

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Tuesday, 13th May, 2008

The House met at 2.30 p.m.

*[Mr. Deputy Speaker in the Chair]*

PRAYERS

### QUESTIONS BY PRIVATE NOTICE

MEASURES TO BAIL OUT

PAN PAPER MILLS

**Mr. Sambu:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Industrialization the following Question by Private Notice.

(a) Is the Minister aware that Pan Paper Mills, on which many people directly and indirectly depend, is facing severe financial and operational difficulties which may lead to its closure?

(b) What urgent rescue measures is the Government taking to ensure that the company continues to operate normally?

**The Minister for Industrialization** (Mr. Kosgey): Mr. Deputy Speaker, Sir, I beg to answer.

(a) Yes, I am aware of the severe financial and operational problems facing Pan Paper Mills, Webuye, which may lead to its closure.

(b) The major shareholders, namely, the Government and the other shareholders, have discussed the problems facing Pan Paper Mills, Webuye, quite extensively. At the moment, we have agreed to put in place short-term and long-term measures in order to remedy the situation. In particular, we have agreed to make additional equity available to the company to boost its cash flow. Discussions are also under way with the Ministry of Environment and Mineral Resources and the Ministry of Forestry and Wildlife to ensure that adequate wood is made available to the company while other modalities are being worked out. The Government is also making long-term plans to avail land to the company for growing biomass or fuel wood in order to reduce its dependence on fuel oil and electricity, which are major causes of the escalating costs of doing business.

The Government is also pursuing the possibility of financial concessions to ease the company's financial burden and seek ways to improve its internal inefficiencies, so that the company is properly managed and turned around to profitable margins.

Mr. Deputy Speaker, Sir, this is a very important Question and maybe, I should elaborate a little bit; with your permission. This is a very important industry. The company made several requests to the Government. On the short-term, they requested for equity participation and retention of capital. The Government has agreed to contribute about Kshs140 million in the coming financial year. They need, immediately, Kshs325 million and the rest of the money will come from the other shareholders.

The Government has also agreed, in principle, to allocate about 8,000 hectares of land to

the company, so that it can plant fuel wood, probably eucalyptus which can grow within four to five years. This will cut down the cost of fuel by 50 per cent. At the moment, the company pays Kshs120 million for fuel and Kshs8 million for electricity bills per month. These are huge costs. Even if we were to inject more capital into the company without addressing the underlying reasons as to why the company is facing financial problems, we would not succeed. From 2005, the Government increased the price of wood from Kshs325 per cubic metre to Kshs700 per cubic metre. The Government is currently looking into this issue because it is really a constraint on the part of the company. The company also made an investment in 1984 and upgraded it in 1996 on the electricity grid from the Uganda border to Webuye. The investment is estimated to have cost the company Kshs2.1 billion. The company has not been able to get any returns from that investment. So, the company is requesting the Government to give it a concessional power tariff of about Kshs3.5 per kilowatt hour as opposed to the current figure of Kshs7.3 per kilowatt hour.

These discussions are on going. Currently, the company pays duty on imported products and 20 per cent of the company's production is exported duty-free and 30 per cent is sold on the local market under tariff remission. For the remaining 50 per cent of the production, they have to compete with importers from outside the East African Community and also within the Community. The company is requesting us to increase duties on imported paper from 25 per cent to 35 per cent.

The Treasury is currently looking into all these issues and many others in order to salvage or save this industry. We are really determined as a Government to do everything within our powers to save this industry. This industry is very important. It employs 1,600 Kenyans directly, plus other people who are beneficiaries of the Pan Paper Mills.

**Mr. Sambu:** Mr. Deputy Speaker, Sir, I am very happy with the answer given by the Minister for Industrialization, particularly because he has specifically mentioned the things that are troubling Webuye Pan Paper Mills. He has talked about cash injection, the biomass project, royalties, cost of electricity, duty on imports and the issue of imported papers which are competing with the locally manufactured papers. He has also talked about the consideration of waiver on duty on imported materials that are necessary for the manufacture of paper.

I am also grateful---

**Mr. Deputy Speaker:** Mr. Sambu, what is your supplementary question?

**Mr. Sambu:** Mr. Deputy Speaker, Sir, I am coming to that. I am highlighting this because it is very important. These are mere promises. I remember that on 25th July, 2005, the then Minister for Environment and Natural Resources promised to issue a licence for the manufacture of paper for the company. Up to now, the licence which expired in 2003, has not been renewed. This is normally a long-term licence; it was first issued on 31st December, 1974 and it expired in 2003. Secondly, because of that, the company has no plans for the wood which is necessary to manufacture paper. Promises have been made, but nothing has happened.

Could the Minister give us a specific time frame within which these promises will be fulfilled? All the promises that have been made in the past have not been fulfilled.

**Mr. Kosgey:** Mr. Deputy Speaker, Sir, the Government, as I said, has been concerned about this industry for quite some time now. If you will recall, the Government set up a task force, chaired by the Permanent Secretary, Treasury, to look into these problems. As a result of that task force, further recommendations, which I outlined here, have been made and agreed on and are being actively pursued.

Mr. Deputy Speaker, Sir, therefore, for the hon. Member to say that the promises that were made in 2005 have not been fulfilled is not very fair because the results of this task force came out in April this year when active discussions on the recommendations were deliberated upon. The last Board meeting---

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

**Mr. Kosgey:** Mr. Deputy Speaker, Sir, I am trying to answer the hon. Member's question! When I finish answering it, he will understand.

**Mr. Sambu:** On a point of order, Mr. Deputy Speaker, Sir. I do not think it is too much asking for a licence for this company to operate! I do not think it is difficult to ask the tree felling firms to get wood for this factory to open. Could I have a specific timeline for these things to be done?

**Mr. Deputy Speaker:** Hon. Minister, give some timelines!

**Mr. Kosgey:** Mr. Deputy Speaker, Sir, the licence that the hon. Member is talking about is actually a miller's licence. Currently, it is issued by the Kenya Forest Service. In other words, they would license this company as a miller like they would license any other miller. The last licence expired in 2003. Since then, they have been issued with annual licences pending deliberations on these short-term and long-term issues.

Mr. Deputy Speaker, Sir, currently, I must admit that they have not been issued with the licence for this year. They need a long-term licence. I have pursued this issue very actively today to make sure that they are issued with a long-term licence. If we will put our money there, then they must have a long-term licence. So, I can assure the hon. Member and the House that we will make sure that they get their long-term licence within the coming month.

Also, they need what we call an annual felling plan, in order to be able to plan their felling schedule and construct roads, so that they can access the forests. This will be done.

**Mr. Koech:** On a point of order, Mr. Deputy Speaker, Sir. Is the Chair satisfied with the mode of dressing of the Member of Parliament for Kathiani Constituency?

*(Laughter)*

**Mr. Deputy Speaker:** Mr. Minister, proceed with your answer!

**Mr. Kosgey:** Mr. Deputy Speaker, Sir, I finished giving the answer that I had.

**Mr. Deputy Speaker:** Dr. Khalwale, ask your supplementary question!

**Dr. Khalwale:** Mr. Deputy Speaker, Sir, from the Minister's answer, it is quite apparent that the main impediment to the finances of this company arise from the huge electricity bill. Pan African Paper Mills is strategically located around the Webuye Falls which is on the Nzoia River. Could he consider putting up a huge dam and, therefore, have a source of hydro-power to help Pan African Paper Mills to have its own cheap source of power?

