re-establish a branch in Nyamira Town, in view of the lack of sufficient banking facilities.

**Mr. Speaker:** The Minister for Finance is not there?  
Next Question, Mr. Rotino!

*Question No.439*

INSTALLATION OF ROAD SIGNS ALONG  
KITALE-LOKICHOGGIO ROAD

Mr. Rotino is also absent? Next Question, Mr. Wamwere!

*Question No.017*

FULL PAY FOR MR. SACKKEY KIMANI

**Mr. Wamwere** asked the Minister for Education, Science and Technology:-

- (a) whether he could explain why Mr. Sackey Kimani, a teacher, TSC No.234377, was not paid half of his salary for the period of June, 1992, to July, 1996, when he was put in Nakuru Prison for an offence for which he was finally acquitted on 5th June, 1992; and,  
(b) given that the office of the Attorney-General has also recommended that he be paid his full pay, could he pay Mr. Kimani his full dues.

**The Assistant Minister for Education, Science and Technology** (Dr. Mwiria): Mr. Speaker, Sir, I was not very satisfied with the answer that I was given and I would like to beg to be allowed to answer this Question on Tuesday, next week. We need a little bit more information. I think the written answer is not correct.

**Mr. Speaker:** What is your reaction, Mr. Wamwere?

**Mr. Wamwere:** I do not think I have much choice other than allowing the Assistant Minister to take his time and give the correct answer.

**Mr. Speaker:** Very well. I will defer the Question to Tuesday!

*(Question deferred)*

Next Question, Mr. Mwanicha!

*Question No.071*

AGRONOMIC RESEARCH ON  
NEW BANANA VARIETY

**Mr. Mwanicha** asked the Minister for Agriculture what agronomic research the Ministry has embarked on to produce a banana variety which can be stored longer than what is currently produced in the country.

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

My Ministry, through the Kenya Agricultural Research Institute (KARI) has developed and introduced to farmers new and better banana varieties that have a longer shelf life than the traditional ones.

Mr. Speaker, Sir, secondly, my Ministry has also developed improved post-harvest handling methods that enhance the shelf life of the harvested bananas such as removing the banana fingers from the bunch, washing, grading and packaging. The Ministry has also developed improved and proper cultural methods of banana orchard management aimed at eliminating all diseases and pests that accelerate deterioration of the produce.

In Nyanza, we have the following varieties:- Variety AA, popularly known as the Uganda Green; also we have variety AB in Kisii, which is also another new variety. Other varieties include Valery, Lactan, Paz, Williams and Grand Nail.

**Mr. Mwanicha:** The reason why I asked this Question is that for those farmers who wish to bring a lorry-load of bananas to Nairobi, in case such vehicles break down, all those bananas ripen quickly and the farmers lose the whole crop because the bananas perish.

Where are these bananas that you are talking of, Mr. Assistant Minister? We grow bananas in my constituency and I have not seen a single banana of that variety which you are talking about. Where exactly are they planted? We do not even have extension officers on the ground.

**Mr. Kaindi:** The question of banana varieties is the domain of our research institution and KARI has come up with varieties that, in our view, can be able to address some of the problems. I have listed here some of these varieties. One of the reasons why we need banana varieties which can be able to withstand the issues he is talking about is because of the quick ripening of bananas. We, as a Ministry, are developing a banana variety that has a thicker fruit leaf which would be able to ensure that the banana can be able to withstand the period that the hon. Member is talking about.

Mr. Speaker, Sir, we have research stations in Kisii and we have developed plant-tissue bananas which can be able to address partly the plight of the farmer.

**Capt. Nakitare:** You have heard the Assistant Minister telling the House that the Ministry has introduced a new variety of bananas. I would like to know from the Assistant Minister whether these varieties are a result of Genetically Modified Organisms (GMOs), which has yet to be introduced or discussed in this country; or are they a result of tissue culture?

**Mr. Kaindi:** Mr. Speaker, Sir, we have not introduced Genetically Modified Organisms (GMOs) in this country. We, as a Ministry, are not encouraging any materials that are genetically modified until sufficient research is done to confirm whether they are palatable and we can deal with them.

**Mr. Mwanzia:** Mr. Speaker, Sir, I appreciate the answer given by the Assistant Minister. I also appreciate that there are well developed bananas which are planted in various areas of this

country, for example, in Katumani in Machakos District. However, the greatest problem we have is that our farmers lack information on the existence of new banana varieties because there are no extension officers who can advise them. What will the Assistant Minister do to make sure that farmers know that these varieties do, in fact, exist so that they can take advantage of them?

**Mr. Kaindi:** Mr. Speaker, Sir, the Kenya Agricultural Research Institute (KARI) has set aside Kshs257 million to promote horticulture and industrial crops. Bananas are in that category and I do appreciate what the hon. Member says. We will ensure that activities in our research stations are propagated properly.

**Mr. Angwenyi:** Mr. Speaker, Sir, this Ministry gulps a lot of funds from our Budget. However, they have never given the benefit of research to Kenyans. Could the Assistant Minister undertake to supply seedlings of this new banana variety to farmers in banana growing areas like Kisii, Meru and parts of Ukambani?

**Mr. Kaindi:** Mr. Speaker, Sir, what we are doing is multiplication and seed bulking. One of the reasons why we are failing and what has been alluded to by the hon. Member, is that we need to give our farmers information. I have visited Katumani and I know that we have certain banana varieties that farmers are not aware of. We need to encourage our farmers. I undertake that my Ministry will vigorously address the question of information dissemination so that farmers are aware that we have those varieties in those areas.

**Mr. Mwanicha:** Mr. Speaker, Sir, you heard the Assistant Minister say that there is a problem in the Ministry where they have sufficient information, but which is not reaching farmers. Could the Ministry consider forming an authority, or a board that deals with issues of banana farming just like we have the Coffee Board of Kenya (CBK), so that the plight of banana farmers could be sufficiently addressed?

**Mr. Kaindi:** Mr. Speaker, Sir, we have a liaison department which we are revamping through the efforts of KARI. As a matter of fact, the Kshs267 million that I have indicated, I would like to assure the House that this money will go a long way towards ensuring that, that information reaches farmers and more importantly that seed bulking and availability of seeds within the research stations, for example, in Kisii District is made available to farmers in good time.

