

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 30th April, 2009

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

The Report Parliamentary Select Committee on the Review of the Constitution on Nomination of the Chair and Members of the Interim Independent Boundaries Review Commission.

The Report of the Departmental Committee on the Administration of Justice and Legal Affairs on the Nomination of Commissioners to the National Cohesion and Integration Commission.

(By Mr. Abdikadir)

The Report of the Departmental Committee on Agriculture, Lands and Natural Resources on Food Security and Maize shortage in the country.

(By Mr. Mututho)

Annual Report on prosecution of Anti-Corruption and Economic Crimes pursuant to the provisions of Section 37 of the Anti-Corruption and Economic Crimes Act, No.3 of 2003, for the period 1st January 2008 to 31st December 2008.

The Reports of the Kenya Anti-Corruption Commission (KACC) under the Anti-Corruption and Economic Crimes Act, 2003, submitted pursuant to Section 36 of the Anti-Corruption and Economic Crime Acts:-

- (i) Quarterly Report for the period 1st January 2009 to 31st March 2009.
- (ii) Fourth Quarterly Report for the year 2008, covering the period 1st October 2008 to 31st December 2008.
- (iii) Third Quarterly Report for the year 2008, covering the period 1st July 2008 to 30th September 2008.
- (iv) Second Quarterly Report for the year 2008, covering the period 1st April 2008 to 30th June 2008.

The 25th Annual Report of the Kenya Law Reform Commission, pursuant to Section 3(3) of the Law Reform Commission Act for the period 1st January, 2007 to 31st December, 2007.

(By the Attorney-General)

Mr. Deputy Speaker: Next Order!

NOTICES OF MOTIONS

APPROVAL OF PSC RECOMMENDATION ON CHAIR\MEMBERS OF IIBRC

Mr. Abdikadir: Mr. Deputy Speaker, Sir, I beg to give notices of the following Motions:-

THAT, pursuant to Section 41B(2) of the Constitution of Kenya, this House approves the recommendations on the Chair and Members of the Interim Independent Boundaries Review Commission (IIBRC) contained in the Report of the Parliamentary Select Committee on the Review of the Constitution laid on the Table of the House on Thursday, 30th April, 2009.

ADOPTION OF REPORT ON THE NOMINATION OF COMMISSIONERS TO NATIONAL COHESION AND INTEGRATION COMMISSION

THAT, this House adopts the Report of the Departmental Committee on Administration of Justice and Legal Affairs on the nomination of Commissioners to the National Cohesion and Integration Commission laid on the Table of the House on 30th April, 2009.

ADOPTION OF REPORT ON FOOD SECURITY AND MAIZE SHORTAGE IN THE COUNTRY

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

THAT, this House adopts the Report of the Departmental Committee on Agriculture, Lands and Natural Resources on Food Security and Maize shortage in the country laid on the Table of the House on Thursday, 30th April, 2009.

The Assistant Minister for Information and Communications (Mr. Godhana):
On a point of order, Mr. Deputy Speaker, Sir. Is it in order for us to transact business in this House at a time when the women of this country have declared that there should be no business in all our---

(Laughter)

Mr. Deputy Speaker: Order! Order, Mr. Godhana! Whereas it is amusing to hon. Members, I think this is a serious breach of parliamentary practice. You do not rise on a point of order at this time. If you want to raise an issue like that, you wait for the appropriate moment!

(Applause)

*(Mr. Olago entered the Chamber dressed in official
Lawyers' Attire as an advocate of the High Court)*

POINT OF ORDER

MR. OLAGO'S ATTIRE IS AGAINST DRESS CODE FOR MEMBERS

Mr. Midiwo: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for Mr. Olago to walk in here as if he is the Chief Justice of the High Court of Kenya? Is he properly dressed?

(Laughter)

(Mr. Olago moved to the Dispatch Box)

Hon. Members: *Keti chini!*

Mr. Deputy Speaker: Order! You are not going to rule on that! You are not the Speaker! Mr. Olago, are you sure you have the appropriate attire for Parliament? Although there is no standard attire, but there are standard guidelines. You look like you are dressed for the law courts!

Mr. Olago: Mr. Deputy Speaker, Sir, I have just come from the High Court and the way I am dressed is good enough for the High Court. I have read the Standing Orders and I know that there is no rule against this mode of dressing. I do not want to dispute your ruling but I believe that I am properly dressed.

Mr. Deputy Speaker: Mr. Attorney-General?

(Laughter)

The Attorney-General (Mr. Wako): Mr. Deputy Speaker, Sir, I wish I was dressed like him on this occasion because when the Speaker sits there, he dresses in the traditional manner. Consequently, for the members of the legal profession, they follow the same footsteps; they dress in the way he is dressed. So, I am just envying him. I should have put with my wig on but I am just dressed in a suit. I think he is properly dressed!

Dr. Khalwale: On a point of order, Mr. Deputy Speaker, Sir. Before you make a ruling, probably you wish to consider the fact that this House is not only made up of people from the legal fraternity. If you are not too careful when you are making the ruling, you might forget that you are going to attract other professionals. We have butchers and doctors in this House and they have their own kind of uniform. If then they start coming with those kinds of attire, we are going to cause a lot of confusion.

(Applause)

The Attorney-General (Mr. Wako): On a point of order, Mr. Deputy Speaker, Sir. This House is about making laws. This House is not about surgeries in hospitals. It is not about denying people their rightful issues, conjugal rights and so on.

(Laughter)

It is about making of the laws. The people who are learned in law; who can authoritatively interpret the law and who can guide you on the issues of the law, can be dressed in the manner that they normally dress. In fact, when they are dressed like that, they are in a better position to contribute to the issues in this House!

Hon. Members: No!

The Minister for Housing (Mr. Shitanda): On a point of order, Mr. Deputy Speaker, Sir. While I do not wish to term the dressing on my colleague as inappropriate, under our Standing Orders, the way I know, what is inappropriate dressing for Parliament is dressing that is meant for other occasions.

(Applause)

If we allow this to continue as Dr. Khalwale has said, are we saying that if a man comes to this House dressed in a dress, we will allow it because it looks smart! This dressing is for the High Court or a court of law. This is not a court of law. This is Parliament and so the hon. Member is inappropriately dressed for Parliament!