**Mr. Kosgey:** Mr. Deputy Speaker, Sir, I do not know how much power would be generated by Webuye Falls if we constructed a dam there and installed a turbine at the bottom of it. But it can be one of those long-term measures. But the one very important long-term measure, in order to cut down the fuel costs by 50 per cent, is to plant wood fuel on 8,000 hectares of land, which the company has requested.

We will allocate them 8,000 hectares of land. This will enable it to generate its own fuel. Of course, they will need a steam boiler to boil water and then convert it into energy. However, I will take up this matter with the company, to find out whether they have considered the possibility of having a hydro plant there.

**Dr. Khalwale:** On a point of order, Mr. Deputy Speaker, Sir. The Minister is dismissing my request that he considers putting up a hydro power station, because he will allocate 8,000 hectares of land. Since I come from that part of the country, could he tell us where this public land that he intends to allocate to this company is?

**Mr. Deputy Speaker:** Hon. Minister, where is the land that you intend to allocate to the company?

**Mr. Kosgey:** Mr. Deputy Speaker, Sir, at the moment, there are active discussions to look

for land near Turbo and Lugari.

**Mr. K. Kilonzo:** Mr. Deputy Speaker, Sir, as you approach Webuye Town, you are always confronted by a foul smell which comes from Pan African Paper Mills. This smell comes out the way this company disposes of their wastes. It can be harmful to the residents and workers. What is the Minister doing to ensure that the company comes up a modern way of disposing of its wastes, so as to ensure that people are not harmed by that smell?

**Mr. Kosgey:** Mr. Deputy Speaker, Sir, I am now answering every question that is possible on earth on this company! That question could be directed to, maybe, the Ministry of Environment and Mineral Resources.

But under industrialization, there is what we call clean-up production. Maybe I could attempt to answer that question under clean-up production. Of course, our industries should be environmentally friendly. I know the smell that the hon. Member is referring to; it is terrible. I think if you have been to Webuye, you would see that there are treatment ponds where waste from the factory is treated before it is discharged into River Nzoia. I think, in these treatment ponds, the fermentation and treatment which is going on there produces this smell. At the moment, I think the directors of the company are there, discussing with the local people on how to reduce this harmful obnoxious smell.

**Mr. K. Kilonzo:** On a point of order, Mr. Deputy Speaker, Sir. In view of the fact that the Minister has owned up that he is not competent enough to answer that question, and that it is only the Minister for Environment and Mineral Resources who can do so, would I be in order to request that you defer this Question and refer it to the appropriate Ministry, so that we can get the an appropriate answer?

**Mr. Deputy Speaker:** Order, hon. K. Kilonzo! If you want a Question to be directed to the Minister for Environment and Mineral Resources on the hazardous substances, put a Question. This Question had nothing to do with hazardous substances!

Yes, Dr. Eseli!

**Dr. Eseli:** Mr. Deputy Speaker, Sir, I would like to thank the Minister for his very elaborate answer as to what is ailing Pan African Paper Mills in Webuye. However, this is a partnership between the Government, IFC and I believe the Birla Group of India and Orient Paper Mills as the managers. Are you satisfied with the way the Orient Paper Mills has gone on to manage that company financially? Might they not have contributed to the current woes of that company? If you are not satisfied have you ordered an audit of that company?

**Mr. Kosgey:** Mr. Deputy Speaker, Sir, the shareholding of this company is the Government of Kenya through the Industrial and Commercial Development Corporation (ICDC) and Development Bank of Kenya (DBK), which totals to about 44 per cent. The GP-CK Birla Group of India and Orient Paper Mills total 54.4 per cent. The East African Development Bank owns 3 per cent, plus other small shareholders who own about 1 per cent. There is a management contract by the GP-CK Birla Group of India which manages this company. Of course, they take the management fees for that work. I have not looked at the management agreement. I only learnt that there is a management agreement today. So, really, this is one of the things I would look into, because I know very well that in quite a number of establishment, you would have a company which is managed and, of course, they take their fees from the gross proceeds without really caring whether there is a profit or not.

**Mr. Deputy Speaker:** Next Question!

*(Mr. Sambu stood up in his place)*

Hon. Sambu, if you want to ask a supplementary question you stand on your feet! We have

gone to the next Question now!

EVICITION THREAT TO FAMILIES  
LIVING ON MANERA FARM

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

(a) Is the Minister aware that 43 families living in Manera Farm of Delamere Estate are about to be evicted?

(b) Is the Minister further aware that there are persons who, without a lawful claim of right of title, are perpetrating acts prejudicial to the beneficial proprietary rights of the said families?

(c) What measures has the Government taken to protect families who have lived in the farm since 1910?

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

(a) I am not aware that there are 43 families living in Manera Farm of Delamere Estate, who are about to be evicted.

(b) I am also not aware of any persons who are unlawfully perpetrating acts prejudicial to the beneficial proprietary rights of the said families.

(c) In view of the answers to (a) and (b), the Government can only take action if the aggrieved parties lodged formal complaints to the rightful legal authorities.

**Mr. Mututho:** Thank you, Mr. Deputy Speaker, Sir. I am rather disturbed by the casual manner in which the Minister has taken this Question.

*(Applause)*

The Minister is a Minister in a coalition Government that gave him real power. All those powers to do with land were donated to him by the Right Honourable Prime Minister. Anything to do with land is not with anybody else but with this Minister. Having said that, he sanctions land boards and any land transaction in the said farm is done through the land board.

Outside of this, Mr. Deputy Speaker, Sir, is the Minister aware that the Delamere Estate exists and has been there since 1910, and that their workers; hundreds of them, have been buried in the same farm and yet they do not have any land and that they are being evicted now?

**Mr. Orengo:** Mr. Deputy Speaker, Sir, I think the hon. Member knows my stand as far as land use, land tenure and access to land is concerned. He knows my stand very well. Unfortunately, the way he brought this Question, there were no specifics. Who are these families? How are they being evicted? Who is threatening that eviction? If I had those specifics, then I would be able to answer him in a more appropriate manner.

Mr. Deputy Speaker, Sir, but he knows, as well as I do, that if there is a dispute as to ownership, the matter can either be taken to court, or if it is a matter that my Ministry can deal with, then he needs to bring that complaint in a substantive form in which I can exercise my powers as the Minister for Lands so as to deal with that particular issue---

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

**Mr. Orengo:** I have not finished!

**Mr. Deputy Speaker:** Let the Minister finish!

Or is it a point of order?

**Mr. Ruto:** Yes, it is a point of order!

**Mr. Deputy Speaker:** Proceed, Mr. Ruto!

**Mr. Ruto:** Thank you very much, Mr. Deputy Speaker, Sir. I am standing on a point of order to ask whether hon. Mututho is in order to ask this Question, because he is very much aware

that the Government only protects the Delamere family in that region.

Mr. Deputy Speaker, Sir, hon. Orenge is simply doing the "normal" thing, because the Government only protects the Delamere family. The Government is not aware of anybody else living around that region!

*(Laughter)*

You saw what happened when people were burnt alive in Naivasha. They are also aware that when the same Delamere killed several--- He hunts humans for sport in that region and the Government is not even aware!

*(Applause)*

**Mr. Deputy Speaker:** Order! Order! You are out of order, Mr. Ruto! The matter is in court and you cannot condemn somebody before he is judged by a competent court!

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

**Mr. Deputy Speaker:** How can you be on a point of order when there is no Minister answering a question there? Give the Minister an opportunity to finish giving his answer!

**Mr. Orenge:** Mr. Deputy Speaker, Sir, I think you have dealt with that point of order in the appropriate way. I want to tell hon. Ruto that I am one of the persons who cannot be intimidated. I will do what is right for the people of Kenya in so far as I am the Minister for Lands. But the truth of the matter is that the way this Question has been brought, there are no specifics. He says that these people have been living on this land since 1910. If they have not been evicted since 1910, there is nothing to show that there is any real and threatening danger. But once I am shown that there is a basis for these complaints, he can be sure that I will act faster than he thinks.