**Mr. Speaker:** Next Question, Mr. Ndile!

*Question No.407*

MEASURES TO CONTROL HIV/AIDS  
PREVALENCE ALONG MOMBASA HIGHWAY

**Mr. Speaker:** Mr. Ndile is not here. We will come back to this Question. Next Question, Mr. Kipchumba!

*Question No.415*

COMPLETION OF KAPTAGAT WATER SUPPLY

**Mr. Kipchumba** asked the Minister for Water and Irrigation:-

- (a) if she is aware that Kaptagat water supply programme has stalled; and,
- (b) if she could consider funding the completion of this project during the next financial year.

**The Assistant Minister for Water and Irrigation (Mr. Sugow):** Mr. Speaker, Sir, I beg to reply.

- (a) Yes, I am aware that Kaptagat Water Supply which is a pumping system stalled in the

early 1990s due to high operation and maintenance costs which could not be sustained by revenue collected from sale of water. Nevertheless, the beneficiary community initiated and developed a gravity scheme which is now operational, but cannot meet the current water demand.

(b) My Ministry will review the design of Kaptagat Water Project during the current Financial Year with a view to increasing the water supply capacity and sustainability. The reviewed designs will establish the rehabilitation and augmentation cost requirement which will facilitate inclusion of the project in the forward budget once the project is prioritised at the district level.

**Mr. Kipchumba:** Mr. Speaker, Sir, while I agree with the answer given by the Assistant Minister and given that we have already committed through the Constituency Development Fund (CDF) about Kshs600,000 to this project, could he consider giving us some additional funds so that this project is completed?

**Mr. Sugow:** Mr. Speaker, Sir, I appreciate the fact that the hon. Member is putting in some money into this project. Unfortunately, on the part of the Ministry, there is no allocation for this year and we are not able to meet their requirements. However, as I had earlier mentioned, we will plan and liaise with him to lower the cost of rehabilitation of this project so that we can prioritise it for the next financial year. It is difficult for us to include it in the remaining part of this year.

**Mr. Speaker:** Any further question, Mr. Kipchumba?

**Mr. Kipchumba:** No, Mr. Speaker, Sir!

**Mr. Speaker:** Next Question, Mr. Moroto!

*Question No.795*

ELECTRICITY SUPPLY TO  
CHEPKORNISWO TRADING CENTRE

**Mr. Speaker:** Mr. Moroto is not here yet. We will come back to it. Next Question, Mr. Oparanya!

*Question No.345*

REVIVAL OF CO-OPERATIVE  
SOCIETIES IN BUTERE

**Mr. Oparanya** asked the Minister for Co-operative Development and Marketing:-

- (a) if he is aware that co-operative societies in Butere Constituency are dormant;
- (b) how many co-operative societies are registered and are actively operational in Butere Constituency; and,
- (c) what measures he is taking to revive dormant societies and activate the co-operative movement in the constituency.

**The Assistant Minister for Co-operative Development and Marketing** (Mr. Kenneth):  
Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that all the co-operative societies in Butere Constituency are dormant.

(b) My Ministry has registered a total of 11 co-operative societies out of which four are active; namely, Marengo Multi purpose Dairy Co-operative Society, Butere Staff SACCO Society, Matawa Multi purpose Co-operative Society and ASK Butere Diocese Sacco Society.

(c) Following the passing of the Co-operative Societies (Amendment) Act by this hon. House, and following the commencement of the same in late October, we are initiating intensified inspections. As I said last week, we shall be issuing guidelines for elections in all co-operative societies nationwide.

**Mr. Oparanya:** Mr. Speaker, Sir, the problem of these co-operatives failing to survive has been mismanagement. There has also been no supervision from co-operative officials. Could the Assistant Minister consider initiating training programmes for the co-operators to ensure that they are sustainable?

**Mr. Kenneth:** Mr. Speaker, Sir, one of the things we are doing with the co-operatives in Butere Constituency is to initiate intensified inspections, enquiries as well as spreading outreach education programmes, so that the societies are able to operate.

**Mr. Bahari:** Mr. Speaker, Sir, a number of SACCOs in this country are operating under financial difficulties because employers have failed to honour their side of their obligation. What is the Assistant Minister doing to compel those employers, particularly the local authorities and other Government authorities, to ensure that they honour their obligations?

**Mr. Kenneth:** Mr. Speaker, Sir, we have spoken on the issue of remittances. We can only enforce it now with the new Act which was brought before this House and its commencement date is actually at the end of October. So, I am sure with the new Act, we will be able to enforce remittances.

*(Mrs. Ngilu tore a copy of the Order Paper)*

**Mr. Sirma:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Mr. Sirma, what is it?

**Mr. Sirma:** Mr. Speaker, Sir, I do not know if the Chair noticed that the Minister for Health tore a copy of the Order Paper. I do not know if it is in order for a Minister to do such a cruel thing to the Order Paper!

**Mr. Speaker:** What Standing Order are you referring to? Who was on the Floor of the House?

**Mr. Oparanya:** Mr. Speaker, Sir, farmers of the Marenzo Multi-Purpose Dairy Co-operative Society produce a lot of milk. However, they have no market for their milk. This is because they sell it as raw milk. Could the Assistant Minister ensure that he provides a cooling plant to the farmers, so that they can sell their milk to the New Kenya Co-operative Creameries (NKCC)?

**Mr. Kenneth:** Mr. Speaker, Sir, as far as I am concerned, there is a wide market for raw milk. I want to ask the hon. Member to request the co-operative society to forward its milk to the NKCC.

*(Loud consultations)*

**Mr. Speaker:** Very well. Order, hon. Members! We are not able to communicate due to loud consultations.

For the second time, Eng. Muriuki, could you ask your Question?

*Question No.567*

#### ROLE OF VILLAGE ELDERS

**Eng. Muriuki** asked the Minister of State, Office of the President:-

- (a) whether he is aware that village elders play an important role in helping chiefs and their assistants; and,
- (b) who pays village elders for their work.

**The Assistant Minister, Office of the President** (Mr. Mungatana): Mr. Speaker, Sir, I beg to apologise for coming in late today.

Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that village elders play an important role in helping chiefs and assistant chiefs to administer their areas of jurisdiction.

(b) Village elders are not paid for their work, because they basically volunteer their services as patriotic Kenyans.

**Eng. Muriuki:** Thank you, Mr. Speaker. In such a situation, where citizens have volunteered to offer services which should be carried out by Government officials, corruption is bound to take place. Village elders are some how paid by people whose cases they handle on behalf of the chief. Could the Assistant Minister tell us if he has any plans of employing the elders or not. If not, he should do away with them. We cannot have people doing work for free.

**Mr. Mungatana:** Mr. Speaker, Sir, I share the concerns of the hon. Member. However, currently, as the Government, we do not have plans to employ village elders.

**Mr. Muchiri:** Thank you, Mr. Speaker, Sir. If village elders are important to our administration system, could the Assistant Minister tell us how they are appointed or elected?

**Mr. Mungatana:** Mr. Speaker, village elders are not appointed or elected. We use the structures that exist in a community to know who the important opinion leaders are. These are the people who are picked to assist a chief or an assistant chief in their areas of jurisdiction. **Prof. Olweny:** Mr. Speaker, Sir, is the Assistant Minister aware that village elders extort money and rob villagers of their chicken for the services that they render since they are not compensated?

**Mr. Mungatana:** Mr. Speaker, Sir, I am not aware of any village elder who has extorted money from villagers. We shall be glad to deal with such cases once evidence is presented to us.

**Eng. Muriuki:** Mr. Speaker, Sir, the Assistant Minister has admitted that village elders do important work. Considering that the NARC Government promised to provide 500,000 jobs per year, could he consider employing village elders?

**Mr. Mungatana:** Mr. Speaker, Sir, that is a reasonable suggestion. However, we did not promise, as a Government, to employ 500,000 people. We said that we would create an enabling environment for job creation to that extent. As of now, we cannot employ village elders.

*Question No.222*

NBK BRANCH FOR NYAMIRA TOWN

**Mr. Masanya** asked the Minister for Finance when National Bank of Kenya would re-establish a branch in Nyamira Town, in view of the fact that there are no sufficient banking facilities in the area.

**The Assistant Minister for Finance** (Mr. Katuku): Mr. Speaker, Sir, I am sorry that I came in late.

Mr. Speaker, Sir, I beg to reply.

The National Bank of Kenya is going through a restructuring programme. The process is nearly complete. Maybe, by the end of the year 2005, upon successful completion of the exercise, we will have an NBK branch in Nyamira Town.

**Mr. Masanya:** Thank you Mr. Speaker. Nyamira is a fast-growing town, especially now that work on Chemosit-Kisii Road is nearly complete. For the past 20 years, we have been having many dairy and tea farmers who do not have anywhere to bank their money. Could the Assistant Minister consider upon completion of the restructuring of the bank, to giving Nyamira the first

priority, because it is a busy town?

**Mr. Katuku:** Mr. Speaker, Sir, I will do exactly what the hon. Member has requested. I will give Nyamira Town priority once we finish restructuring the bank. We closed around 15 branches, one of which was the Nyamira Branch.

**Capt. Nakitare:** Mr. Speaker, Sir, you have heard what the Assistant Minister has said. I do not know if he is aware of mobile banking. Why can he not provide mobile banking, so as to make life easier for farmers in Nyamira and elsewhere in the country?

**Mr. Katuku:** Mr. Speaker, Sir, I will look into that option.

**Mr. Masanya:** Mr. Speaker, Sir, I thank the Assistant Minister for promising me to give Nyamira District the first priority in the provision of banking services that he withdrew.

*Question No.439*

INSTALLATION OF ROAD SIGNS ALONG  
KITALE-LOKICHOGGIO ROAD

**Mr. Speaker:** Is Mr. Rotino still not here? His Question is dropped.

*(Question dropped)*

*Question No.407*

MEASURES TO CONTROL HIV/  
AIDS PREVALENCE ALONG  
MOMBASA HIGHWAY

**Mr. Speaker:** For the second time, where is Mr. Ndile? That Question is dropped.

*(Question dropped)*

**Mr. Speaker:** Mr. Moroto's Question for the second time.

*Question No.795*

ELECTRICITY SUPPLY TO  
CHEPKORNISWO TRADING CENTRE

**Mr. Speaker:** I can see that he is also not here. His Question is dropped.

*(Question dropped)*

**QUESTIONS BY PRIVATE NOTICE**

EVICITION OF SMALL-SCALE  
FARMERS IN ISIOLO

**Dr. Kuti:** Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President, the



following Question by Private Notice.

(a) Is the Minister aware that the School of Infantry near Isiolo is evicting small-scale farmers from their farms claiming ownership of the land?

(b) What is the Minister doing to ensure that these peasant farmers are not left landless?

**The Assistant Minister, Office of the President (Mr. Mungatana):** Mr. Speaker, Sir, we had substantively answered this Question and, if I recollect properly, the only issue was whether the military can consider moving from the fertile area to allow the small-scale farmers to practice farming in that particular area. I wanted to inform the House and the hon. Member that this is an administrative matter which we could discuss and see what accommodations we can make so that the people of that area do not suffer.

**Dr. Kuti:** Mr. Speaker, Sir, I would like to know from the Assistant Minister what he exactly means by saying "an administrative decision"? How is this going to take place? How is it going to involve us? I would like to know clearly what he means by that.

**Mr. Mungatana:** Mr. Speaker, Sir, the hon. Member had informed the House that, in fact, in some parts of the year the farmers come and farm in those particular areas. However, if we look at the ownership of the land, it has been compulsorily acquired under Cap.295 of the Lands Act. So, what I am saying is that administratively, we can discuss with the hon. Member and the School of Infantry to see what accommodation we can make in terms of allowing the farmers to till the land in a particular time of the year so that the people of that area do not suffer. That is exactly what I meant.

**Mr. Bahari:** Mr. Speaker, Sir, if I recollect very well, the issue of compulsory acquisition of land was also one of the issues that was deferred so that the Assistant Minister could bring the necessary Gazette Notice and information on who have been compensated and when those people were evicted from that land. I think that issue was also outstanding. Could the Assistant Minister respond to that issue?

