

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 22nd April, 2009

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATIONS FROM THE CHAIR

PARLIAMENTARIANS FOR GLOBAL ACTION CONFERENCE

Mr. Speaker: Hon. Members, I have two communications to make. Parliamentarians for Global Action (PGA), a non-partisan international network of elected national legislators will hold a two days conference on Thursday, 23rd April, 2009 and Friday, 24th April, 2009 at the Main Conference Room in County Hall, Parliament Buildings. The opening session will take place in the Old Chambers, Parliament Buildings, at 9.00 a.m. on Thursday, 23rd April, 2009. The conference has been organised to discuss the implementation of the Rome Statute and will be attended by more than 30 parliamentarians from Africa and the rest of the world; Judges from the International Criminal Court of Justice, Non-Governmental Organizations and the Civil society.

The Conference will be opened by the Speaker of the Kenya National Assembly. The keynote address will be delivered by Lady Justice Joyce Aluoch, Judge of the International Criminal Court of Justice. Other presenters, include hon. Samuel Malecela, former Prime Minister of the United Republic of Tanzania, hon. Dr. Ruth Wijdénbosch, Chair of PGA International Council, hon. Abdikadir Mohammed, Chair Justice and Legal Affairs Committee, Kenya National Assembly; Judge Daniel Ntanda Nsereko, Member of Appeals Chamber, International Criminal Court; Mr. Wilfred Nderitu, Chair, Kenya Chapter ICJ and hon. David Musila, Chair Kenya Chapter of PGA, among others.

The PGA has Members in 110 countries around the globe and Kenya is an active member. Its objective is to promote effective inter-parliamentary collaboration to mobilise global political action from an equitable, safe and democratic world. The headquarters of PGA is in New York, USA. All Members of the Kenya National Assembly are invited to the opening session in the Old Chamber and to the working session in the Main Conference Room in County Hall, Parliament Buildings.

OPERATIONALIZATION OF NEW STANDING ORDERS

Hon. Members, as you are all aware, with the commencement of the Third Session of the Tenth Parliament, the Standing Orders approved on 10th December, 2008

are now operational. However, a number of these Standing Orders are new and need special emphasis.

One of the new innovations is Standing Order No.40, which allocates time to the Prime Minister, every Wednesday afternoon Sitting, from 3.00 p.m. to 3.45 p.m. The Prime Minister will make Statements or answer Questions directed to his office during the 45 minutes allocated to him every Wednesday afternoon.

The Statements and Questions put to the Prime Minister will be those that relate to Government policy, or the general performance of the Government. Questions that cross-cut across Ministries will also be directed to the Prime Minister. To ensure that adequate notice is given to the Right Honourable Prime Minister, all Questions to the Prime Minister must be received by 10.00 a.m. every Thursday for answering the following Wednesday. My office has assigned a desk officer in the Clerk's Chambers to deal with all issues directed to the Prime Minister's Office. The officer is located in Room No.8, First Floor, Main Parliament Building, where all Questions and Statements to the Office of the Prime Minister should be submitted. Replies to Questions to the Prime Minister will be expected to be received in the same office on or before 11.00 a.m. on Wednesday and circulated to respective Members of Parliament not later than 2.00 p.m. the same day.

Hon. Members, the Right Honourable Prime Minister's Time will commence from next Wednesday, 29th April 2009. In order to distinguish this from ordinary business, Questions and Statements to that Office will be printed on green paper.

Finally, the Chair will expect that, in accordance with Standing Order No.36 (4), the Leader of Government Business will similarly be issuing a Statement on Government business every Thursday at 3.30 p.m. for 15 minutes. This could commence even tomorrow Thursday, 23rd April 2009.

Thank you.

Dr. Khalwale: On a point of order, Mr. Speaker, Sir. I wish to thank you for that direction, especially in connection with the Prime Minister's Time. However, probably, you could shed more light on it. Looking at the Standing Orders, the provision that Questions be taken to the Prime Minister the Thursday preceding the Wednesday on which they are to be answered, we do not see it in the Standing Orders. Since we shall be setting a tradition, probably, as you guide us further, it would be important for you to give us some allowance as the Prime Minister rises to answer Questions.