**Mr. Twaha:** Mr. Deputy Speaker, Sir, I am grateful to the Minister for his assurance that he will do what is best for the people of Kenya.

Mr. Deputy Speaker, Sir, there are people who have been allocated land, they have paid for it, it has been surveyed but the Minister put an embargo on the issuance of title deeds. Could the Minister inform this House when, for the best interests of Kenyans, the embargo will be lifted?

**Mr. Deputy Speaker:** Mr. Minister, if you want to answer that question, you can answer it, but it is not part of the initial Question.

**Mr. Orenge:** He is totally out of order! I do not think I need to answer that question. I will answer it at an appropriate time.

**Dr. Khalwale:** On a point of order, Mr. Deputy Speaker, Sir. The Minister is one of the few Ministers who I think the public has full confidence in, because of the kind of history that he carries to that Ministry.

Mr. Deputy Speaker, Sir, the Minister has just told us here that hon. Mututho knows the Minister's personal stand about land issues. Will I be in order to request, since the knowledge the Minister is talking about is private between him and hon. Mututho, that he uses this opportunity to inform Parliament and the rest of the country what his stand is on this very serious matter of land, that we hope you are going to be able to tackle?

*(Applause)*

**Mr. Orenge:** Mr. Deputy Speaker, Sir, hon. Khalwale is one of the people that I respect, in the sense that he keeps abreast of what he said in the public media. On this matter, I have said firmly that land is a national resource and everybody has a right to access land. That does not mean land ownership. Not everybody can own land, but everybody has a right to access land. That is my position. I can either add or deduct from that position.

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, it is true that we have a lot of faith in our good friend. But the way he has answered this Question was so casual that it worries us. We know very well that virtually all the major companies and organizations were donating money to the three major political parties. Therefore, they are all compromised! Because a simple Question like this one, (a)---

**Mr. Deputy Speaker:** Order! Order! Order! You are out of order!

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, in my own location---

**Mr. Deputy Speaker:** What is your supplementary question?

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, these people have been living on the farm since 1910 and today they are being evicted, and the Minister has told us that he is not aware. I thought that when a Question comes to the Ministry, he sends his officers to the field! Is he going to send his officers to the field to establish the facts as brought to the House?

*(Applause)*

**Mr. Orengo:** Mr. Deputy Speaker, Sir, when you want to ask a serious question, and I think there is a way of asking Questions, if you want a serious answer to your Question, then be specific! But if you are general, then you get a general answer. I sympathize with hon. Mututho in his concerns on this matter, but he has tied my hands. If he told me that, yesterday, there was somebody who was threatening to kick out these 43 families or last month or last week, then I will have a basis of coming here and saying that we are taking certain steps in order to make sure that, that eviction is not carried out.

But I want to tell the hon. Member that even where there is a dispute in relation to land, nobody is allowed to take the law in his own hands. You cannot conduct evictions merely because you own a piece of land. If there is a dispute, then there is a process; either through the courts or through the relevant land laws that are in place. There is a place of challenging some of these things. But since the hon. Member did not ask me a specific Question, I find it very difficult to help him.

**Mr. Linturi:** Mr. Deputy Speaker, Sir, I am made to understand and believe that in the event that one lives on a piece of land for more than ten years, the ownership of that land reverts to him. This is regardless of whether the person bought the land or it was given to him as a gift. Now, since people have been living on this land since 1910, could the Minister confirm to this House that, in the event that there are such evictions, the Ministry will ensure that this land belongs to the people who have been there for those very many years?

**Mr. Orengo:** Mr. Deputy Speaker, Sir, unfortunately, it is not ten years; it is 18 years and they have lived there for more than 18 years. The principle of adverse possession is really not a sword. It is a shield.

However, Mr. Deputy Speaker, Sir, it is for these families to now exercise their rights. They need to go to court and seek a declaration that this land should vest on them if, indeed, they can prove that they have been there for more than 18 years without interference. If the hon. Member wants legal advice from me on how he can go about it to protect the rights of his people, I can give it free of charge.

*(Laughter)*

**Mr. K. Kilonzo:** Mr. Deputy Speaker, Sir, is the Minister aware that Delamere Estates, having been allocated over 50,000 hectares are only supposed to pay Kshs30,000 as taxes every year? Since 1992, the Delamere Estates have not paid taxes to the Government! I have here with

me a receipt from the Ministry of Lands, which shows that they owe over Kshs4 million! What is the Minister going to do to ensure that they comply?

**Mr. Orenge:** Mr. Deputy Speaker, Sir, that question has nothing to do with the Question that was asked by Mr. Mututho. It is a new Question. However, if he can lay on the Table that document he has, the Republic of Kenya will be Kshs4 million richer if I go back and enforce payment of those particular rates or taxes.

I know that the National Land Reform Policy is in the last stage. Hearing what hon. Members have said here, I am very encouraged that the National Land Reform Policy will be passed when it comes before the House.

**Mr. Deputy Speaker:** Ordinary Questions! Hon. David Were!

Hon. Members, if you do not stand on your feet, you cannot catch the Chair's eye. Mr. Mututho, I have been looking for you, but you were not standing on your feet!

We move to the next Question by hon. Were!

### ORAL ANSWERS TO QUESTIONS

#### *Question No.025*

#### DELAY IN POSTING OF STAFF TO MATUNGU HEALTH CENTRE

**Mr. Were:** Mr. Deputy Speaker, Sir, this Question came up last week and it was answered satisfactorily except that the Minister had not been sworn-in. However, since it was ruled that---

**Mr. Deputy Speaker:** Mr. Were, the Minister for Medical Services is not in the House today because he is attending another official function. Consequently, this Question will appear on the Order Paper tomorrow. The Chair directs that this Question appears on the Order Paper tomorrow.

*(Question deferred)*

#### *Question No.036*

#### MUSHROOMING OF UNREGISTERED MIDDLE-LEVEL COLLEGES

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

(a) whether he is aware of the presence of unregistered middle-level training colleges in major urban centres in the country; and,

(b) if the answer to (a) above is in the affirmative, whether he could consider shutting down all unregistered colleges countrywide and regulating the sector to stem proliferation of such institutes.

**The Assistant Minister for Higher Education, Science and Technology** (Mr. Kamama): Mr. Deputy Speaker, Sir, I beg to reply.

(a) We are not aware of the existence of any unregistered middle-level colleges since it is illegal to operate any such institution without a proper and valid registration certificate. However, owing to the large number of applications received in any given month, ranging between 30 and 100 applications, there might be a lapse between the time of application and the time of inspection



for various reasons related to volume of work and limitation of resources. But, under the Education Act, Cap. 211, no person is allowed to operate such an institution without obtaining the letter of approval from the Minister which usually follows a recommendation based on an inspection report.

(b) Whenever the attention of the Minister is drawn to the existence of any unregistered institution which is operating illegally, a quality assurance team is dispatched immediately for the purpose of establishing its existence and registration status. Therefore, its closure is ordered if it is found to be operating without registration.

However, the Ministry is currently in the process of establishing its own department of quality assurance so as to [**The Assistant Minister for Higher Education, Science and Technology**]

ensure speedy inspection for purposes of registration and quality assurance as well as for prompt detection and closure of any illegal training institution.

Lastly, I want to confirm that plans are also under way to strengthen the Commission for Higher Education so as to enhance its oversight role and quality assurance mandate on tertiary education, especially at the university level.