**Mr. Mungatana:** Mr. Speaker, Sir, indeed, the hon. Member is correct. We also had deferred that particular issue. The procedure that was followed was in keeping with Cap.295 of the Act. There is a House rule which makes clear that all the public records do not have to be tabled before the House. I want to take comfort in that because the procedure was properly followed. The Act was properly followed and any person who was involved, was compensated in keeping with the Cap.295 of the Act.

**Mr. Bahari:** On a point of order, Mr. Speaker, Sir. This is a matter of trust land and the Constitution of the Republic of Kenya, Section 19, clearly states that there must be an appropriate gazettelement of the land so annexed and the people be appropriately compensated once the land has been set aside and it is a constitutional issue. Could the Assistant Minister table the necessary Gazette Notice year?

**Mr. Speaker:** Not table but I think what he should do is to state the Gazette Notice number and the date. That will be adequate. Do you have the Gazette Notice number and the date?

**Mr. Bahari:** Mr. Speaker, Sir, and also the list of the people who have been compensated?

**Mr. Mungatana:** Mr. Speaker, Sir, I do not have the Gazette Notice number right now with me. However, I can provide it if it is necessary.

**Mr. Speaker:** Do that on Thursday. That is what we need.

Next Question by Private Notice by Mr. Muiruri.

**Mr. Muiruri:** I beg to ask the Minister for Information and Communications the following Question by Private Notice.

(a) Is the Minister aware that certain publications especially *Confidential, Independent, Patriot, Sun* and *Citizen* are maligning innocent people, breaking families and engaging in money extortion through irresponsible journalism?

(b) What is the Government's position on these publications and what measures has he put in place to regulate their operations?

**The Assistant Minister for Information and Communications** (Mr. Were): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that there are certain publications that peddle falsehoods, malign innocent people and engage in extortion through reckless journalism.

(b) It is also my wish to note that freedom of expression which encompasses press freedom enjoys constitutional protection under Section 79(1) of the Constitution. However, it is universally acknowledged that no freedom is absolute and this includes press freedom, the constitutional protection notwithstanding. Given this circumstance, I further wish to inform the hon. Members that the Government does not condone reckless and irresponsible journalism. In order to curb these vices, the Government is in the process of formulating the Media Bill to regulate the media industry. It is expected that such issues will be addressed in the Bill.

**Mr. Muiruri:** Mr. Speaker, Sir, I am surprised by the answer given by the Assistant Minister. This is not the first time this Question is appearing before this House. The first time, it was addressed to the Attorney-General who made it very clear to this House that all these publications are illegal. They had failed to meet the necessary requirements in law. They had not secured the Kshs1 million bond for them to operate. They did not have operational offices and in the case of launching libel cases, they were nowhere to be found. This Question was further addressed to the Office of the President and it has ended up with the Ministry of Information and Communications. However, my first question is that these publications only cost Kshs20. If only 1,000 copies are sold they get only Kshs20,000. So, they earn their own money through extortion. They ring somebody and tell him that: "We have a story against you or your family and so can you bring in Kshs10,000 or Kshs100,000"? Now, these publications cannot be allowed to continue to operate when they are breaking families and committing offences. This cannot go on in a Government. How soon is the Government going to take action by arresting and charging all these publishers? They should confiscate their machinery and make sure that families are intact. It annoys!

**Mr. Were:** Mr. Speaker, Sir, what the hon. Member has said is true but I have already said before that we are formulating a Bill which will be brought to this House and once it is passed, we will ensure that action is taken immediately.

**Mr. Osundwa:** Could the Assistant Minister inform this House which of these newspapers have executed the Publishers Performance Bond of Kshs1 million?

**Mr. Were:** Mr. Speaker, Sir, I do not have that information right here with me and so I am unable to provide that list.

**Mr. Speaker:** But Mr. Assistant Minister, whose business is it to find out because there is a complaint?

**Mr. Were:** Mr. Speaker, Sir, it is our business to find out that but, at the moment, as I speak in front of the House, I do not have the information.

**Mr. Speaker:** Okay. Will you bring it on Thursday?

**Mr. Were:** Mr. Speaker, Sir, Thursday is okay.

*(Question deferred)*

**Mr. Speaker:** Very well. Next Question by Private Notice by Mrs. Kihara!

INFLICTION OF CORPORAL  
PUNISHMENT ON MASTER KIZITO MUSIDIA

**Mrs. Kihara:** Mr. Speaker, Sir, I beg to ask the Minister for Education, Science and Technology, the following Question by Private Notice.

(a) Considering that corporal punishment in schools was abolished by the Ministry, why was the same meted on a pupil, Master Kizito Musidia of Maua Primary School, Sulmac on 23rd May, 2004?

(b) Could the Minister explain why no action was taken against the two teachers involved i.e., Miss Nyokabi and Mr. Orao, in spite of inflicting grievous bodily harm that resulted in the pupil becoming dumb?

(c) Why did the police at both Naivasha and Kongoni police posts not take any action even after the matter was reported to them?

**The Assistant Minister for Education, Science and Technology (Dr. Mwiria):** Mr. Speaker, Sir, I would like to beg the indulgence of the House. In fact, we got this Question only on Friday and as you know, yesterday was a public holiday. So, we would like to have a little bit more time.

**Mr. Speaker:** Mrs. Kihara, is that okay with you?

**Mrs. Kihara:** Mr. Speaker, Sir, it is okay with me. When will he answer it?

**Mr. Speaker:** Dr. Mwiria, when do you think you will be ready?

**The Assistant Minister for Education, Science and Technology (Dr. Mwiria):** On Tuesday next week, Mr. Speaker, Sir.

**Mr. Speaker:** Is that okay with you, hon. Kihara?

**Mrs. Kihara:** Yes, Mr. Speaker, Sir.

*(Question deferred)*

**Mr. Speaker:** Next Question by Private Notice by Mr. Billow!

SUSPENSION OF WB-  
FUNDED DECENTRALISED HIV/  
AIDS REPRODUCTIVE HEALTH PROJECT

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

(a) Is the Minister aware that the World Bank-funded decentralised HIV/AIDS and Reproductive Health Project covering eight districts was suspended in August, 2004 before its completion next year?