This is a very good opportunity for matters that arise at a short notice. We would like the Prime Minister to expect that the House will expect him to respond to issues on the spur of the moment. An example is the matter that took place in Mathira Constituency. If it had happened last night and the Prime Minister was on the Floor today, hon. Members would have had to pursue the issue immediately rather than wait to raise a Question to him next week. So, before we set precedence, probably, you could shed more light on this.

Mr. Mungatana: On a point of order, Mr. Speaker, Sir. In fact, Dr. Khalwale has taken the words out of my mouth. I wanted to emphasise that it would help us more if we could elaborate on a procedure for dealing with emergency situations, because what you have provided is for a situation that is ordinary. However, there will be emergency situations and the Prime Minister will need to address such issues. We would want to

know how we would approach such situations. We should anticipate some emergency situations.

Thank you, Mr. Speaker, Sir.

Mr. C. Kilonzo: On a point of order, Mr. Speaker, Sir. Since it is not provided for in the Standing Orders, we would wish you to clarify more, because our expectation was that we do not give the Prime Minister notice, since we will not be asking for information relating to the nitty gritty of what happens in a Ministry. We will basically be dealing with policies of the Government, or decisions made by the Government. We thought that, in that case, there would be no need for notice because the Prime Minister should know the decisions being made by Government or the policies of the Government.

Mr. Speaker: Hon. Members, the matters that have been raised in the three points of order are genuine and important, and need to be addressed. But it is my direction that we operationalize this provision in terms of the Communication that I made this afternoon.

We will improve and refine the process as we begin to effect it; we will become wiser with the experience that we are going to gather. To begin with, it is expected and, indeed, this has been intimated to the Honourable Prime Minister, that when he comes to deliver his Statements and answer Questions on every Wednesday, he will be expected to address topical issues on matters that have arisen in the country such as has been cited by Dr. Khalwale.

If, for instance, the Prime Minister was going to utilise his time this afternoon, we would have expected that the first thing he would have addressed would have been with respect to the violence that led to deaths in Mathira Constituency. Hon. Members would have been at liberty to seek clarifications from him without notice, because he would be expected to be conversant with the respective Government policies and Government actions taken.

So, let us operationalize those provisions on that understanding. The Prime Minister is accordingly put on notice, that this is what is going to be happening.

Thank you.

EXERCISE OF DISCRETION BY CHAIR
TO ALLOW MEMBER TO
GIVE NOTICE OF MOTION

Mr. Speaker: Hon. Members, I have received a Notice of Motion from the Member of Parliament for Ikolomani. Under our practice, as captured in the records of our traditions and practices of the Kenya National Assembly, a Notice of Motion is not given until a matter is referred to the House Business Committee, but the prevailing circumstances are such that we do not have a House Business Committee in place, yet the matters that are canvassed by Dr. Khalwale in the Motion are of such nature that they are of critical urgency, and of immense national importance. I have, therefore, in the absence of express provisions in our Standing Orders, exercised my discretion under Standing Order No.1 to allow Dr. Khalwale to give notice of the Motion, and that this matter will then go to the House Business Committee for allotment of time as and when the Committee is constituted.

NOTICE OF MOTION**VIOLATION OF KENYAN TERRITORIAL BOUNDARIES
BY UGANDAN SECURITY FORCES**

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

THAT, noting with grave concern the presence of Ugandan security forces, first in Migingo Island and, secondly, in Kacheliba in West Pokot District, areas that form part of the Sovereign Republic of Kenya, an act that is against provisions of international law; this House registers its strong opposition to and disapproval of this act of aggression by the Government of Uganda, and resolves that the Ugandan security forces leave Kenyan soil with immediate effect, and that the Government of Uganda unconditionally commits itself to respecting the territorial boundaries between Kenya and Uganda, and further, that this House urges His Excellency the President and Commander-in-Chief of the Armed Forces of the Republic of Kenya to use all the resources and options at his disposal to reclaim Kenyan land in accordance with the Constitution of Kenya.

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

Mr. Speaker: What is it, Mr. Olago?