It is also important to report that the Ministry is currently co-ordinating the establishment of a national Technical, Industrial, Vocational and Training Authority that will be responsible for sector regulation and oversight with involvement of all stakeholders from both public and private sectors.

**Mr. Odhiambo:** Mr. Deputy Speaker, Sir, I thank the Assistant Minister for the answer he has given. However, I would like to raise certain issues with him. He has denied the fact that there are certain institutions which are offering professional studies and yet they are not registered. I have one or two of such institutions in mind. These are: The East African School of media Studies which offers courses in media and awarding certificates up to the diploma level.

Mr. Deputy Speaker, Sir, these certificates are, however, not recognised by employers, both public and private. The other institution is Magneta Institute of Professional Studies. It also offers so many courses in various professional areas. The certificates are awarded by the institutions themselves. We do not have a national regulating body to examine these certificates. When the certificates are given to students or trainees, and they go out to the labour market, the certificates are not accepted or recognised by the employers. Parents are paying heavily to these institutions because they are desperately in need of this training---

**Mr. Deputy Speaker:** What is your question, Mr. Odhiambo? Ask your supplementary question?

**Mr. Odhiambo:** Mr. Deputy Speaker, Sir, since these institutions are offering low quality training, could the Ministry consider regulating their examinations like is the case with the Kenya Accountants and Secretarial National Examinations Board (KASNEB)? In this case, anybody can offer training, but the examination body is one. So, I would like the Ministry to regulate especially the hotel industry, the media industry and other professional areas so that there is only one professional body to examine students. Such a body should be acceptable to the Ministry and the public.

**Mr. Kamama:** Mr. Deputy Speaker, Sir, that is basically a statement from the Member of Parliament. However, since this matter is so weighty to most Kenyans, I want to really confirm to the House that no institution will be allowed to offer professional certificates without having been registered. In that case, I want to confirm to the House that we will investigate and ascertain whether the two institutions have been registered or not. If they have not been registered, we will close the two institutions this week.

Lastly, I want to also confirm to the hon. Member that we are in the process of establishing the Technical, Industrial, Vocational and Training Authority, which will be in charge of technical,

industrial and vocational training matters in the Ministry. It will be regulating the registration of most of those colleges.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Koech:** Mr. Deputy Speaker, Sir, I would like to thank the Assistant Minister for giving that answer. However, in this country, there are so many middle-level colleges operating in most of our towns. We are talking of thousands of them. We are aware that in every corner of any town, you find computer colleges. They have siphoned a lot of money from innocent parents just because of the urge for professional training. Could he tell this House the fate of the children who have gone to those colleges? They have paid money. They have been issued with certificates. What is the position of the Ministry regarding those certificates? What is the Ministry doing to completely stop the mushrooming of such colleges in this country? Those colleges are killing the economy and the future of our Kenyans.

**Mr. Kamama:** Mr. Deputy Speaker, Sir, I want to confirm to the hon. Member that quite a number of the computer colleges offering courses and issuing certificates in this country are registered. However, if he has any specific computer college which has not been registered, or which is offering courses and issuing certificates illegally, let me have that information as soon as possible. Otherwise, I want to promise the House that we will rein in some of those proliferating institutions which have not been registered and ensure that they are all registered, and that they conform with the requirements of Cap.211, Laws of Kenya.

Thank you, Mr. Deputy Speaker, Sir.

**Prof. Kaloki:** Mr. Deputy Speaker, Sir, what hon. Odhiambo is asking is whether there is any procedure of ensuring that the Ministry can detect some of the particular malpractices taking place. Rather than the Ministry just following up the issue when a Question is brought here, is there a procedure out there to make sure that there is a department dealing with these particular malpractices and make sure that we are keeping credibility and quality of our education system in this country?

**Mr. Kamama:** Mr. Deputy Speaker, Sir, there is a procedure in the Ministry. We have a section which deals with registration of such colleges. I have also informed the House that we are in the process of establishing a fully-fledged department, which will deal with quality assurance, so as to deal with this matter, once and for all. Quite a number of applications are received by our offices. We normally send our quality assurance officers to inspect those institutions before they are given the requisite registration certificates.

**Mr. Muturi:** Mr. Deputy Speaker, Sir, the Assistant Minister has not elaborated on the main concern here. Other than considering the registration of these institutions, the major issue is certification. Members of the public are losing a lot of money through these institutions. The Ministry of Higher Education, Science and Technology should also accept that they are operating on a borrowed Act of Parliament. This is because Cap.211 empowers the Minister for Education, and not the Minister for Higher Education, Science and Technology.

Mr. Deputy Speaker, Sir, could he clarify when they will be in a position to create a body that will issue certification to our students, so that those certificates are not only recognised by employers, but also by institutions of higher learning like the universities?

**Mr. Kamama:** Mr. Deputy Speaker, Sir, to the best of my knowledge, I have answered that question.

**Mr. Deputy Speaker:** Last question, Mr. Odhiambo!

**Mr. Odhiambo:** Mr. Deputy Speaker, Sir, what the Assistant Minister is telling this House is that, according to the Education Act, no institute or college can act without registration by the Ministry, which we know is true. However, what we are concerned about here is the quality of education being offered by those private institutes.

Mr. Deputy Speaker, Sir, could the department responsible for quality assurance ensure

that, after registration of a college, they go further and inspect it further and if they find that certain colleges are not offering quality education, they close them down? It does not mean that after a college has been registered, it can offer anything in the name of education, and that it cannot be closed simply because it is registered. So, is it possible for the Ministry to organise for the department responsible for quality assurance to do regular inspection of those colleges with a view to closing down those which are offering below standard education?

**Mr. Kamama:** Mr. Deputy Speaker, Sir, that is exactly what we will do.

**Mr. Deputy Speaker:** Next Question, Dr. Eseli!

**Dr. Eseli:** Mr. Deputy Speaker, Sir, I feel ambushed, because I have not been given a written answer to the Question. I will, however, accept the verbal answer. This ambush is not correct!

*Question No.038*

SCHEME OF SERVICE FOR ADULT  
EDUCATION TEACHERS

**Dr. Eseli** asked the Minister of State for National Heritage and Culture:-

(a) whether he is aware that since the creation of the Department of Adult Education in 1979, no scheme of service has been effected for the employees of this department;

(b) whether he is further aware that the adult education teachers under this department have stagnated at one job group for over 20 years; and,

(c) if the answer to the foregoing is in the affirmative, what steps he is taking to implement a suitable scheme of service for the said teachers to improve their productivity.

**The Assistant Minister, Ministry of State for National Heritage and Culture** (Mr. J. Onyancha): Mr. Deputy Speaker, Sir, this Question has been misdirected to our Ministry. The Department of Adult Education has never been under this Ministry. So, I am asking that you order that this Question be directed to the appropriate Ministry.

I am made to understand that the department is now under the Ministry of Education although, previously, it was under the former Ministry of Culture and Social Services, whose predecessor is the Ministry of Gender and Children Affairs.

**Mr. Deputy Speaker:** Hon. Members, the situation we are in now, where there are so many departments that are cross-cutting, it is appreciated that there is a lot of confusion as to where a Question should be sent. The practice in Parliament has been that, if you realise, as a Minister, that a Question is misdirected to you, you direct it yourself to the relevant Ministry immediately. You do not send it back to Parliament. You send it to the relevant Ministry. That has been the practice, and I expect Ministers to do that in future.

In the circumstances, I direct that this Question appears on the Order Paper on Thursday. Let the relevant Ministry come with the answer.