(b) Could the Minister explain the reasons behind this drastic action?

**The Assistant Minister for Health (Mr. Konchella):** Mr. Speaker, Sir, I beg the indulgence of the House and request that this Question be answered on Thursday. This is because information is still not available.

**Mr. Speaker:** Mr. Billow, is that okay with you?

*(Mr. Billow nodded)*

That is okay Mr. Konchella!

*(Question deferred)*

Last Question, Mr. Shakombo!

APPOINTMENT OF KPA BOARD  
MEMBERS FROM MOMBASA DISTRICT

**Mr. Shakombo:** Mr. Speaker, Sir, I beg to ask the Minister for Transport the following Question by Private Notice.

(a) Is the Minister aware that none of the Members of the Board of Directors of the Kenya Ports Authority (KPA) is from Mombasa District?

(b) Could the Minister confirm that the above omission will be rectified once the tenure of service of some of the members of the Board expires next month?

**The Assistant Minister for Transport** (Mr. Ligale): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that none of the members of the Board of Directors of KPA is from Mombasa District. The KPA Act, Section 4(f), on appointment of members of the Board does not bind the Government to appoint somebody from Mombasa District. However, I can confirm to this House that out of the six non-Government directors, three are from the Coast Province.

(b) In view of my answer to part "a" above, there is no omission to be rectified. Appointment of members of the Board of Directors of KPA will continue to be made strictly in conformity to Section 4(f) of the Kenya Ports Authority Act, Cap.391 of the Laws of Kenya.

**Mr. Shakombo:** Mr. Speaker, Sir, I am sure that the Assistant Minister will appreciate that Mombasa District has a reservoir of the most experienced officers, who know how the port is run. Mombasa people feel that they have been marginalised for reasons that this Government should tell them.

**Mr. Ligale:** Mr. Speaker, Sir, we must begin to rise above parochial interests. The Coast Province has three members on the Board of Directors and that, to us, is quite adequate. If, however, vacancies occur and somebody from Mombasa District qualifies, the Minister will consider him, but he is not bound to appoint somebody from Mombasa District.

**Mr. O.K. Mwangi:** Mr. Speaker, Sir, this is a very important Question, because the hon. Member has asked why people from his province have not been appointed directors, but the Assistant Minister has said that there are three. Is he telling us that people are going to be appointed because of where they come from? Have we thrown meritocracy out of the window? What is the position of the Government in this matter? Why do we have to be told that there are three people from the Coast Province if they have been appointed on merit?

**Mr. Ligale:** Mr. Speaker, Sir, meritocracy is the issue. Those three people from the Coast Province were appointed purely on merit.

**Mr. Angwenyi:** Mr. Speaker, Sir, this country has the culture of giving back to the people who offer productive services. The port is in Mombasa District and I do not think the Assistant Minister can tell us that he cannot find somebody who merits to be a member of that Board in that District.

*(Applause)*

We have, for example, the Kenya Tea Development Agency (KTDA) or the Coffee Board of Kenya and people who join the boards of these bodies come from areas which produce tea and coffee. Could the Assistant Minister undertake to correct the situation by appointing to the KPA Board somebody from Mombasa District immediately?

**Mr. Ligale:** Mr. Speaker, Sir, I cannot give that undertaking only in respect of Mombasa District. However, I can give the undertaking that if, at the expiry of the terms of the members of the Board, somebody from Mombasa District qualifies, he will be considered.

**Mr. Khamisi:** Mr. Speaker, Sir, the Assistant Minister keeps on talking about qualifications. Could he tell us what qualifications are required to be a member of the Board of KPA?

**Mr. Ligale:** Mr. Speaker, Sir, the Act says the following:-

"For those who are not public officers to be appointed to the Board of Directors they need to have knowledge in shipping, port operations, commerce, industry, finance and administration."

**Mr. Mwandawiro:** Bw. Spika, wakati tunapozungumza kuhusu watu kutoka Wilaya ya Mombasa, hatuzungumzii makabila. Makabila yote ya nchi yetu yanaishi katika Wilaya ya Mombasa. Kile tunachosema ni kuwa, kwa sababu shughuli nyingi za bandari zinafanyika Mombasa, na ujuzi mkubwa mno uko kule, ni kwa nini hakuna mtu kutoka Mombasa ambaye ni mwanachama wa halmashauri ya wakurugenzi wa KPA?

**Mr. Ligale:** Mr. Speaker, Sir, I have clearly said that three of the Board members come from the Coast Province.

**Hon. Members:** Mombasa!

**Mr. Ligale:** Mr. Speaker, Sir, surely, if out of six Board members, three are from the Coast province, we are doing fine!

**Mr. Speaker:** Last question on this!

**Capt. Nakitare:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to tell this House that maritime services can only be manipulated because of merit that comes from Nairobi?

**Hon. Members:** What?

**Mr. Speaker:** I have not heard what you have said! Mr. Ligale, did you hear what he said?

*(Mr. Ligale shook his head)*

**Mr. Billow:** Mr. Speaker, Sir, it is now common knowledge in this country that arising from the hands-off policy of the chief executive of the country, Ministers have the tendency to appoint people from their regions to positions in State corporations or senior positions in their Ministries. Could the Assistant Minister tell this House how many of those directors were, indeed, appointed by the current Minister of this Ministry to the Board of Directors of KPA?

**Mr. Ligale:** Mr. Speaker, Sir, there is nothing for us to hide! I can read the names of all the directors of KPA.

*(Applause)*

The Board of Directors of KPA are as follows:-

(i) Maj-Gen. (Rtd) Rouf Rouf was appointed on 19th April, 2002. His appointment expires on 18th April, 2005. He comes from Lamu District but lives in Mombasa.

(ii) The Managing Director, Mr. Brown Ondego, was appointed on 25th December, 1999,

and his appointment expires on 4th December, 2005. He was born in Coast Province although one of his parents comes from Western Province.

(iii) Mr. Muturi Kigano was appointed on the 25th March, 2003, and his appointment expires on 24th March, 2006. He comes from Murang'a District.

(iv) Mr. Charles Muoki was appointed on 25th March, 2003, and his appointment expires on 24th March, 2006. He comes from Machakos District.