(Applause)

Mr. Ruto: On a point of order, Mr. Deputy Speaker, Sir. This House is under threat from members of the legal profession. We want to turn the House into an extension of the Judiciary. This is Parliament; we sit here formally and if we allow certain professions to take over, especially in the mode of dress, what will stop boxers or footballers from coming here wearing gloves and all those sorts of things? Although we have not been told in the Standing Orders, we have to be formally dressed, otherwise we revert to a marketplace. We are not ready to do that.

The Assistant Minister for Transport (Mr. Mwau): On a point of order, Mr. Deputy Speaker, Sir. The Standing Orders are very clear that hon. Members should be properly dressed. They are supposed to wear a tie when coming to the House. The Standing Orders do not define what a tie is. It is a piece of cloth made in certain design that one wears round the neck in whichever manner. So, in my view, and the Standing Orders should support me, the hon. Member is wearing a piece of cloth that he has tied around his neck in whatsoever manner. So, he is properly dressed!

Mr. Bahari: On a point of order, Mr. Deputy Speaker, Sir. While I may not disagree that Mr. Olago is improperly dressed – in other words, he is properly dressed – I have a problem with the interpretation given by the Attorney-General when he made reference to various professions. As a legal advisor to the Government, that is likely to open the Pandora's Box because engineers can come here in overalls, helmets, tools and all manner of equipment. So, maybe to that extent, we can get that expunged from the records of the House.

The Assistant Minister for East African Community (Mr. Munya): On a point of order, Mr. Deputy Speaker, Sir. In other jurisdictions, this House is referred to as the House of Commons. In other words, it is the House where the common citizens of this country are represented.

(Applause)

So, it would be quite unfair to allow people to come dressed in their professional attire because that is not in keeping with the tradition of the “House of Commons”. I am saying this knowing very well that I am also a lawyer. I do not think it is appropriate. This is not the High Court! Hon. Members are equal and we should not use any profession to intimidate others who may not be learned in that profession.

(Applause)

Mr. Deputy Speaker: Mr. Attorney-General, whereas lawyers can also be lawmakers, it is not an exclusive profession here. There are engineers also. Other than what we have argued, do you have something else to say?

(Applause)

The Attorney-General (Mr. Wako): Mr. Deputy Speaker, Sir, lawyers are lawyers. They are not doctors, engineers, butchers or businessmen. We are here about making law. The comparison of this House to the House of Commons is misleading because this House is a single Chamber. This means that it is a combination of both the House of Commons and the House of Lords.

The House of Lords is the highest court in the United Kingdom (UK). So, in a sense, we are almost there. The Lord Chancellor of England is also the Speaker of the House of Lords was, he wears the same wig that the Speaker wears. There is no harm in the lawyers who are here identifying themselves as lawmakers in order to guide you laymen on issues of law.

The Assistant Minister for Foreign Affairs (Mr. Onyonka): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Attorney-General to consider all of us laymen? Even though some of us are not lawyers, we are highly educated Kenyans. How would he consider us to be laymen? He is tarnishing our reputations!

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order! Order, hon. Members!

Hon. Members, the dress code for Members of Parliament is not stipulated in the Standing Orders. It is stipulated in the Speaker’s Rules, which state, in Rule No.5, as follows:-

“Members are required not to enter the Chamber, lounge or Dining Room without being properly dressed. This means, a coat, a collar, a tie, long trousers, socks and shoes, or service uniform, or decent national dress for men and an equivalent standard for women, with hats being optional.”

Nonetheless, the Chair will rule whether, indeed, the manner in which Mr. Olago Oluoch is dressed conforms to the Speaker's Rules or otherwise, on Tuesday, next week.

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

Mr. Deputy Speaker: Order! That matter is disposed of!

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

Mr. Deputy Speaker: Mr. Nyamweya, you will be out of order if you are going to re-visit what the Chair has just ruled on!

Mr. Nyamweya: Mr. Deputy Speaker, Sir, I have not risen to speak on the matter that you have just ruled on.

Mr. Deputy Speaker: Proceed!

Mr. Nyamweya: Mr. Deputy Speaker, Sir, is it in order for the Attorney-General to mislead this House on a very serious constitutional matter? There is no House of Lords here. There is no House of Commons. This is the National Assembly of the Republic of Kenya, where we are all equal. So, we cannot allow it to pass casually. Indeed, we are talking about reforms. If we are talking about reforms, we should not be misled by the Attorney-General in that very casual manner.

Mr. Deputy Speaker: Very well. Point taken.

Proceed, Mr. Ali Joho!

QUESTIONS BY PRIVATE NOTICE

IRREGULAR ACQUISITION OF MOMBASA TECHNICAL INSTITUTE LAND

Mr. Joho: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Lands the following Question by Private Notice.

(a) Why has the 12-acre piece of land belonging to Mombasa Technical Training Institution located in Kilimani Upepo in Shanzu been alienated in favour of a private developer in total disregard of an ancestral claim that had been placed on it by more than 100 families?

(b) Could he consider allocating alternative land to the families who have been evicted as a result of the irregular acquisition?

Mr. Deputy Speaker: Mr. Godana, if you want to rise on a point of order, you will do it later, after Question Time.

Proceed, Mr. Assistant Minister!

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

(a) Mombasa Technical Training Institute was initially allocated a parcel of land, measuring 12.58 hectares on 26th March, 1997. In December, 1997, it was realized that the 12.58 allocated to Mombasa Technical Training Institute covered some 3 hectares of land already allocated to Alidina Visram Secondary School.

The anomaly was rectified on 15th December, 1997, whereby the letter of allotment to Mombasa Technical Training Institute was revised and amended to read "9.58 hectares". Alidina Visram Secondary School retained the 3.0 hectares already allocated to them. The decision to correct the anomaly was communicated to the then Permanent Secretary,

Ministry of Research, Technical Training and Technology vide letter dated 2nd October, 1998. The PS re-affirmed this subtraction.