*(Question deferred)*

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

**Mr. Deputy Speaker:** Order! I am on my feet! You cannot rise on a point of order when the Chair is on his feet!

What is your point of order?

**Dr. Khalwale:** Mr. Deputy Speaker, Sir, following that ruling, the problem is far much bigger than you have tackled now. Could you also give guidance on the issue of the right to respond because, when a Minister moves a Motion from the Government side, the first person to respond is the Shadow Minister from the Official Opposition? So, could you also give a ruling as to who will be having the right of the first response since you have ruled that you are not too sure whether we should go ahead and put in place a formally structured Grand Opposition?

**Mr. Deputy Speaker:** Hon. Members, the Chair did make a ruling on this very touchy issue. In the circumstances, we do not have a Shadow Cabinet. Unless the law is changed, there is no Official Opposition in this House. So, if you want to have an Official Opposition, bring a law to provide for it. Unfortunately, in the circumstances, there will be no right of response.

Dr. Eseli, your Question has been deferred to Thursday this week. I understand that the relevant Ministry, the Ministry of Education, will come up with the answer!

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

**Mr. Deputy Speaker:** Dr. Eseli, that matter has been put to rest, unless you have another point of order!

Dr. Eseli, what is your point of order?

**Mr. Linturi:** Mr. Deputy Speaker, Sir, I am---

**Mr. Deputy Speaker:** Order, Mr. Linturi! I am talking to Dr. Eseli!

**Dr. Eseli:** Mr. Deputy Speaker, Sir, I want to raise some concern. A while ago the Minister for Lands answered a Question here very evasively. A short while ago, the Assistant Minister, Ministry of State for National Heritage and Culture also did the same. I remember that last week you told Backbenchers to get cracking. We are really trying to get cracking. I do not know if I am in order to ask the Chair to ask the Front Bench to also get cracking!

**Mr. Deputy Speaker:** Order, Dr. Eseli! Hon. Members, if I was the Minister for Lands and this kind of Question was put, I would answer it in the same way. Hon. Members have to be specific on the issues they ask about. When an hon. Member asks if the Minister is aware that there are 43 families living in Manera and he tells you he is not aware, it is because he believes he is not aware! He proceeds on to the other part of the Question and says: "In the light of the answer to parts "a" and "b", no action has been taken".

It is upon you to come to the House with the facts, which cannot be refuted, to show that actually what the Minister is saying is either a lapse on his ability to run his Ministry, or he is deliberately misleading the House. I will not tell you how to do this, but you understand how to put it across!

**The Assistant Minister, Ministry of State for National Heritage and Culture** (Mr. J. Onyancha): On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** What is your point of order?

**The Assistant Minister, Ministry of State for National Heritage and Culture** (Mr. J. Onyancha): Mr. Deputy Speaker, Sir, when Dr. Eseli raised his point of order, he implied that---

**Mr. Deputy Speaker:** Order, Mr. J. Onyancha! That matter has been put to rest! **The Assistant Minister, Ministry of State for National Heritage and Culture** (Mr. J. Onyancha): But, Mr. Deputy Speaker, Sir, I am seeking your protection!

**Mr. Deputy Speaker:** Order! You have the protection of the House! That Question should have gone to another Ministry! You are under no obligation to answer it! That matter has been put to rest!

Let us move on to the Ministerial Statement by Mr. Murungi!

## MINISTERIAL STATEMENTS

MEASURES TO CURB RISING  
COST OF FUEL

**The Minister for Energy** (Mr. Murungi): Mr. Deputy Speaker, Sir, last week, on Wednesday, 7th May, 2008, Mr. K. Kilonzo requested me to give a Ministerial Statement on the rising cost of fuel. He requested me to specifically tell this House:-

- (i) the cost of fuel in this country;
- (ii) the international price of fuel per barrel;
- (iii) how much the Government taxes the fuel coming into this country;
- (iv) what steps the Government is

taking to ensure that it cushions its people from arbitrarily escalating prices; and,

- (v) whether there are any alternative sources of energy that Kenyans can use to avoid using a lot of money on fuel.

Mr. Deputy Speaker, Sir, having said that, I beg to give the following Ministerial Statement.

As hon. Members are undoubtedly aware, there is an unprecedented escalation in the cost of petroleum fuel here in Kenya and, indeed, in the rest of the world. We are experiencing the highest petroleum prices in the history of this country. I have been reading a report from the Organization of Petroleum Exporting Countries (OPEC), which is predicting that the price of crude oil could possibly rise from the current US\$125 per barrel today to about US\$200 per barrel by the year 2010, that is in the next three years.

These sky-rocketing energy prices are caused by forces of supply and demand in the world oil markets. There is an unprecedented high demand for petroleum fuels in the global economy, particularly in China and India, which have continued to register very high growth rates. There is also low supply levels occasioned by a slow pace of fuel production from existing wells, reluctance by the OPEC members to increase their oil output, and a very slow pace in making new discoveries.

Mr. Deputy Speaker, Sir, in Kenya, in the last 12 months, or so, the international price of murban oil, which is the main crude refined at the Kenya Petroleum Refineries Limited (KPRL) in Mombasa, has risen from US\$62 per barrel to the current US\$109 per barrel. This is an increase about 67.67 per cent. On 28th April, 2008, the West Texas Intermediate (WTI) crude oil, which is the critical bench market crude, hit-an-all-time high price of more than US\$120 per barrel. A few day ago, on 8th May, 2008, it reached US\$126 per barrel.

Mr. Deputy Speaker, Sir, this very sharp rise in crude oil prices have translated into high consumer prices of various petroleum products in this country. The pump prices for petroleum products have risen by slightly over 25 per cent in the last 12 months. In March, 2007, the pump price for super petrol was Kshs76, and for diesel was trading at Kshs66 per litre. By last week, these prices had escalated to Kshs99 per litre and Kshs90 per litre respectively in Nairobi.

Mr. Deputy Speaker, Sir, the taxes levied by the Government on petroleum fuels imported into this country have not been increased since June, 2006 when the Government increased the Road Maintenance Levy (RML). These taxes are currently as follows:-

- (i) super petrol, Kshs29.29 per litre;
- (ii) regular petrol, Kshs28.90 per litre;
- (iii) automotive gas oil, Kshs19.70 per litre, and
- (iv) kerosene, Kshs7.60 per litre.

This is the amount we take contribute as the RML.

Mr. Deputy Speaker, Sir, the Government liberalised petroleum prices in October, 1994

with a view to inducing competitiveness in the market. Since then, oil companies have been setting the pump prices. Whereas it has been the custom that bulk consumers of petroleum products such as manufacturers are able to negotiate competitive prices, the fuel consumers in this country, particularly here in Nairobi, have not benefitted very much from this competition. This is because of the dominant presence of large oil marketing companies with cartel behaviour, especially here in Nairobi.

Mr. Deputy Speaker, Sir, under Section 102(w) of the Energy Act which was passed in 2006, it empowers the Minister for Energy on recommendation of the Energy Regulatory Commission to determine retail prices of petroleum products. My Ministry is monitoring the situation on a daily basis with a view to establishing whether it warrants me to determine the retail prices under Section 102(w).

Mr. Deputy Speaker, Sir, I would like to inform this House that if the situation warrants, I will take decisive action to protect the interests of Kenyans in this respect. The Government is concerned about high domestic prices of petroleum fuels as they adversely impact on the economy and, indeed, they are reversing the gains made in this country in the last five years. To address this challenge, the Government is already taking steps to strengthen the National Oil Corporation of Kenya (NOCK), so that it can become a major domestic player and a market leader in setting the prices of petroleum products in this country. In this respect, the Government has provided funds to NOCK to acquire 13 refuel outlets which were formally owned by British Petroleum (BP) Kenya Limited. It is in the process of facilitating NOCK to acquire a further 33 stations owned by SOMKEM Kenya Limited. We are on the look out for any other outlet which could be available for acquisition by NOCK.