Mr. Olago: Mr. Speaker, Sir, I stand on a point of order on a matter that touches on the conduct of business in the House. However, I intend to let the Vice-President and Minister for Home Affairs move his Motion before I proceed.

Mr. Speaker: Then you did not have to do that, Mr. Olago!

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I thank my learned friend for deferring what he wants to raise.

PROCEDURAL MOTION**APPOINTMENT OF HOUSE BUSINESS COMMITTEE**

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I beg to move the following Motion: -

THAT, pursuant to the provisions of Standing Order No.158 the following be appointed as Members of the House Business Committee: -

1. Hon. Kalonzo Musyoka, MP
2. Hon. Uhuru Kenyatta, MP
3. Hon. Mutula Kilonzo, MP
4. Hon. Beth Mugo, MP
5. Hon. Prof. ---

Mr. Speaker: Order, Mr. Leader of Government Business! According to our Standing Orders, which are explicit on how to conduct business pertaining to Motions, and which I believe you are aware of, first, you move the Motion and then you are seconded. After you are seconded, the Chair proposes the Question. After the Question is

proposed, that Motion becomes the property of the House. You cannot, therefore, move the same Motion again notwithstanding that it was moved, seconded and Question proposed on an earlier day. So, the correct thing to do is that if you do not wish to continue with the Motion as was earlier moved, then you will have to withdraw it. That will give you room to move a fresh Motion.

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I have heard your ruling. I am sure the House will recall that the hon. Member for Ikolomani had moved an amendment to the earlier Procedural Motion as a result of which we were to move to consultations. I think it is in order for me to withdraw the earlier Motion so that I can move the new Motion.

(Loud consultations)

Mr. Speaker: Order, hon. Members! Hon. Vice-President and Minister for Home Affairs, the position, as recorded, is that this morning, after you moved the Procedural Motion, it was seconded and the Question proposed, Dr. Khalwale stood on a point of order after some time and moved a Motion of Adjournment, pursuant to Standing Order No.25. He did not move an amendment. So, the record has to be corrected accordingly. Your assertion that an amendment was moved is not correct.

With respect to what you have now proposed to do after that correction is made, the relevant Standing Order No.57 reads as follows:-

“After the Question has been proposed on a Motion, the Motion shall be deemed to be in the possession of the House and cannot be withdrawn without leave of the House”.

“Leave of the House” is provided for in the Interpretation Section of our Standing Orders which says:-

“Leave of the House” means there being no objection by any Member, either with the sympathy of the Speaker or with the support of at least two other Members”.

I just want to satisfy myself that the House grants that leave.

The Minister for Education (Prof. Ongeru): Mr. Speaker, Sir, I rise with humility to seek your guidance. If I heard it clearly this morning, the trend of the debate after the formal presentation of the Procedural Motion, there was, indeed, an amendment as you have correctly pointed out that the list that has been proposed in this House include a minimum of one-third from Backbenchers.

(Loud consultations)

Mr. Speaker, Sir, if my assumption is right then there was an amendment before this House. We supported that amendment on the understanding that the subsequent Motion that was to be brought before this House would have taken into account the suggestions that had been presented on the Floor this morning. I just seek your guidance, Mr. Speaker, Sir.

(Applause)

Mr. Speaker: Order, hon. Members! The correct position is, as I narrated earlier on, that the Procedural Motion was moved, seconded and some hon. Members contributed to it. After that, Dr. Khalwale moved a Motion seeking adjournment of debate, pursuant to Standing Order No.25. There was no amendment to the effect that the composition changed. That is the position.

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Thank you, Mr. Speaker, Sir, for that correction. I, therefore, think I have two options. One option is to move an amendment to the original Motion, and the second one is to withdraw and move a new Motion. So, I would want to seek your guidance on that because I am ready to do both.

Mr. Speaker, Sir, I assume the House will then be in sympathy. In which case, I would want to withdraw the earlier Motion.