Based on the revised letter of allotment, Mombasa Technical Training Institute processed a survey through a private surveyor and Deed Plan No.281042 for LR MBN/1/14710. An area of 9.084 hectares has been availed to the Ministry for purposes of preparing the grant, which will be executed by the Commissioner of Lands and forwarded for registration within seven days.

(b) From the foregoing brief, I am not aware of any other land in Shanzu measuring 12 hectares belonging to Mombasa Technical Training Institute that has been alienated in favour of a private developer. I am also not aware of the eviction of 100 families that were allegedly occupying the 12-acre piece of land.

Mr. Joho: Mr. Deputy Speaker, Sir, I would like to thank the Assistant Minister for that candid answer. I do not know whether he is aware that the squatters, who are on the said piece of land, have lived there for the last 20 years. I would like him to inform me of the procedure they used to allocate that land and why they did not consider the families that have lived on that land for the last 20 years.

Mr. Rai: Mr. Deputy Speaker, Sir, I think the land we are talking about is in Shanzu. I have also advised the hon. Member that if, indeed, there are squatters on this piece of land, he could write a letter to the Commissioner of Lands, so that before the grant is released for registration, we can consider whether these squatters can also be settled on this piece of land.

Mr. Joho: Mr. Deputy Speaker, Sir, I want the Assistant Minister to give an undertaking, before this House, that they will stop the process of registering the grant and consider, first, settling the squatters who have lived there for more than 20 years.

Mr. Deputy Speaker: Mr. Assistant Minister, you have to be discreet.

Mr. Rai: Mr. Speaker, Sir, once we receive this letter, we will consider the question of the grant, in view of the fact that these people had already done a survey. However, I have told the Questioner that if he writes immediately, I will talk to the Commissioner to ensure that the squatters are considered for settlement on this piece of land.

Thank you, Mr. Deputy Speaker, Sir.

Dr. Nuh: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to say that a Deed Plan for the 9.084 hectares is in process of being prepared when, indeed, he said in his earlier answer, that the Deed Plan was revised to 9.85 hectares? Where have the 0.48 hectares gone?

Mr. Rai: Pardon? I did not get your question!

Dr. Nuh: Mr. Deputy Speaker, Sir, in paragraph three of his written answer, the Assistant Minister says that the allotment was revised to 9.58 hectares while paragraph four of the same answer says a Deed Plan for 9.084 hectares is being processed.

Mr. Rai: Mr. Deputy Speaker, Sir, the correct scenario is that out of the 12.58 hectares, 3.0 hectares have been alienated to Alidina Visram Secondary School. So, the balance is what we are talking about. Certainly, this is a typing error.

Mr. Mungatana: Bw. Naibu wa Spika, suala la ukosefu wa ardhi na uskwota katika eneo la Pwani limekuwa suala gumu na donda sugu. Ningependa kumuuliza Waziri Msaidizi atuambie ameiwekea pesa kiasi gani sehemu ya Mtwapa kwa minajili ya kuwanunulia mashamba watu waliokosa mashamba? Mambo yamesemwa! Manifesto ya Rais Kibaki na ile ya Waziri Mkuu Raila Odinga zinasema kwamba watawatengea

mashamba maskwota wa Pwani. Je, ni kiasi gani cha fedha ambacho Waziri Msaidizi ametenga kwa shughuli hiyo? Amezungumza kuhusu Shule ya Secondary ya Alidina Visram na Chuo cha Teknolojia cha Mombasa. Je, ni kiasi gani cha fedha kilichotengwa kuwanunulia ardhi maskwota, na kuyapima mashamba?

Mr. Rai: Bw. Naibu Spika, ningependa kumfahamisha Mbunge mwenzangu kwamba Wizara haina pesa za kununua mashamba sasa hivi. Hata hivyo, tumepokea mapendekezo tofauti tofauti kutoka Mkoa wa Pwani. Tuko katika harakati ya kuona kwamba wakati Bajeti inatengenezwa, mapendekezo hayo yatatiliwa maanani ili tujue Bunge hili limeipa Wizara pesa ngapi ambazo zitatumiwa kununua mashamba ambayo tutawagawia maskwota katika Mkoa wa Pwani.

Mr. Joho: Bw. Naibu Spika, ningependa Waziri Msaidizi anieleze kama ni sawa nikipendekeza kwamba Wizara yake isimamishe ugawaji wa ardhi katika Mkoa wa Pwani hadi watapowachunguza maskwota kwa kina, ili wawe ni wao watakaopata ardhi?

Mr. Were: On a point of order, Mr. Deputy Speaker, Sir. Is the Questioner, who asked the Question in English, in order to ask his supplementary question in Kiswahili?

Mr. Deputy Speaker: That is certainly not in order. If you start in English, you finish in English! Mr. Joho, ask your question again in English!

Mr. Joho: Mr. Deputy Speaker, Sir, is it possible for the Ministry of Lands to stop the issuance of new allotment letters in Coast Province? First, the Ministry should implement the recommendations of the task force on land so that the real squatters can be settled before anybody else from outside.

Mr. Rai: Mr. Deputy Speaker, Sir, we have taken all this into account and the task force will visit Coast Province on Sunday. The task force will collect views and make recommendations to ensure that the squatters on the ground are considered during the allocation of those pieces of land.

FATE OF FORMER ECK EMPLOYEES

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

- (a) Could the Minister explain the fate of all the former employees of the disbanded Electoral Commission of Kenya (ECK) and provide a list showing the respective amounts paid as terminal dues to those that were retired?
- (b) Could he table the list in the House detailing the respective grades and salaries of all the redeployed employees of the former ECK and their current stations, respectively?
- (c) Could he outline the steps being taken to ensure that the redeployed employees are not placed at grades and salaries that are disadvantageous to them?

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

- (a) As to the fate of all the former employees of the disbanded ECK, I wish to confirm the following:
 - (i) The total number of ECK staff complement as at the time of dissolution was 550.
 - (ii) The number of staff absorbed into the Civil Service is 411.