Mr. Deputy Speaker, Sir, my Ministry is encouraging all Government Ministries, departments and parastatals to purchase all their petroleum products from NOCK or its appointed agents in order to reduce the cost of oil supply. In this respect, it is hoped that expansion of NOCK distribution and refuel network will enable this corporation to play a significant role in the Kenyan market and help us to reduce domestic prices of petroleum products.

Mr. Deputy Speaker, Sir, the Government has planned to establish a strategic petroleum reserve of up to 90 days of consumption with effect from July this year as provided for under the Energy Act No.12 of 2006 and the Legal Notice which I recently published in April this year, Legal Notice No.43 of 2008. These strategic stocks once procured, will be utilised from time to time to stabilise domestic prices and to ensure security of supply in the event of disruptions in the supply chain.

Mr. Deputy Speaker, Sir, the long term solution to high petroleum prices for Kenya is to discover our own oil and gas reserves. The Government, through my Ministry, is intensifying research for commercial deposits of both petroleum oil and gas in this country. We have allocated various blocks in different sedentary (sedimentary) bases of this country to various exploration companies because the country is under-explored. We believe it is only a matter of time before we discover either oil or gas in view of this intensified activity.

Mr. Deputy Speaker, Sir, I will also like to inform the hon. Members that there are no immediate viable alternative sources of energy which can significantly contribute or substitute liquid petroleum fuels in Kenya. However, the Ministry of Energy and other stakeholders are exploring the possibility of commercial production of biofuels which include biodiesel and the Directorate of Renewable Energy in the Ministry. We are treading very carefully in this area because the global bio-fuel strategy is facing major challenges of environmental degradation and escalating global food prices.

Mr. Deputy Speaker, Sir, I would like the hon. Members to look at a lead article in the *Time* magazine of 18th April this year where they are talking about the clean energy made and they are saying that all that it is doing is to drive up world food prices, helping to destroy the Amazon and

making global warming worse. So, we have to balance whether you want food or fuel.

Mr. Deputy Speaker, Sir, I would like to take this opportunity to urge consumers of petroleum products in this country, not only to institute personal conservation measures, but to source their fuels from those companies which offer them lower prices at the fuel pump outlets like the NOCK. The price in Nairobi from NOCK is Kshs94 per litre whereas if you buy from other companies it is Kshs99 per litre. So, why should you go for Kshs99 when Kshs94 is available in the market?

Mr. Deputy Speaker, Sir, similarly, we are urging large consumers of petroleum fuels such as manufacturers to negotiate competitive prices for biofuels delivered to their premises for better pricing.

Mr. Deputy Speaker, Sir, lastly, I would like to urge Kenyans, especially the elites, to emulate the elites in India. We should avoid this culture of conspicuous consumption and learn to drive smaller cars like they do in that country.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. K. Kilonzo:** Thank you, Mr. Deputy Speaker, Sir. You will all agree with me that the Minister has given us a detailed and comprehensive answer. He has actually gone out of his way even to bring us the *Time* magazine. It is Ministers like this one who I believe the Prime Minister is noting that they are beyond supervision, because they can do their work seriously.

*(Applause)*

Mr. Deputy Speaker, Sir, having said that, I want him to, first and foremost, address the issue of the Kenya Oil Refinery (KOR). The KOR has been there, I believe since the 1960s. It is alleged that even some of these multinationals are not paying taxes because the machines which are there are old and cannot be used and they are in a permanent state of breaking down. This has increased the price of refining oil and gas. I wish he could consider coming up with a new technology to help the KOR.

Mr. Deputy Speaker, Sir, in the same breath, I want to ask the Minister to take stern measures against these multinationals who have formed a cartel and sometimes create an artificial shortage of fuel, or petrol, just to hike their prices. When Kenyans go to fuel their cars at the petrol stations, they are told that the pumps are dry; only to hear that the prices have gone up!

The other issue I would like the Minister to look at is the possibility of importing oil from our neighbouring countries. Three weeks ago, I had the privilege of visiting Sudan. I realised that Sudan has now discovered oil, not only in the South but also in the North. Instead of using these mafia who want to control the prices, we can also get petrol from Africa. At the same time, I would like to ask the Ministry to look at ways of oil exploration in Kenya.

You may not know this but when I was speaking to the Sudanese, they told me that an American company which was exploring for oil there reported to the Sudanese Government that they had not discovered any oil yet their plans were that the oil from Sudan would be extracted from around 2025. They were kicked out and the Sudanese brought in the Chinese who discovered oil. Maybe it is time we changed from these Western companies because they have their own designs and started looking towards the East to explore Lamu, North Eastern and Eastern. We might find oil.

**Mr. Deputy Speaker:** Please, seek clarification, Mr. K. Kilonzo!

**Mr. K. Kilonzo:** Mr. Deputy Speaker, Sir, those are clarifications. Given that 50 per cent of Kenyans live on less than a dollar a day and they use kerosene, would the Minister consider waiving taxes on kerosene for the *mwananchi*? This will enable the *mwananchi* to get kerosene which he uses for his daily needs.

**The Minister for Energy** (Mr. Murungi): Mr. Deputy Speaker, Sir, the hon. Member - I

wish he is going to be a Minister one day - is right. The Kenya Oil Refinery was established in 1956. It has

very old refining technology and we are not even able to use it to refine oil from our neighbouring country, Sudan. We are embarking on a major modernisation project for the refinery at a cost of Kshs21 billion. Once that is done, we will refine crude oil from places like Libya and Sudan. We hope that this will bring down the cost of petroleum products in this country.

Regarding oil exploration, again, the hon. Member is right. My predecessor, Mr. Nyachae, travelled to Sudan and he confirmed what the hon. Member is saying. After his visit, we brought the companies exploring for oil in Sudan into Kenya.

*(Applause)*

So, right now, we have allocated a number of blocks to Sinoko, which is a Chinese company, which explored and found oil in Sudan. We have also allocated the area around Turkana to Lundin Oil AB, which is a Swedish company which is also exploring for oil and, in fact, has discovered oil in Southern Sudan. What they are telling us is that the whole extraction which is in Sudan extends into Kenya. We hope that after the initial exploration period, these two companies will give us some good news.

Regarding the taxes on kerosene, we know the *mwananchi* is really feeling the pinch, especially because inflation is now at 26.6 per cent in this country; the highest in the last 14 years or so. This is a matter beyond my jurisdiction. I will have to consult with my colleague, the Minister for Finance, but we share the sentiments.

*(Applause)*

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, I agree that, indeed, the Minister has done his homework on this matter and taken the issue of energy seriously. The issue of high cost of fuel and petroleum products is likely to also increase the cost of food. We have witnessed food riots in several parts of the world. That is what we are looking at! So, I want to know whether the Ministry can consider fuel blending through ethanol or it can consider alternative sources of energy, that is electricity, and particularly on public and cargo transport and electricity as an alternative source of cooking.

Finally, as a stop-gap measure, could the Minister consider re-introducing price controls? You find the same oil company with a petrol station somewhere on Ngong Road selling petrol at Kshs99 per litre and the same company with a petrol station on Thika Road selling it at Kshs95 per litre. So, it is obvious that they are taking advantage of us.