Mr. Speaker: Order hon. Members! Hon. Vice-President and Minister for Home Affairs, I have recounted the position, as at where we adjourned, accurately. As we adjourned, I made some plea. I did urge you, as the Leader of Government Business, to ensure that consultations are carried out such that by the time we resume this afternoon, you will have gained sufficient consensus such that the Motion can sail through the House as Members deem fit, without much ado. I want to believe that you have carried out those consultations. If you have, and the consultations have enabled you to arrive at an agreed position, the right thing you can do is move an amendment to the original Motion.

Mr. Farah: On a point of order, Mr. Speaker, Sir. I am seeking your guidance on this. The Standing Orders are such that the conduct of the House might put us into a situation in which we might have a problem. I do not think adequate and ample consultation has been done on this. There is a lot of acrimony in this and I think you had better guide the House on all the consequences of all the actions that are going to be taken hereafter.

Mr. Speaker: Hon. Members, I have in my considered opinion given adequate guidance to the House and more so to the hon. Vice-President and Minister for Home Affairs. I have given directions that the way to proceed is to move an amendment to the Motion. Let us proceed from there!

The effect of this is that, if per chance, hon. Vice-President and Minister for Home Affairs, you move that amendment and there has not been sufficient consensus or there has not been adequate consultation, then there is a possibility that when that matter is put to the vote, it could go one way or the other. If, for instance, it is defeated - the Chair has no way of knowing this until the vote is taken - then it will mean that for the next six months this Motion cannot be revisited. In effect, therefore, the House would not be able to meet and transact any business for a period of six months, which is half a year. That will be the effect! It is important that you are aware of this, hon. Vice-President and Minister for Home Affairs.

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I want to agree with your ruling and it is always possible to consult further. I believe that is the best way.

Mr. Speaker, Sir, the PNU Coalition side has consulted adequately and are ready with a list. If I have your indulgence, I need to read this list so that the country knows that the PNU Coalition side has no problem. I would like to believe that our brothers on the

ODM side will also be consulting. If they have consulted, we can get the list. I am ready to read the list, which includes---

Mr. Speaker: Order! Hon. Vice-President and Minister for Home Affairs, even as you proceed, if what you intend to do hereafter is to move an amendment, in other words, change the composition of the list, then you cannot do so because you are the owner of the Motion. You are the one who moved the Motion and, therefore, it has to take another Member to move an amendment! I do not have that proposed amendment. The Chair has not been served with any Motion of amendment.

The Minister for Agriculture (Mr. Samoei): On a point of order Mr. Speaker, Sir. In accordance with Standing Order No.158 it is very clear that the House Business Committee (HBC) cannot be constituted unless the political parties submit the names of the persons to serve in that Committee.

Mr. Speaker, Sir, if there is disagreement over this matter, and you have pointed out correctly that if this Motion is voted one way or the other, we do not have the benefit of transacting business in this House for the next six months, I want to plead with the hon. Vice-President and Minister for Home Affairs that there has not been sufficient consultation on this matter. We should adjourn the proceedings of this House so that we can conclude consultations on this matter and come to the Floor of this House with a list that will enjoy the confidence of the whole House so that we can proceed with transacting the very urgent business that the people of Kenya expect of this House. I think it is critical and important.

Mr. Speaker, Sir, I am saying this as the deputy party leader of the ODM! That is the position of ODM! We should consult further on this matter and come to this House with a list that enjoys the confidence of this House.

Mr. Speaker: Hon. William Ruto, you have a legitimate proposal there which perhaps has some weight in the prevailing circumstances. However, the way to proceed, Mr. William Ruto, is for you to move a Motion that the debate be now adjourned. If you have support, then it will be so.

The Minister for Agriculture (Mr. Samoei): Mr. Speaker, Sir, I beg to move: -
That debate on the Motion before---

The Minister for Lands (Mr. Orengo): On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order Mr. Orengo! Can we hear the hon. Samoei? I have given a direction which hon. Samoei is proceeding to comply with. I want hon. Samoei heard!
Please, proceed!

(Applause)

MOTION

ADJOURNMENT OF DEBATE ON
APPOINTMENT OF HBC

The Minister for Agriculture (Mr. Samoei): Mr. Speaker, Sir, I beg to move the following Motion: -

THAT, under Standing Order No.25, the debate that is before this House on the establishment of the House Business Committee be adjourned to provide

an avenue for the House to agree on the Membership of the House Business Committee to facilitate effective and conclusive discussions on this Motion.