- (iii) The number of staff who opted not to be absorbed is 139.
 - (iv) The details of the package paid to each employee who exited are reflected in the attached payroll, which I will lay on the Table.
- (b) Deployment of those absorbed into the Civil Service by job category is reflected in the attached list, which I will also lay on the Table.
- (c) With regard to the steps taken to ensure placement and salaries are commensurate with qualification, I would like to say the following:
- (i) The Cabinet decision was that those staff absorbed must meet the prevailing academic and professional requirements for corresponding grades in the Civil Service as prescribed in various schemes of service and career guidelines.
 - (ii) The staff absorbed were to fit within the existing Civil Service salary and benefits structure in order to avoid distortions which might lead to discontent in the Service.
 - (iii) Ministries and Departments were instructed to ascertain qualifications of each staff and deploy them appropriately. The Ministries were then to deploy the staff at their respective headquarters, provincial or district offices according to the staffing needs of each Ministry or Department.
 - (iv) The Ministry of State for Public Service, which was mandated by the Cabinet to oversee the exercise has continued to review the deployment to ensure that all staff are deployed according to their qualifications. My Ministry will continue to monitor the deployment until all the ex- ECK staff are appropriately placed.

I am aware that, given the large number that we have had to handle, there may be cases of square pegs in round holes or where there were overlapping qualifications or experiences these were not adequately taken into account. My Ministry is willing to look at each case individually and rectify where it is possible.

It is also important to point out that all the employees were given a choice. Those who wanted to be redeployed into the Civil Service were to enter the Service within the terms of the Civil Service. Those who wanted to exit were to do so within the terms of the ECK, under the grades they were serving.

(Mr. Otieno laid the documents on the Table)

Mr. Kioni: Mr. Deputy Speaker, Sir, I want to thank the Minister for the good answer which was prepared within 48 hours. However, there is an issue I would like the Minister to clarify.

First, part “c” of his answer seems to be at variance with part “c” of my Question. What has been addressed are the steps being taken by the Ministry to ensure that placement and salaries are commensurate with the qualifications. My Question was: What steps are being taken to ensure that the staff are not placed at grades and salaries that are disadvantageous to them?

Secondly, what formula was used to arrive at the final dues that were paid to each of the members of staff of the disbanded ECK?

Mr. Otieno: Mr. Deputy Speaker, Sir, as to the grade and salaries, you will realise that the former ECK was an independent constitutional body, which had its own grades and salaries. The disbanded ECK engaged its staff according to its terms and qualifications. In some cases, there may not have been qualifications, but nobody would have questioned the Commission. We informed an employee, who wanted to join the Civil Service, where we thought he fitted. If he was not satisfied with that, then he was to take the benefits that were entitled to those who were exiting. So, it was a matter of choice. If an employee felt disadvantaged by joining the Civil Service, he or she was fully covered in terms of the compensation he or she received on exit.

Mr. Bahari: Mr. Deputy Speaker, Sir, I rise on a point of order to request whether this Question could be deferred. This is because the documents that have been laid on the Table by the Minister are voluminous. This is a matter that is extremely important and we need to thoroughly scrutinise these documents to ensure that there was fairplay. Kindly, consider my request so that we can scrutinise these documents properly.

Mr. Deputy Speaker: Is that the view of the Questioner?

Mr. Kioni: Mr. Deputy Speaker, Sir, I agree with that opinion because it is true that we have very many names from across the country. It is important that hon. Members are given an opportunity to scrutinise them.

(Applause)

Mr. Mungatana: On a point of order, Mr. Deputy Speaker, Sir. I agree that we should postpone this Question. However, I request the Minister to be prepared when he comes back to give us more information. Right now, the former ECK Commissioners have gone to court to challenge whether their removal from office together with the staff was constitutional or not. How prepared is the Minister in case the court rules in favour of the disbanded ECK Commissioners?

Mr. Deputy Speaker: In view of the interest this generates, it is actually a matter of national interest. I order that this Question appears on the Order Paper on Thursday next week. The Question, is therefore, deferred!

(Question deferred)

PUBLIC INQUIRY INTO CONDUCT OF
BRITISH COLONIAL ADMINISTRATION

(Mr. Mututho) to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

- (a) If there has been any public inquiry into the conduct of the British Colonial Administration in Kenya during the 1950s emergency particularly on torture and human rights abuses to citizens of Kenya.
- (b) Whether the British Government has paid any compensation to victims or issued public apology for the atrocities.

- (c) When specifically the Government will implement the Motion passed by this House on 8th October, 2008 to give a minimum of 2.5 acres of arable land to every authenticated Mau Mau veteran.
- (d) If the Government could arrange urgent medical attention for the ten Mau Mau veterans who still have bullets lodged in their bodies since the Mau Mau uprising?

Mr. Deputy Speaker: Mr. Mututho, I am made to understand that this Question was directed to the wrong Ministry initially and now it is going to be directed to the Office of the Prime Minister and you are in agreement with the Minister on that. Is that the case?

Mr. Mututho: Mr. Deputy Speaker, Sir, I am in agreement. However, I also want the Office of the Prime Minister to note that it is 41 years since this matter happened. It would be important that they take it seriously.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I said that I wanted the indulgence of the Chair, under Standing Order No.40 (2) and Standing Order No.43 (5), to redirect this Question to the Prime Minister's Office.

Mr. Deputy Speaker: In the opinion of the Chair, this matter belongs to the Office of the Prime Minister. Under these circumstances, I direct that it be sent to the Office of the Prime Minister.

Dr. Khalwale: Mr. Deputy Speaker, Sir, I stand on a point of order to seek a Ministerial Statement from the Minister for East African Community in respect of the Federation of the East African Community (EAC).

I am seeking the following clarifications: -

1. Could the Minister give us an update on the negotiations of the common market for the East African Community?
2. What is the progress of the negotiations on political federation of the EAC?
3. What are the developments on the Customs Union of the EAC?
4. In view of the huge financial---

Mr. Deputy Speaker: Order, Dr. Bonny Khalwale! It is to be appreciated that the new Standing Orders have just come into force. We have just realised now that the next Order is on Statements. So, wait until it is called for as the next Order!

Next Order!

POINTS OF ORDER

UPDATE ON FEDERATION OF EAST AFRICAN COMMUNITY

Dr. Khalwale: Mr. Deputy Speaker, Sir, with your guidance, do I have to restart or I just complete what I had left?

Mr. Deputy Speaker: You have to restart for the purposes of the HANSARD!