**Mr. Chachu:** Mr. Deputy Speaker, Sir, my question is about oil exploration. I am aware that in northern Kenya, in Isiolo and in my constituency of North Horr, oil is being explored by Chinese companies as well as a Swiss company called Lundin. My proactive question is: I want to know the Government's policy of sharing resources, especially minerals such as oil, if they are found, with local communities which live in those areas where these minerals are being explored. I would like to know the Government's policy. If there is no policy, I want this Government to be proactive and think critically so that we strategise on the way forward. What is the Government's policy in sharing resources such as oil, if they are found, with local communities?

**The Minister for Energy (Mr. Kiraitu):** Mr. Deputy Speaker, Sir, I am aware about the impact of high fuel prices on the cost of food. We are also reading about what is happening around the world. There have been food riots in Senegal, Ivory Coast and other areas which are also caused by high fuel prices. We said, as the Government, that we are looking at various ways in which we can reduce the impact of high oil prices to our own economy. However, as I said, some



of these factors

are beyond our control. As I said, OPEC reports indicate that in the next three years, the oil prices could very much be double what we have today. It is going to depress the economy even more greatly than it is today. However, as the Government, we have to take bold decisive measures, at least, to make sure that we do not have food riots in this country.

Mr. Deputy Speaker, Sir, regarding the cost of heating and meeting the energy needs of the poor, we have been supplying electricity to rural areas. We are aware that even in those areas where we have supplied electricity, people do not use it for cooking. They use electricity for lighting. So, we have started a new programme in my Ministry which we are calling the Kenya Energy Sector Environmental and Social Responsibility Programme.

Mr. Deputy Speaker, Sir, under the programme, we want to increase the supply of firewood in this country. We have to be realistic that, even if we keep singing that people should not cut down trees, so long as they need them for their heating and cooking needs, they will continue to cut down the trees. We have set aside some funds for that purpose. We have set aside about Kshs200 million. I want to talk to hon. Members so that we co-operate with women and youth groups, so that we have massive tree planting in this country. We will be calling a *Kamukunji* to discuss this with you, so that we partner.

Mr. Deputy Speaker, Sir, regarding the price controls, we are monitoring the situation on a daily basis. The highest prices have been recorded in Nairobi. The prices are lower upcountry. The oil companies are making a margin of between 4 per cent and 6 per cent. Some of them are pulling out, because they are saying that our market is not profitable. Right now we are talking about M/s Chevron and M/s Caltex also wanting to pull out. Initially, we had M/s Shell BP. If we feel that the margins have reached an exploitative rate, then we are going to impose price controls because I have those powers.

Regarding the issue of oil exploration, it is true that even before we have discovered oil, we have attended various seminars and international meetings to discuss the most prudent way of sharing oil revenue. Oil revenue is now traditionally being shared by three parties. First, we have the international companies which are taking the risk of exploring and drilling for oil. So, we give them the cost of oil exploration before we talk about anything else. Then we have the profit oil. We share this with those companies, because they are out to make some profit. Then the other share will come to the Government.

As a matter of policy, we have said that in the areas where we discover oil, a certain proportion of that oil has to develop those areas. We have said that even before discover oil, the companies which are exploring for it have to do something for the communities which are hosting them. So, we have told Sinoko and other companies that, wherever they are, whether it is North Horr, Isiolo or Marsabit, we want to see some schools built by them in the process of exploration. If it is water, we want water to be pumped and supplied to the community. We are trying to deal with the local content issues even as exploration is going on. So, we are sensitive; we have learnt the dangers that oil production can bring, and are trying to take care of those aspects even before we strike oil.

KILLING OF CHARLES NDUNG'U  
WAGACA AND NAFTALI IRUNGU

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Deputy Speaker, Sir, on 6th May, 2008, Mr. Mbau, the hon. Member for Maragua, rose on a point of order and sought a Ministerial Statement from the Minister of State for Provincial Administration and Internal Security on the killing of two people namely, Mr. Charles Ndung'u Wagaca and Naftali Irungu, which occurred on Monday, 28th, April, 2008 at Lari

in Kiambu District. I do wish to state as follows:-

On 28th April, 2008 at about 1300 hours, which time translates to 1 p.m., Lari Police Station received information that a saloon car Registration Number KAN 702A had veered off the road and landed in a ditch at Mathari area along the Nairobi-Naivasha Road. The caller further reported that the two occupants were still inside the vehicle and appeared seriously injured. Thereafter, police took action and dispatched officers immediately to the scene.

At the scene, they found that the car had several bullet holes. They also noted that the occupants were dead, and their bodies bore evidence of multiple gunshots. A search of the surrounding area yielded seven spent cartridges of AK47 rifle ammunition. Members of the public, who gave an eye witness account of the incident, stated that the victims' car had landed in the ditch after it was obstructed by two cars, which seemed to have been pursuing it. They further stated that about five persons alighted from the two cars, fired several times at it, picked a parcel from the boot of the car and then drove off. Upon search, the police, in collaboration with the immediate relatives later, identified the deceased as Mr. Charles Ndung'u Wagaca and Mr. Naftali Irungu.

Mr. Deputy Speaker, Sir, I want to assure this House that thorough investigations are being carried out by a team of competent police officers to ensure that the killers are arrested and brought to book. It is, therefore, imputing improper motive for the hon. Member to allege that the police officers are suspects. Regarding the allegations that there could be people licensed to kill innocent Kenyans, I wish to assure this House that the Government upholds the rule of law, and cannot in any circumstances, whatsoever, license people to kill innocent Kenyans. Indeed, the cardinal responsibility of any Government is to protect the lives and property of its citizens.

Mr. Deputy Speaker, Sir, finally, the law does not provide for the compensation of people killed by criminals and, therefore, the Government has no plans to compensate the families of the two deceased persons in this respect.

**Dr. Khalwale:** Mr. Deputy Speaker, Sir, although I am not the one who raised this matter, I notice that my friend, Mr. Mbau, is not around. I want to thank the Minister for this clarification because, originally, when this news was broken to the nation, the media told us that those people had been gunned down by the police. I want to thank the Minister for this. However, could he further clarify some things that are not very clear? There were two cars that blocked those young people, and people alighted from other cars, but he is not able to tell us the registration numbers of the two vehicles. They not only stopped but took time to kill the occupants of the car in question, and also to take a parcel from the boot of that car.

The second point that I would like him to clarify is that, it is on record, again by the media, that those people who were killed were suspected to be *Mungiki* members. If, indeed, they were *Mungiki*, could the Minister clarify whether it is the official position of the Government to sit down and negotiate with the *Mungiki*, as the Prime Minister has said? If, indeed, the Government has changed its position and wants to negotiate with the *Mungiki*, is it also going to negotiate with the youth in Mt. Elgon, who are called "the Sabaot Land Defence Force" and with other many militia that we have in this country?

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Deputy Speaker, Sir, let me attempt to respond to the observation made by Dr. Khalwale. It is true that, in my Ministerial Statement, I did not give the details of the registration numbers of the two vehicles, which had carried the people who are alleged to have committed the murder, precisely because the police were not there and the information that we have was given to the police by *wananchi*. So, the registration numbers of the two vehicles were not given; only the registration number of the vehicle which, incidentally, had carried two victims, was given because it was in a ditch. That is why I did not give the registration numbers of the other two cars.

The key thing is to make a very affirmative statement here, that the position of the Government is that this matter is being treated as murder. It is a criminal act and the whole

investigation is essentially meant to nail down those who killed these people. Whoever they are, they will be dealt with in accordance with the law. That is the position. Whoever they are, and irrespective of their designations that may be attached to them, the position of the Government is that they will be dealt with.