I beg to move that we adjourn until tomorrow morning at 9.00 a.m. so as to give sufficient time for consultations on how to proceed.

Mr. Farah: Mr. Speaker, Sir, I beg to second the Motion that the debate be now adjourned until tomorrow 2.30 p.m.

(Dr. Khalwale stood up in his place)

Mr. Speaker: Order, hon. Dr. Khalwale! That Motion has been moved and seconded!

(Question proposed)

Mr. Thuo: Mr. Speaker, Sir, I support the Motion that the debate be adjourned.

Dr. Khalwale: Mr. Speaker, Sir, if the HANSARD will bear me out, what Mr. Samoei moved was a Motion seeking adjournment of this House until 9.00 a.m. tomorrow morning. If that Motion is taken the way as it is right now, then we will have created a crisis because this House does not sit at 9.00 a.m., on Thursday!

Mr. Speaker: Order, Dr. Khalwale! Order, hon. Members! The Motion as given notice of, that the Chair has been served with, is pursuant to Standing Order No.25(1), which is to the effect that the debate be now adjourned, and that is the Motion that the Chair has. If the House is adjourned, it will then be adjourned to the next sitting day of the House. So, be guided accordingly.

The Minister for Industrialization (Mr. Kosgey): Mr. Speaker, Sir, it is very important that we have thorough and conclusive consultations, as you rightly pointed out. If we do not agree, then we may not have any Business in the next six months although we can seek leave of the House to introduce the Motion again. So, in order to carry everybody on board and for this House to pass this list expeditiously, I support that we adjourn until the following day to allow for sufficient and conclusive consultations.

Thank you.

The Minister for Lands (Mr. Orengo): Mr. Speaker, Sir, I want to be humble to say blessed are the peacemakers for they shall inherit the Kingdom of God. I want you all to inherit the Kingdom of God by being peacemakers especially at this time when the country is going through a very critical situation. I support this Motion. However, I want, in the spirit of being a peacemaker, to plead with the Vice-President and Minister for Home Affairs that he cannot be a peacemaker by carrying labels. If I heard him correctly when he was making an intervention, he said that the consultations have been made within the PNU side. I think that is the starting point. All this is demonstrating that the Government is becoming dysfunctional so that even the Leader of Government Business is not aware that the Government is something more than the PNU.

(Applause)

I am saying this from the bottom of my heart!

The Vice-President and Minister for Home Affairs (Mr. Musyoka): On a point of order, Mr. Speaker, Sir. I hate to interrupt my learned friend, and he knows it! I had not moved any Motion. Therefore, he should not mislead this House that I moved a Motion on the basis of lack of consultations. I was merely pointing out a fact that the PNU Coalition was ready with the names and it was hoped that the ODM side was ready with the names too. I take it kindly that there is need for more consultations but this is not a dysfunctional Government! He, himself, is a full Member of this Government!

The Minister for Lands (Mr. Orengo): Mr. Speaker, Sir, that is why I said that I am not aware that the Government had agreed on a Motion as brought by him before the House. That means that there have not been adequate consultations. For that reason, I am trying to advise him, just like one time Dr. Obote advised the Kabaka of Uganda when Kabaka thought that Uganda was only a kingdom of the Buganda. So, I am trying to convince the Vice-President and Minister for Home Affairs to know from today that the Government of Kenya is not that of a PNU Coalition. If he wants to stand up in the House in the name of the Government, he should be sure to do broad and firm consultations so that he does not speak for a coalition. Even now, as I speak, I am speaking fully as a Member of the Government but if we exhibit dysfunctional tendencies, then I will join my other friends in speaking out against it!

The Assistant Minister for Roads (Dr. Machage): Thank you, Mr. Speaker, Sir. Again, the country is looking at this House for mature leadership. The country has high expectations and anticipation bestowed upon the leadership in this august House. It will be naive if we trivialize the issue and argue on small points. We have a duty to constitute the House Business Committee. A request has been made and the Speaker has agreed. The House has agreed that we adjourn to consult. I beg Members of this House to leave this discussion at that level!