Dr. Khalwale: Mr. Deputy Speaker, Sir, I am seeking for a Ministerial Statement from the Minister for the East African Community in respect of the Federation of the East African Community (EAC).

I am seeking the following clarifications: -

1. An update on the negotiations on the common market for the EAC.

2. The progress of the negotiations on the political federation of the EAC.
3. What are the developments on the Customs Union of the EAC?
4. In view of the huge financial resources that taxpayers of Kenya contribute more than the other EAC countries to fund projects and programmes of the EAC, how many such projects and programmes have been initiated in this country and where specifically for poverty reduction, promotion of health, improvement of literacy rates and other related matters?

Thank you.

Mr. Deputy Speaker: In the absence of the Leader of Government Business, any Minister can give an undertaking on that.

The Minister for Foreign Affairs (Mr. Wetangula): Mr. Deputy Speaker, Sir, Mr. Kingi has been in Arusha and I think he is not back yet. I can undertake for him to give the Statement on Wednesday afternoon, next week.

Mr. Deputy Speaker: There will be a Ministerial Statement on that on Wednesday next week in the afternoon.

Dr. Khalwale: On a point of order, Mr. Deputy Speaker, Sir. With your indulgence, I would request that the Statement be given on Tuesday after the next. This is because I will be involved in a Public Accounts Committee (PAC) function outside the country.

Mr. Deputy Speaker: Is that okay with the Minister?

The Minister for Foreign Affairs (Mr. Wetangula): Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: It is so directed!

CATTLE RUSTLING IN NYAKACH CONSTITUENCY

Mr. Ochieng: Mr. Deputy Speaker, Sir, I rise to seek a Ministerial Statement from the Minister of State, for Provincial Administration and Internal Security. That aware that Nyakach Constituency has experienced serious recurrence of cattle rustling since January 2008---

Mr. Deputy Speaker: Order, Mr. Ochieng! Can you speak a bit loud so that you can be heard? The Chair is having problems hearing you!

Mr. Ochieng: You cannot hear me? Then let me move to the Dispatch Box!

Mr. Deputy Speaker: Kindly move to the Dispatch Box!

(Mr. Ochieng moved to the Dispatch Box)

Mr. Ochieng: Mr. Deputy Speaker, Sir, aware that Nyakach Constituency has experienced serious recurrence of cattle rustling since January 2008, I would like to know:-

- (a) How many head of cattle have been stolen from Nyakach Constituency from January 2008?
- (b) How many people have lost their lives as a result of cattle rustling?
- (c) How many head of cattle have been recovered so far?
- (d) What steps is the Ministry taking to bring the insecurity situation under control?

I rest my case.

The Assistant Minister of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I will be ready with the Statement on Thursday next week.

Mr. Deputy Speaker: It is so directed! The Statement will be given on Thursday next week.

Next Order!

Mr. Abdikadir: Mr. Deputy Speaker, Sir, on Wednesday the 18th February this year, the Parliamentary Select Committee (PSC) on Constitutional Review tabled a list for nomination of the Chairman and members of the Interim Independent Electoral Commission (IIEC).

On the 19th February, following debate, that matter was referred back to the Committee, following reservations by this House on a number of members of that Commission.

Mr. Deputy Speaker, Sir, the PSC took seriously the views expressed in this House and reservations voiced as far as a number of those individuals we had proposed were concerned. On the 23rd February this year, following several meetings, the PSC decided to reopen that list and replace two nominees; one, representing the Coast Province and another one, representing the Western Province, and re-advertised the post for Chair of the IIEC.

Mr. Deputy Speaker, Sir, after advertising, 12 individuals were shortlisted and thereafter interviewed for chairperson of the IIEC. The two individuals we had proposed for Coast and Western Provinces were also replaced.

Mr. Deputy Speaker, Sir, the PSC, thereafter agreed to forward the following people as Chair and members of the IIEC: -

- | | | |
|----------------------------|---|-------------|
| 1. Mr. Ahmed Issak Hassan | - | Chairperson |
| 2. Mr. Douglas Mwashigadi | - | Member. |
| 3. Ms. Tiya Galgalo | - | Member. |
| 4. Ms. Hamara Ibrahim Aden | - | Member |

Mr. Were: On a point of order, Mr. Deputy Speaker, Sir. The Chairman of the Committee has not moved the Motion before doing what he is doing!

Mr. Deputy Speaker: Indeed, yes! Mr. Abdikadir, you should move the Motion by reading it as it is written, letter for letter, verbatim, on the Order Paper. After that, you can contribute!

Please, proceed!

Mr. Abdikadir: Mr. Deputy Speaker, Sir, I stand corrected. I thank the hon. Member.

MOTION

APPROVAL OF PSC RECOMMENDATIONS ON CHAIR/MEMBERS OF IIEC

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

THAT, pursuant to Section 41(3) of the Constitution of Kenya, this House approves the recommendations on the Chair and members of the Interim

Independent Electoral Commission contained in the Report of the Parliamentary Select Committee on the Review of the Constitution laid on the Table of the House on Wednesday, 22nd April, 2009.

Mr. Deputy Speaker, Sir, I had started by stating that on 8th February, a list was tabled. But on 13th April, we took into account the reservations voiced by the House. On 23rd, we decided to re-advertise the position of the Chair and replace two names. Thereafter, we interviewed ten people for the Chair and came up with the following new list.

- | | | |
|-----------------------------|---|----------|
| 1. Mr. Ahmed Issak Hasan | - | Chairman |
| 2. Mr. Douglas Mwashigadi | - | Member |
| 3. Ms. Tiya Galgalo | - | Member |
| 4. Ms. Hamara Ibrahim | - | Member |
| 5. Mr. Kenneth Nyaudi | - | Member |
| 6. Dr. Yusuf Nzibo | - | Member |
| 7. Ms. W. Wacheke Guchu | - | Member |
| 8. Mr. Davis Chirchir | - | Member |
| 9. Mr. Simiyu Alfred Wasike | - | Member |

Mr. Deputy Speaker, Sir, by virtue of the constitutional Amendment No.17 of 1990, the ECK was given constitutional powers which had been taken away earlier on and re-established. Before that, we had the post of the supervisor of elections a Civil Servant under the Attorney-General's Chambers. Elections, for quite some time, were conducted by district commissioners, until we had a low point in 1988 when we had the queue-voting system. In 1993, a further constitutional amendment appointed 12 commissioners for the Electoral Commission of Kenya (ECK). In 1997, following the Inter-Parliamentary Parties Group Bill (IPPG), we increased that number to 22.