(v) Mr. E.N. Konchella was appointed on 5th May, 2004, and his appointment expires on 4th May, 2007. He comes from Kilgoris District.

(vi) Mr. Komora Jilo was appointed on 12th May, 2004, and his appointment expires on 11th May, 2007. He comes from Tana River District.

(vii) Mr. Michael Mure was appointed on 19th May, 2004 and his appointment expires on 18th May, 2007. He comes from Kilifi District.

The others are Government appointees, Permanent Secretaries, who are members of the Board by virtue of their positions. To answer the hon. Member directly, out of the four directors that have been appointed by the current Minister, only one comes from his district.

**Mr. Shakombo:** Mr. Speaker, Sir, the NARC Government has been preaching about zero-tolerance to corruption. Mr. Muturi Kigano comes from Kangema in Murang'a District. He was appointed the Chairman of the Procurement Board, and most of the suppliers come from Kangema. Could the Assistant Minister tell us whether this is what the NARC Government meant by zero-tolerance to corruption?

**Mr. Ligale:** Mr. Speaker, Sir, if the hon. Member has any facts to support the allegation, let him table them here.

**Mr. Speaker:** Very well! That brings us to the end of Question Time!

**POINT OF ORDER**  
REMOVAL OF NSHIF BILL  
FROM ORDER PAPER

**Dr. Manduku:** On a point of order, Mr. Speaker, Sir. I rise to seek clarification on the change of the Orders of the Day. The Order Paper has been substituted with a Supplementary Order Paper, which excludes Order No.8 - the National Social Health Insurance Fund (NSHIF) Bill - which is about a very important matter, namely, the health of Kenyans. So, we would like to know why the Bill has been excluded from the Order Paper. Hon. Members are ready to debate the NSHIF Bill, dispose of it and proceed to other business.

*(Applause)*

**Mr. Speaker:** Order! Order, hon. Members! First of all, Dr. Manduku, I thank you for reminding me that there is a Supplementary Order Paper, which I now direct that it will be the order of business. Under Standing Order No.33, the Government has the right to place on the Order Paper in such sequence, such business---

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

Order! Order! Hon. Members, could you sit down? It is not just enough for hon. Members to be agitated. You must be agitated with knowledge of the rules. I am imparting some very important

knowledge on you. So, please, listen to the law, so that you become wiser.

I would like to read Standing Order No.33 in totality, so that hon. Members can understand what it means. It reads as follows:-

"33(1) The Government shall have the right to have Government business placed on the Order Paper in such sequence as the Government may determine."

The Chair received a letter from the Leader of Government Business setting out the order in which the Government Business will be transacted. The letter was delivered to the Clerk of the National Assembly this morning.

**Hon. Member:** No! No!

**Mr. Speaker:** Order! Order! The Government Business listed by the Leader of Government Business, in the sequence in which he wished it to be taken, is contained in the Supplementary Order Paper. That is within the law. If you want to know more about it, ask the Leader of Government Business.

*(Loud consultations)*

Order! Order, hon. Members! You have heard what the law says. If there is any further question as to the reason for it, it is not for me. It is for the Government to make up its mind on what it wants to do.

**Hon. Members:** No! No!

**Mr. Speaker:** Order! Order!

**The Minister for Health** (Mrs. Ngilu): On a point of Order, Mr. Speaker, Sir. I have looked at the Standing Order, but I also want to say that the authority that the Leader of Government Business has is given to him by the House Business Committee, in which I sit. The Leader of Government Business cannot transact business alone.

*(Applause)*

He can only transact business according to the laid-down procedures of this House. I attended the last House Business Committee meeting, where it was resolved that the NSHIF Bill (2004) would be the first business on today's Order Paper. Therefore, there was no reason whatsoever to change the House's business order for today as shown in the Supplementary Order Paper. You said that it is the Government which can change this House's order of business. I am a Minister in this Government.

*(Applause)*

Mr. Speaker, Sir, Government business is not just transacted within the House Business Committee. There are stages under which this is done. First, I brought to this House a Cabinet Paper, which was passed. I was directed by the Cabinet to introduce to Parliament a Sessional Paper for debate. I brought a Sessional Paper to this House, which was passed. I went back to the same Cabinet that I belong to. I was directed to prepare a Bill, which I took back to the Cabinet, which directed me to publish the same Bill for debate by this House. I brought the Bill here for the First Reading, and you directed that it be referred to the Departmental Committee on Health, Housing, Labour and Social Welfare. The Bill has passed through all these stages. I am now ready for the Second Reading.

*(Applause)*

**Mr. Speaker:** Order! Order, hon. Members! I have read to you the law. As to what the Cabinet does, that is not my business. Let the Cabinet go and sort out its own problems. The Chair is not a Member of the Cabinet, and I have no special interest in what they do in the Cabinet.

*(Mrs. Ngilu stood up in her place)*

Order! Order, Madam Minister! The Minister may as well be Minister and in Government! That is correct! But we do have a recognized office called the Leader of Government Business, and the Chair communicates Business of the House through that office. There is nothing you can do about it. The Order Paper remains as directed!

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

Order! Not on this issue! Go and sort out your problems in the Cabinet! Dr. Kituyi!

**The Minister for Health** (Mrs. Ngilu): On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Sorry, I cannot take any more!

**The Minister for Health** (Mrs. Ngilu): On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** What is it?

*(Applause)*

**The Minister for Health** (Mrs. Ngilu): On a point of order, Mr. Speaker, Sir. I would like this to be on record. That, the Ministry of Health has done its work for Kenyans and, for those poor people who have been waiting for us to pass this Bill so, if there is anybody, whether in Government or out of Government who did not wish to support this Bill, he or she should have done so on the Floor of the House and not through letters to the Speaker.

Mr. Speaker, Sir, I want that to be taken on record; that this is not the end of this Bill; we are going to fight for it, and Kenyans will have it!

*(Applause)*

**Mr. Speaker:** Order! Order! Order, hon. Members! Everything is written for a bashing! Very well! Dr. Kituyi!

*(Mrs. Ngilu withdrew from the Chamber)*

*(Several hon. Members started withdrawing from the Chamber)*

Order, hon. Members! Order, all of you! Order! Order! Those who wish to withdraw, please, go ahead.