Mr. Speaker, Sir, I beg to move that you stop the debate and we go and consult!

Dr. Eseli: Thank you, Mr. Speaker, Sir. I recall the words of your moving speech yesterday that called on to us to take up responsibility of leadership that was bestowed upon us by our voters. The issue here has been lack of consultations between His Excellency the Vice-President and Minister for Home Affairs, the PNU side and the ODM side. I believe that when we adjourned the House this morning at 10.00 a.m., we have had quite a number of hours to do consultations. It will be imperative that we note at what level the consultations broke down. I think it is important that we note at what level because if the level of the breakdown in consultations has been one side withholding consultations, then, I believe, that if you use Standing Order No.97 that talks about disorderly conduct and extend it to political parties, then under parts (e) and (j), there might be a political party that needs to be named!

The situation we are in now reminds me of President Barack Obama's words that; "the magnitude of our problems and the smallness of our politics is amazing."

Thank you.

The Minister for Education (Prof. Ongeru): Mr. Speaker, Sir, I was going to plead with the hon. Members, through you Sir, as I stand now, because some of the critical services are not being offered because of lack of funds through provision of the Supplementary Estimates. Without anticipating debate, we realize that tomorrow pushes this particular Motion to next week when it may be late in some circumstances to offer

those critical services. I speak with full knowledge of what is going on, at least, in my Ministry.

I plead with you, Chair and the hon. Members, that in agreeing with the adjournment for proper consultation, whether these consultations, in the interest of time, can be done within the next one and half hours, so that we can reconvene and then be able to transact the rest of the other business in order for us to speed up this programme more efficiently, bearing in mind the burden that we have in reaching out to the population that we serve as hon. Members---

The Minister for Nairobi Metropolitan Development (Mr. M. Kilonzo): Mr. Speaker, Sir, I support---

(Several hon. Members stood up in their places)

Mr. Speaker: Order! Hon. Members, the Speaker's eye is caught by the Member who is on his feet!

The Minister for Nairobi Metropolitan Development (Mr. M. Kilonzo): Thank you, Mr. Speaker, Sir. I am happy that your eyes picked me!

I support the Motion, but with extreme reluctance. The reluctance is driven by a very well-thought-out and considered view of what this country is facing. The legislative agenda of this country and the expectations of the public are that we dispatch our business with diligence. I would like to refer specifically to Standing Order No.158. There are very few strangers to this Standing Order. It says: -

“There shall be a select committee, to be designated the House Business Committee, consisting of not less than 15 and not more 21 members, who shall be nominated by each parliamentary party and approved by the House---“

Mr. Speaker, Sir, we have just come from a prorogation. These parties were elected in 2007. These parties were aware that the first business of the House is to nominate a House Business Committee, without which we cannot operate. There is something called negligence. Kenyans are watching this political negligence. We must dispatch our business with due diligence and show the country that we appreciate what it is that we need to do. I agree with Prof. Ongeru that if we must adjourn, we ought to do so, for a maximum of one and half hours to allow these consultations.

We can come back, set up a House Business Committee and start the very challenging calendar. This is the Third Session of this Parliament. We are engaging the Speaker in what he ought not to be engaged in because he is an *ex-officio* Member of the House Business Committee. Therefore, this is the responsibility is of the political leadership and of those people sitting here.

I beg to support, but with reluctance and I suggest that we adjourn for only one hour. Thank you.

Mr. Speaker: Very well. Thank you for those kind words, hon. M. Kilonzo.

Yes, Mr. Isaac Ruto!

Mr. Ruto: Thank you very much, Mr. Speaker, Sir. I stand to support that we adjourn. However, I want to ask the political parties to actually be serious in their process of consultations. They must ensure that they give us Members of the House Business Committee, who are committed to bringing a proper agenda that will move the process of reforms forward.

Mr. Speaker, Sir, we have had a whole year. Yesterday, we even heard the Speech from Government. The list of the legislative agenda that was indicated to us, most of it is normal mundane Government business. We hardly see serious reforms from the leadership of the Grand Coalition. We want to tell the House Business Committee, once constituted, to understand that Kenyans expect reforms.