In 1998, the ECK was also allowed to establish its own Secretariat, which functioned until the 2007 General Elections. Following the problems that ensued after the elections of 2007, this House decided to disband ECK following the constitutional amendment early last year. The problems of the elections of 2007 had their genesis in the ECK. It is, indeed, fitting that the reforms that are required by this country have started with the ECK and, therefore, the need for us to establish a new Interim Independent Electoral Commission. The key purpose of this Commission is to re-establish the confidence of Kenyans in the institution that is going to be charged with the management of elections in this country.

In view of the fact that this Motion had, indeed, been moved earlier, I do not wish to spend more time on this matter.

I, therefore, move the Motion and ask Mr. Namwamba to second it.

Mr. Namwamba: Mr. Deputy Speaker, Sir, it gives me great honour to have the privilege of seconding this Motion, essentially because this task that the House is faced with right now is of great national significance. The reconstitution and the restructuring of ECK is, indeed, the first step in a long journey that this country must travel in our bid to achieve far-reaching constitutional, statutory and institutional reforms. Indeed, the aftermath of the last general election put into sharp focus the need and the necessity to have an electoral body that commands the confidence, the respect and the absolute faith of the people of this country. Therefore, as this House takes note of this matter, we must look back and remind ourselves of the reasons that led this country so close to the

precipice and realise that today, we must start the journey to strike a blow for reforms in the electoral arrangement in this country. As we speak, there is a vacuum in this critical area of our governance. We do not have an electoral body. Therefore, the urgency of this House taking keen consideration of this process and giving this country this IIEC cannot be gain-said.

Mr. Deputy Speaker, Sir, in preparing the list that the Chairman has ably presented to this House, we went through a very thorough process. The Committee has taken time to build consensus and I can confirm that the list that has been presented here enjoys the full and absolute confidence of the Parliamentary Select Committee, tasked by this House to undertake this process this far. We have faith in the professionals that have been nominated to undertake this task. We have absolutely no doubt that given the responsibility, this team can live up to the expectation. I also want to urge hon. Members to judge each of these nine nominees purely on their merit. The last time we presented this list here, which has since undergone amendments, a lot of issues were brought to the fore, some of which we had time to interrogate in the Committee and did not find any merit in them. Therefore, I want to urge the House that may we consider each of these nominees purely on their merit.

Let me take this opportunity to urge His Excellency the President to fast track the appointment of these nominees once this House has passed its verdict on the same, so that we can fill this vacuum and proceed with the other issues that must be settled. Let me conclude by also urging the nominees that will have the opportunity and the honour of receiving the nod of this House, that they will be carrying an enormous national responsibility. This team will have the responsibility of reviving and re-installing the confidence and faith of the people of this country in our electoral system. I want to pray that this team shall not fail this country in that regard.

With those few remarks, I beg to second.

(Question proposed)

The Assistant Minister for Livestock Development (Mr. Duale): Mr. Deputy Speaker, Sir, I stand to support this Motion.

Secondly, I want to thank the Members of the PSC for taking time and coming up with this list of the Chair and eight members who will form the core and the basis of a new electoral system in this country. The Chairman has given the history and the path that we went through in reforming our electoral institution in this country. We had the DCs, the IPPG, the former ECK and today, we have a nine-member team in front of us here that will steer this country forward. We believe it will give us a free, transparent and organised electoral system in this country. We have the names of the nine members in front of us. Section 41(10) of the Constitution provides for the Interim Independent Electoral Commission of Kenya with a unequivocal and independent mandate that is drawn from the Constitution and it says:-

“In the exercise of these functions under the Constitution, the Commission shall not be subject to the direction or control of any person or authority.”

Mr. Deputy Speaker, Sir, we know what we went through in 2007. We know the report that was tabled in this House; the Kriegler Report, which showed the challenges and shortcomings in our electoral systems. The mandate of the Interim Independent

Electoral Commission is very clear and has been stipulated in the law. We expect them to establish an efficient, effective and transparent secretariat. We expect them to be leaders of a free and fair election that the Kenyans and the African people can be proud of. The proposed Commission should respect the tenets of democracy, of free election. We expect them to introduce an efficient conduct and supervision of elections and referendums. We expect them to introduce a new electoral system. We want them to give us a voter register devoid of dead voters. We expect them to give us a secretariat devoid of tribalism. We expect them to give us an electoral system based on fairness and justice. We expect these nine men and women to give us a way of settling electoral disputes in this country. We expect them to perform other functions, which the law gives to them.

Mr. Deputy Speaker, Sir, I want hon. Members to look at the nine nominees on the basis of their personal integrity and professionalism. We must delink ourselves from the culture of seeing a Kenyan on the basis of region, the tribe he belongs to and the religious affiliation. I want hon. Members, when they are contributing to this Motion, to look back and see what we went through in 2007. In 2007, we had over 1.5 million dead voters who woke up from their graves on the 27th December and voted for respective candidates and political parties. On the 27th December, 2007, Kenyans went to election. But different results, tallying sheets and Form 16As were brought to the counting and tallying centres. We know the kind of election system that we went through. We cannot live in a vacuum. We must be a society that has faith in its institutions. I think in the reform programme in this country, today we are starting reforming the first institution.

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

The Attorney General (Mr. Wako): Thank you very much, Mr. Deputy Speaker, Sir. I feel I must stand up to support this Motion. I am saying so, as a person who has been involved and seen evolution of the workings of the electoral systems in Kenya. As the Report clearly states, in 1991, the elections were actually conducted by the Supervisor of Elections, which was an office under me. He was my official with the rank of Under Secretary-General. Where the report goes slightly wrong and I want to correct them on the history of this, it was not a constitutional amendment of 1991, which restored the independence of the Electoral Commission. The Electoral Commission has always been independent under our Constitution. However, what had happened is that they had unconstitutionally delegated their authority to the Supervisor of Elections. So, the restoration of the independence was by revoking the legal notice under which the supervisor of elections received the delegated power to conduct elections. So, it was by revoking that notice, which I did in 1991 that the independence, was restored. The Constitutional amendment of 1991 was merely to increase the functions of the Electoral Commission and not necessarily to restore the independence of the Commission, which was already there.