Dr. Kituyi!

## MINISTERIAL STATEMENT



EFFECT OF EU GENERAL  
FOOD LAW REGULATIONS ON  
KENYAN HORTICULTURAL PRODUCE

**The Minister for Trade and Industry** (Dr. Kituyi): Mr. Speaker, Sir, sometime last week, Mr. Ndambuki requested, from the Floor of the House for a Ministerial Statement regarding growing and pricing among Kenyan producers of horticulture and horticultural products for export in the European Union Market, and that is associated with what has become known as the traceability requirement.

Namely, that from 1st January, 2005, there will be no conditions upon which horticultural produce will end in the European market. Having talked to the Ministry of Agriculture which was originally---

*(Loud consultations)*

**Mr. Speaker:** Order! Order! Can we listen to the Minister, please? Proceed?

**The Minister for Trade and Industry** (Dr. Kituyi): Mr. Speaker, Sir, I consulted with the Ministry of Agriculture which was originally targeted by the Question, but considering the fact that negotiations on market at source, tariff and non-tariff barriers to trade with the European Union fall under my Ministry, I wish to make a statement about the matter.

Mr. Speaker, Sir, when I became Minister for Trade and Industry, many members of the Kenya Fresh Products Exporters Association had already started canvassing the European Union on understanding that Kenyan horticultural exports to Europe will have to adopt new standards requiring documenting the farm where it was produced, who produced it and who are the handlers before getting to the European market, starting 1st January, 2005. The line of the negotiation which the European Union officials also started involving in was to seek to extend the grace period which the European Union was requesting on the Kenyan exporters.

Mr. Speaker, Sir, I had a series of meetings with the European Trade Commissioner Pascal Ani, the then Trade Commissioner and it culminated in a letter from him to me at end of July 2004, which among other things he said that there is no due requirement on Kenyan producers to worry about traceability. That letter contained two specific statements: One, that the general food law regulation, which otherwise being referred to as traceability requirement, does not have any extra-territorial application outside the European Union. Secondly, that the official feed and food law control regulations which come into force on 1st January 2006, did not have any standard requirement for exporters of horticulture into Europe.

I was a bit anxious because this letter came just before Pascal Ani ceased being the Trade Commissioner. I sent a copy of that letter to the head of the European delegation in Nairobi, and on Friday last week, I held a meeting in London with the new incoming European Commissioner, Mr. Peter Mandelsen, and I wish to confirm to this House that my discussions with Peter Mandelsen were consistent with the letter written to me by Pascal Ani, which letter has been reproduced in today's *Nation* newspaper under the name of Mr. Derrick C, the Acting Head of European Nation in Kenya, saying: "There is no application of the traceability requirement on Kenyan horticultural producers".

So, all the fears you have been having about what crops, what conditions *et cetera*, are unfounded. We will continue exporting as we have been exporting.

**Mr. Ndambuki:** Mr. Speaker, Sir, the Minister did not go into details, because, first, I

wanted to know the number of conditions which are in place. You have to take samples of your soil and water every year. Then you have to take your products and the soil to a registered or recommended lab. These are the concerns of the farmer, and these are the issues I wanted the Minister really to go into detail. I know there are people who are going round and, they are very serious in this gap. You might think that you have a letter, but I would like you, please, to cross-check and tell Kenyans the correct thing. For instance, there is a group of people going round now, teaching farmers what they are supposed to do. We would also like to know which produce is affected by this move. If it was moved from January, we would like to know, up to when. Do not say it is not effective.

**The Minister for Trade and Industry** (Dr. Kituyi): Mr. Speaker, Sir, as a Minister of the Kenyan Government, the only official way I can know of what is the official position of the European Union to us is, there is no better way than an official signed letter by the Trade Commissioner of Europe. I am putting it to the hon. Member that it is true the General Food Law Regulations which come into force on 1st January 2005, contain details about samples of produce and samples of conditions where they are produced. They do not have any extra-territorial application outside the European Union. So, busybodies are causing anxiety for nothing. These are rules that are applying only for produce in the European Union. They do not affect Kenyan producers in Kenya.

**Mr. Ndambuki:** Mr. Speaker, Sir, could the Minister tell us the produce which is affected by all this? I think he also needs to consult with the Ministry of Agriculture because they know some things which may not have captured his attention.

**The Minister for Trade and Industry** (Dr. Kituyi): Mr. Speaker, Sir, I said that with regard to the General Food Law Regulations, so long as the matters we are talking about are in the ambit of that regulation which comes into force on 1st January, 2005 which is a general food law regulation, which contains the requirements on traceability, those products or requirements do not apply to Kenyan farmers.

**Mr. Speaker:** Next Order!

## BILL

### *Second Reading*

#### THE INVESTMENT PROMOTION BILL

*(The Assistant Minister for Trade and Industry (Mr. Miriti) on 2.6.2004)*

*(Resumption of Debate interrupted on 11.11.2004)*

**Mr. Speaker:** Was the Minister replying?

**The Minister for Trade and Industry** (Dr. Kituyi): Mr. Speaker, Sir, my able Assistant Minister had just started to reply when business was interrupted because of lack of quorum. With the indulgence of the Chair I request to continue from there.

Mr. Speaker, Sir, may I, first of all, thank hon. Members of this Parliament for their constructive debate and positive attitude that they have brought to this Bill. I wish to mention that I

thank hon. Members particularly because, as a Minister, I did not even have the privilege to move or to participate in the debate of this matter up to this point. Thank you very much for the diligence with which you have handled this Bill.

Mr. Speaker, Sir, I have looked at the contributions by Members in the HANSARD and there was only one Member who opposed this Bill. He opposed it because there is corruption in Kenya. I can understand his desire to fight corruption. I enjoyed myself in the fight against corruption. But this Bill has absolutely nothing to do with how to fight corruption. If anything, simplification of investment procedures and reduction of anxiety and space for individual action is one of the best ways to reduce the possibilities of rent-seeking behaviour. So, to the extent that this Bill clearly sets out visa entitlements, work permit entitlements and types of visas for foreign investors, it reduces the grey zones where people could manipulate and create opportunities for corruption. To that extent, this Bill helps in the fight against corruption.