They should not become a roadblock to new Bills, which are supposed to move this country forward. Usually, when they are prioritizing business of the House, they start with things that do not make any difference in the lives of Kenyans. They are only very keen on bringing more supplementary funds for normal Government operations. They were even suggesting that they stop funding ongoing development projects.

Mr. Speaker, Sir, The PNU and ODM committed themselves to ensure that there is devolution and increased devolved resources, including increasing the CDF. Those parties committed themselves to this, but we have not had anything from them. Up to this date, they are still talking about normal mundane Government business. I am challenging them to consult appropriately. They should not just complain about lack of consultation at the top. They must also have intra-political party consultations that will move this country forward.

With those few remarks, I beg to support.

The Minister for Housing (Mr. Shitanda): Mr. Speaker, Sir, after your speech yesterday, and that of His Excellency the President, there was a sigh of relief across the country in the hope that this Parliament will conduct its affairs in a very different manner. However, what is emerging now is like we are back to business as usual.

Mr. Speaker, Sir, what our colleagues are calling consultation is actually not consultation. They are just jostling for positions. Some of us have information that the previous House Business Committees have always had problems of quorum because people jostle for these positions. However, when they are appointed to those positions they do not attend those meetings at all. I am sure some of the Members who are holding this House because of the so-called consultation are some Members who have been on former House Business Committees. Some of them have never attended these meetings.

So, as we retreat for the so-called consultation, I would wish to urge my colleagues, especially those who have already served on this Committee, to give a chance to new Members who have never served before. Also, this is just the first committee we are trying to constitute.

We have about 28 other committees that we will constitute. If this is a pointer to what will happen to the 28 committees, then we will be here for the remaining three years just constituting committees. So, on that note, in as much as I want to support that we go for further consultation, I would wish to move an amendment that we adjourn for further consultations up to 5.30 p.m. this evening, so that we reconvene and dispense with this matter of the House Business Committee.

Mr. Abdirahman: Mr. Speaker, Sir, I suppose the Motion before the Floor of the House; whether it is from the ODM side or PNU, is Government position. I am surprised to hear that it comes from one side. I think we had adjourned this morning to give sufficient time for the party leaders, including the Whips, to consult properly.

Mr. Speaker, Sir, it is not just the House Business Committee. There is a more pressing issue to address. We very well know that we have a severe drought ravaging parts of this country. I think it is appropriate that we do not concentrate so much on only

the House Business Committee. We know where the problems were this morning. We were told that there was no sufficient representation in terms of gender and party. These are issues, if we narrow our difference, we will be able to address.

Mr. Speaker, Sir, I do not support the Adjournment Motion.

Mr. Kutuny: On a point of order, Mr. Speaker, Sir. Would I be in order to request that you put the Question, because, generally, the mood of the House is known? Could you call upon the Mover to reply?

Mr. Speaker: Order! Hon. Members, there is no calling upon the Mover, because this is a dilatory Motion! Going by the mood of the House, I will now put the Question.

(Question put and agreed to)

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

Mr. Speaker: Order, hon. Olago! With respect to the Motion for Adjournment, that matter is now finalized!

Hon. Members, as we adjourn, I want to appeal to the hon. Vice-President and Minister for Home Affairs, once again, and, indeed, to all hon. Members, to ensure that you have consultations in earnest. As I did say this morning, without appearing to compel you to behave in any particular manner, please, endeavor to consult as widely as possible. As much as you can, consult with all political parties represented in Parliament, without being too pedantic, that we must only consult Parliamentary parties. This is just a plea I am making. I am not compelling the hon. Vice-President and Minister for Home Affairs to proceed in that manner.

Hon. Members, please, be reminded that this nation is looking up to you to provide leadership. Kenya is crying for leadership. Please, take note of that even as you retreat to go home!

ADJOURNMENT

Mr. Speaker: Hon. Members, that brings us to the end of business for today. The House is, therefore, adjourned to tomorrow, Thursday, 23 April, 2009, at 2.30 p.m.

The House rose at 3.35 p.m.