Mr. Deputy Speaker, Sir, as has been stated, this is a very urgent matter that needs to be dealt with. Unfortunately, we have lost a few months because of what happened. The sooner we support this Motion the better. I am particularly pleased by the fact that the persons whom we are now endorsing today have come to be appointed through a competitive process. For the first time, we have qualifications that must be met by prospective commissioners, which was not there under the current Constitution. What were there under the current Constitution, were these qualifications of being a member of the electoral Commission. However, we did not have really the qualifications of being a

member of the Electoral Commission. Now we have qualifications amongst which are; you must a graduate. But most importantly, you can be very clever and professional, but unless you have high moral character and integrity, then you are intending for---

Dr. Nuh: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: What is your point of order, hon. Dr. Nuh?

Dr. Nuh: There are so many unaccompanied bags. We do not know whether they have some bombs or not! They could be belonging to some people, but I cannot be so sure.

Mr. Deputy Speaker: Hon. lady Members of Parliament, sit close to your bags. Do not leave them alone.

Proceed, hon. Attorney General!

The Attorney-General (Mr. Wako): Mr. Deputy Speaker, Sir, I was saying that you may be highly professional, a graduate and everything, but unless you have high moral character and integrity, then that comes to nothing as far as the electoral commission is concerned.

Therefore, I am pleased with the assurance given by the Committee that, that aspect was also looked into; not just a qualification, but also a high moral character and integrity of the persons involved.

I am pleased to note that among the functions of this Commission, under “A” starts with the word “reform”. So, reform will be the guiding star of this new Interim Independent Electoral Commission that we are now appointing today. We have people who are able to achieve that. I would only urge them to make up for lost time, so that the time envisaged under the legislation, is met in due time.

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

The Minister for Tourism (Mr. Balala): Mr. Deputy Speaker Sir, I rise to support the Report of the Parliamentary Select Committee on the Review of the Constitution, which I am a Member, and I am proud to be there. The process has been very transparent, highly professional and with a lot of integrity in it. I believe that we will move this country forward if the system is thoroughly looked into, which we have already done.

This is the first agenda of the reforms and particularly on Agenda Four. The process of transforming the democratic institutions of 2007 has let down the country. The issue of reforming these institutions does not only involve appointing the commissioners but reforming the system to make it responsive to the people, the population; the issues of eligibility, efficiency and transparency of the voting system, which includes a digital voting system.

[Mr. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Prof. Kaloki) took the Chair]*

What is required is free and fair elections. There should be integrity in the process not only on the voting day, but also from the day of registration, alienating the boundaries and vetting people who do not belong to a certain constituency. We had a major problem in the previous election of imported voters who were moved because of poverty and lack

of resources. This should stop once and for all if we want to transform governance of our democratic institutions. We had a classic example in Ghana recently when there was a close gap of only 20,000 votes which made the whole difference in the second run for the presidency. The integrity and the personality of the Head of the Commission in Ghana made the difference in the fair judgement of who would be the next President. We want to be very clear that the whole process from registration to the announcement of the results is transparent and efficient in terms of transmitting the information.

Countries like the United States of America, India and the big democracies of this world with big populations, much bigger than Kenya's population, get their results immediately after an election but not us.

It worried me a bit, the day before yesterday, when the Speaker's ruling delayed. I thought it was a case of another Form 16A getting lost. However, I believe in the integrity of the Speaker and the integrity of this House that such crucial rulings cannot be interfered with. The stability of this country is not about either having a President or not. It is about respecting the verdict of our democratic institutions, and the institutions having the right organs and capacity to stand tall and stick to their word and justify their conclusions. If we are talking about change, then this is the beginning of change. This is the real change. This is the real mandate of legislatures and that is why we are here in Parliament.

I am glad that we have put everything aside and the first thing we are doing today is to discuss issues concerning an Interim Independent Electoral Commission and the Boundaries Commission which will build confidence that people need. I was looking at some people when they were saying that we should have an election while they were aware that there was no Electoral and Boundaries commissions in place. Therefore, I want to say that let us for once, in this country, have honest leaders that can direct this country by telling us what we need. We need honest leadership, which is vital for our stability and the inclusion of the people of Kenya.

With those few remarks, I beg to support.

Mr. Chanzu: Thank you, Mr. Temporary Deputy Speaker, Sir, for the opportunity to contribute to this important Motion. I want to support this Motion on the creation of an Interim Independent Electoral Commission. All of us know very well that the clamor for a new Constitution started in this country in the early 1990s and it was never to be. We all remember very well that when the NARC Government came to power in 2003, they promised Kenyans that a new constitution would be born in a 100 days. Since that did not happen, pressure mounted and that is why we had problems in 2005 when a referendum was held. These are the problems that led to what culminated in the year 2007.

We are here to come up with an Interim Independent Electoral Commission so that we can correct the messes that we went through after the 2007 General Election. This is a very urgent exercise that we must accomplish, as a House, because we have a vacuum. A few days ago, when some of us were clamoring for an election, we knew very well that we did not have an Electoral Commission in place. However, we were desperate because we have two principals who did not agree; yet they are supposed to be on top of everything in the country. It is very important that the Select Committee on the Review of the Constitution has moved very fast and come up with the proposed names. This is going to be an eye opener and portrays very well in the eyes of Kenyans. Kenyans can now see

that a Bill can come here and it can be thrown out and hon. Members can later sit and agree. This is the beginning of democracy in this country. I join my colleagues in appreciating the work that has been done by the Select Committee. The Commission is going to have enormous work because we must have new registers and within a reasonable period. The reforms we are talking about are among other things that have been said here, that we must get information regarding the elections on the spot. We should not have a problem like the one we had in 2007 where the former Chairman of the Commission was complaining that he could not access polling centres in some constituencies because communication gadgets were not there. I was even wondering how he could not reach a place that is 100 kilometres from Nairobi. He could not even charter an aircraft and fly to that place and see what was happening. He said that he was relying on gadgets like mobile phones and yet they were all blocked. We know that by the time all that was happening, something must have been definitely wrong.