Mr. Speaker, Sir, having said that, I take note of the concerns of hon. Members. I want, at the very outset, to set out the following---

*(Loud consultations)*

Mr. Speaker, Sir, sometimes, debate becomes very cumbersome!

**Mr. Speaker:** It seems we have a very interesting Front Bench today!

**The Minister for Trade and Industry (Dr. Kituyi):** Mr. Speaker, Sir, one of the main concerns that was raised by hon. Members during their contributions in the Second Reading was that we should not over-emphasize foreign investments at the peril of domestic investors. I totally agree with that concern. I have listened to that argument being extended far. People have said that we should not over-develop Export Processing Zones (EPZs) because they are not helping the industrial development of the country. I agree that EPZs may not be sufficient enough in contributing to the development of the economy of this country, deepening value in the rural areas. But there is space for us to nurture domestic and foreign enterprises at the same time. I want to give the House my assurance and that of the Ministry that, while we are modelling an investment authority, which most immediately addresses the concerns and questions most raised by foreign investors, we use that as a learning experience which we want to directly transfer to the easing of the hostile conditions that have bedeviled domestic investments in Kenya.

Mr. Speaker, Sir, to that effect, we have two frontiers that we want to pursue. At my Ministry, we are preparing a new comprehensive Private Sector Development Strategy Paper which will learn from the experience of the new investment authority to target specific legislations and regulations that exist, and which have been an impediment to the growth of enterprise, and which have been creating a hostile environment for domestic investors. Similarly, we hope that in our give-and-take approach at the Committee Stage with Members of the relevant Departmental Committee, my Ministry will be open and take on board any suggestions from hon. Members, which they think are important in reflecting their concerns about the balance of priority between foreign direct investments and domestic investors.

Mr. Speaker, Sir, I have just returned to the country after more than two weeks of meetings on how to create conditions for adding value in Kenya, in order to export value-added products from Kenya. I mention that because it is important. A foreigner opening a trading house in Nairobi through which he or she sells foreign merchandise to Kenyans is not, in my mind, foreign investments. But a foreigner who invests into a factory that adds value to Kenyan produce for foreign export market, is what I count as a foreign investor. Through my meetings in three continents, in the past two weeks, trying to woo people to invest in adding value in Kenya, one of

the main impediments that we have been having, and that have been raised all the time, is the bureaucracy involved in setting up business in Kenya. The fact that you apply for 18 licences; the fact that you go to 18 totally unrelated enterprises, often without a road-map on where to get a health inspection certificate, environment inspection certificate, Factory Act, Compliant Certificate, water registration and so on, is the main impediment. We think that the world has not stopped to wait for Kenya to make value. We are competing with others who have lowered the bench-mark of time requirement like Ethiopia, who have brought theirs down to 14 days by law. It becomes mandatory that Kenya, to remain competitive, must also address the questions that others have addressed. To that effect, I believe that this piece of legislation, for purposes of creating a competitive investment environment, becomes one of the three or four key legislative actions to be carried out during the life of the current Parliament.

Mr. Speaker, Sir, I would like to thank the private sector, politicians and members of the public service who have been working and making contributions in different ways to the different bits that have come in this piece of legislation, before it arrived at the stage where we are. Most fundamentally, at my Ministry, we are committed to making a difference through moving from a legislative promise to performance action. We are set to lead the creation of an investment authority and to fast-track the reduction of bureaucracy as a way of triggering a multiplier effect that would also go to the other areas of public life in this country. Most fundamentally, as a Ministry, we are ready and looking forward to a give-and-take approach with the relevant Departmental Committee of this House dealing with specific issues that have been raised by hon. Members, and answering to all the concerns that have been raised.

With those few remarks, I beg to move.

*(Question put and agreed to)*

**Mr. Speaker:** Next Order!

### **MOTION**

ADOPTION OF 1997/1998 PAC REPORT

*(Mr. Wanjala on 14.10.2004)*

*(Resumption of Debate interrupted  
on 14.10.2004)*

**Mr. Speaker:** Mr. Wanjala was moving. Did he finish moving? Can I have the Order Paper, please? Where is Mr. Wanjala? If he is not here, we will skip this Motion!

*(Motion deferred)*

Next Order!

### **BILLS**

*Second Readings*

## THE BANKING (AMENDMENT) BILL

**Mr. Speaker:** Is there a Minister to move it? Mr. Katuku, what is happening?

**The Assistant Minister for Finance** (Mr. Katuku): Mr. Speaker, Sir, I am not ready to move it now! Maybe next time!

**Mr. Speaker:** Why are you not ready?

**The Assistant Minister for Finance** (Mr. Katuku): Mr. Speaker, Sir, because we are not ready!

*(Bill deferred)*

**Mr. Speaker:** Next Order!

## THE STANDARDS (AMENDMENT) BILL

**The Minister for Trade and Industry** (Dr. Kituyi): Mr. Speaker, Sir, it is my day also to eat a humble pie. I have never before said that I am not ready for business, but I did not anticipate that the House will reach the matter of the Standards (Amendment) Bill, which is supposed to be moved by me. I beg the indulgence of the House.

**Mr. Speaker:** The Bill is deferred.  
Next Order!

*(Bill deferred)*

THE HIV AND AIDS PREVENTION  
AND CONTROL BILL

**Mr. Speaker:** The Minister for Health is not here! Very well, the Bill is deferred! Next Order!

THE WILDLIFE (CONSERVATION  
AND MANAGEMENT)(AMENDMENT) BILL

**Mr. Speaker:** Mr. G.G. Kariuki is out of the country.  
The Bill is also deferred.

*(Bill deferred)*

Hon. Members, we find ourselves in the most interesting situation; where we cannot transact a single piece of business the whole afternoon. It is disheartening and I hope it will not happen again. Everybody must be ready for the business of the House, so that we can transact the business of the House, for which the people of Kenya look upon us to do exactly that. I am afraid, we have no further business to transact and, therefore, I will adjourn the House. The hon. Members at the Bar must return. There being no further business to be transacted, I am afraid we must now adjourn.

**ADJOURNMENT**

**Mr. Speaker:** Hon. Members, it now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Wednesday, 17th November, at 9.00 a.m.

The House rose at 3.53 p.m.