Although we do not want to remember that, I think it is good for us to remember it just for future reference. We want this system to be properly computerized. The recruitment of staff---- Just a while ago, we had a Question here regarding the former employees of the Electoral Commission of Kenya. These employees may have not have had proper qualifications which are comparable to the ones prevailing in the Civil Service. The information I have is that when it comes to recruiting staff, the Commission should consider those who may have had special skills. They may not have had very high academic qualifications but they have knowledge, which is useful.

Mr. Temporary Deputy Speaker, Sir, the recruitment of senior members of staff should be done carefully so that we avoid the issue of ethnicity and corruption which have permeated many sectors of the economy.

With those few remarks, I beg to support

The Assistant Minister, Ministry of State for Defence (Maj-Gen. Nkaisserry):
Mr. Temporary Deputy Speaker, Sir, I support these recommendations by the Parliamentary Select Committee (PSC). The PSC interviewed very able and competent Kenyans and it is the responsibility of this House to approve and pass this list so that the Interim Independent Electoral Commission (IIEC) can start its job. As it stands now, this country is at cross-roads. We are actually in a constitutional crisis. If anything happened now in this country, things are going to be bad. Due to that, this House needs to pass this list now.

Mr. Temporary Deputy Speaker, Sir, every citizen in this country is not a voter. As I speak, there is no registered voter. When the IIEC starts working, the first job is to construct a voter register for this country. The next thing is to push forward Agenda Four. One of the Agenda Four items is constitutional reforms. We cannot do that unless we have an IIEC in place. The other very fundamental thing that this Commission needs to do immediately is to carry out by-elections. There are quite a number of Kenyans who are not represented in this House. If we pass this IIEC, it will be able to embark on the job and give the people of Bomachage Constituency, their constitutional right to be represented in this House. The other important thing that the IIEC will be doing is to carry out a referendum as soon as we put the constitutional reform in place. We are going to run into a referendum and therefore, the IIEC is very essential.

Mr. Temporary Deputy Speaker, Sir, after the interview of the Commissioners of IIEC, the citizens who have been chosen to do this very important job for our nation are going to be men and women of integrity.

Mr. Ruto: On a point of order, Mr. Temporary Deputy Speaker, Sir. Since we are all unanimously in agreement and there is no dissent on this, and given the importance of this exercise, would I be in order to request that we call upon the Mover to reply?

(Applause)

Mr. Affey: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Members of the PSC, having discussed these recommendations in the Committee room, to come and bulldoze us here not to discuss it? We need to discuss the recommendations because the matter before us is a matter of national importance. Let us continue!

The Temporary Deputy Speaker (Prof. Kaloki): Maj-Gen. Nkaisserry, please, proceed!

The Assistant Minister, Ministry of State for Defence (Maj-Gen. Nkaisserry): Mr. Temporary Deputy Speaker, Sir, if the hon. Members who have contributed before me are Members of the PSC, the Attorney-General himself is not a Member.

I would like to say that the people who have been chosen to carry out this very important job for this country must be women and men of integrity. We do not want our country to go back to what happened in January, 2008. It is a warning from this House to the people who have been given an opportunity to serve in the IIEC. They should be independent and should not be swayed by any political persuasion. That is a message that I want to send to my brothers and sisters who are going to serve Kenya in this capacity.

With those few remarks, I beg to support.

Mr. Midiwo: Mr. Temporary Deputy Speaker, Sir, I rise to support---

(Loud consultations)

Mr. Midiwo: Mr. Temporary Deputy Speaker, Sir, protect me from people who are unhappy because you have given me a chance.

The Assistant Minister, Ministry of State for Defence (Mr. Musila): Mr. Temporary Deputy Speaker, Sir, I have a lot of respect for the Chair as well as Mr. Midiwo, but there was a point of order from Mr. Affey, who after a point of order by Mr. Ruto, stated that the Members of the Committee were bulldozing the Motion through. But what I understand from the mood of the House was such that you should have put the question as to whether the Mover should be called upon to reply. Otherwise, you will be agreeing with Mr. Affey that somebody is bulldozing hon. Members.

(Question, that the Mover be now called upon to reply, put and agreed to)

Mr. Abdikadir: Mr. Temporary Deputy Speaker, Sir, I cede two minutes of my time to Mr. Affey.

Mr. Affey: Mr. Temporary Deputy Speaker, Sir, thank you very much. I would like to thank the Committee for coming up with these wonderful recommendations. In fact, it should be passed within minutes, but because of the interest this has generated for the country, I thought that many of us should ventilate so that we can advise this Commission whose Chair, as I know is fair and just. This country is in a crisis right now.

The Assistant Minister, Minister of State for Defence (Mr. Musila): On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not want to create any problem for the House but it is completely out of order for the Chairman of the Committee to give time as if he is the Speaker. He has no time to give. Therefore, the Mover should say whether he has nothing to say.

Mr. Abdikadir: Mr. Temporary Deputy Speaker, Sir, time was allocated and I do not intend to use it and that is why I thought if the hon. Member has an important issue, he can use it. Let me go ahead and reply.

Mr. Temporary Deputy Speaker, Sir, this House has talked about reforms for too long. It is time for us to walk the talk. This afternoon we are starting on a good footing if this House can go ahead and approve the list for the IIEC so that reforms in that sector can be underway once and for all.

Secondly, failures that we witnessed last time were essentially failures of institutions. Failure of the judiciary, the Electoral Commission of Kenya (ECK) and the police. All these institutions require urgent reforms. It was heartening to listen to the President when he gave his Speech indicating the need for reforms in those sectors. So, it will be giving action to those words if we can start those reforms by confirming the list as indicated by the PSC.

With those few words, I beg to move.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, that concludes the business on the Order Paper. The House is, therefore, adjourned until Tuesday, 5th May, 2009 at 2.30 p.m.

The House rose at 4.00 p.m.