Mr. Deputy Speaker, Sir, there are things that I want to say here. The hon. Member has stated that it is the media that gave the information that these people could have been killed by the police. That information is being sought from the media; investigations are being carried out, so that the media should not just make a speculative statement, or a write-up. The media should be able to state the source of its information. Did the police do it? We are not here to defend anybody. The Government will not defend anybody who wants to kill other Kenyans irrespective of who that person is. So, that information must be given out. But a general statement that does not carry any justification is hollow. But, nevertheless, to the extent that such a general statement is made on a matter that is as grave as murder, proper information will be sought. Proper investigations will be carried out from those media houses to give the information. I think that is absolutely important. The media said that they know the people who were involved and their designations and again, they will be required to give that information. I would end up prejudicing the case, to say that they belong to this or that group. We want that information to be given to the police in the course of the investigations. Indeed, those who have made those blank statements will be required to give that information.

The fact that many public figures have made statements on how to handle the *Mungiki* menace, to me, I think it is indicative of the fact that the whole issue is a fairly complex one. Indeed, the hon. Member of Parliament has said that whatever you do to one group, naturally, you must also do it to similar groups. To me, and I want to say this to the august House, we are dealing with a complex issue. It is important that we must admit that, it is very complex as it is. Certainly, it cannot be addressed in a very simple way. It has to be addressed in a very well-considered and thought-out way. This is exactly what we are doing.

We are studying this issue very carefully. We cannot wish away the fact that we have a problem. Like hon. Members have said, we have a problem including the Mt. Elgon issue. These are not problems that arose only yesterday or even today. These have been long standing issues and we have to get down to the root cause of these issues.

Mr. Deputy Speaker, Sir, having said that, let me hasten to add that as a Government, we have a responsibility to protect the lives and property of Kenyans. We are required to do so by law and we cannot compromise on that responsibility. I think that is very clear. As I said, we are dealing with an extremely complex matter. It is not just about one group because we have a number of militia and we have to address these issues. We have the *Mungiki* and the Sabaot Land Defence Force in Mt. Elgon. We also have a problem in the Coast Province. We have some other organisations like the *Taliban* and the *Chinkororo* and so on. There is an assortment of militia. So, this issue must be addressed clearly and seriously. We have to think about all these groups. So, that is our position.

**Dr. Khalwale:** On a point of order, Mr. Deputy Speaker, Sir. With due respect to the Minister, there is some confusion this Government is visiting on Kenyans. On the one hand, the Prime Minister has told us that the Government would negotiate with the *Mungiki*, while the other hand, as recently as two weeks ago, the Minister told us that, that is not an option. Since the Minister is responsible for that docket, could he make it clear to Kenyans whether they are going to negotiate with *Mungiki* or not? If they are going to negotiate, they should expand the dragnet and let the Sabaot Land Defence Force benefit. Let even the youth in the Rift Valley Province who visited violence on people during the post-election era also be negotiated with. So, the Minister should tell us clearly the policy of the Government regarding this issue. Is the Prime Minister in a different Government from the one the Minister is serving?

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): First of all, let me disabuse the notion that we are in a different Government. There is only one Government today. It is the Grand Coalition Government. That position is very clear. There are no contradictions here. First of all, I do not think there is any contradiction among the members of the Government that law and order must be enforced. Neither is there any contradiction among us as to the fact that we must, as a Government, provide protection to our people. The lives and property of Kenyans remain sacred and will be protected. That one is very clear. I made it quite clear, and I have to repeat it, again, that I will not condemn people for raising their views on an issue that is extremely complex. It is not an issue of today. It is an issue that has been there. The fact that many people are making comments is a wake-up call that we are dealing with a very complex situation. It is not just for one group. It is an overall issue which requires very serious reflection when dealing with it but, at the same time, as I have said, without compromising whatsoever on the rule of law.

**Mr. K. Kilonzo:** On a point of order, Mr. Deputy Speaker, Sir. The Minister is avoiding the question. The question which he has been asked is---

**Mr. Deputy Speaker:** The Minister can only be asked supplementary questions if it was a Question. But if it is a Ministerial Statement, you can only seek clarifications.

**Mr. K. Kilonzo:** Mr. Deputy Speaker, Sir, the Minister has not clarified the matter at hand. The Prime Minister, who is his boss, said that they are going to negotiate with the *Mungiki*. In fact, he sent two books to the leader of the *Mungiki*. Three weeks ago, the Minister said that he was not going to negotiate with the *Mungiki*. We want to know the Government's position on this matter. Could the Minister clarify to this House whether they are negotiating with *Mungiki* or not?

**Mr. Deputy Speaker:** Hon. Minister, what you should be discussing and debating, as a Cabinet, is there in the public domain. The House needs a clarification from you, as the Minister of State for Provincial Administration and Internal Security.

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Deputy Speaker, Sir, with all due respect, I do not think it is proper to discuss the Prime Minister while he is not here. I do not think it is proper to start discussing that issue. In fact, we cannot discuss any Member of Parliament by the way, it is part of the Standing Orders, without bringing a substantive Motion. What I have said is, and I am not going to retract it---

**Mr. Deputy Speaker:** Hon. Minister, it is the policy of the Government which is being discussed and not an individual Member!

Proceed!

(Applause)

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Deputy Speaker, Sir, I have stated very clearly that, first and foremost, the policy of the Government is to protect the lives of Kenyans. Secondly, it is to protect their property. That is the fundamental position. I have also made it very clear that, as the Minister in charge of internal security, my primary responsibility is to ensure that the policy of the Government of protecting the lives of Kenyans and their property is adhered to.

Mr. Deputy Speaker, Sir, I have then stated that it is not only the Vice-President and Minister of Home Affairs who talked about that issue. As a matter of fact, there are some Members of Parliament who have also talked about that matter. There are also former Members of Parliament who talked about this matter. Incidentally, some of them were Members of Parliament and they would never raise that issue. But I also stated that it is wise to admit that we are dealing with a complex issue. It is not related to one group. The hon. Member so admitted. We have a plethora of these militia. We have to think carefully on how we will deal with them. As the

Minister of State for Provincial Administration and Internal Security, I will not compromise on the fact that we must protect Kenyans.

**Mr. Deputy Speaker:** Hon. Members! The hon. Minister has given clarification. I think he was very clear! What is your point of order, Dr. Khalwale?

**Dr. Khalwale:** On a point of order, Mr. Deputy Speaker, Sir. It is very clear, in the rules of debate, that the purpose of a Question is to press for action from our Ministers if it is so desirable. The question of the need to negotiate with members of the *Mungiki* sect is not just limited to the Prime Minister. Even the bishops have now come on board. We want the Minister to say, clearly, whether in the meantime, he has started negotiations as a new tact or whether the issue of negotiations is out of order.

**Mr. Deputy Speaker:** Hon. Member, in the first place, this is a Ministerial Statement and not a Question. Secondly, the Minister of State for Provincial Administration and Internal Security has given the position of the Ministry which is to protect the lives and properties of Kenyans. If you want to ask a question on whether that includes other things in your own opinion, then you have to raise a different Question. However, he has given adequate clarification in this Ministerial Statement.

**Mr. Chepkitony:** Thank you, Mr. Deputy Speaker, Sir. It is alleged that the two people who were killed were moving from Naivasha to Nairobi. It is said that they were from a meeting. I would like the Minister to shed more light on this and confirm if it is true that they were really having a meeting to discuss issues concerning the *Mungiki*. He should also tell us if there were some Government officials who had been sent there to negotiate.

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Deputy Speaker, Sir, I think the only response I can make towards what the hon. Member has said is one. He appears to have information that there was a meeting. I think it is upon him, because according to the rules of the House, once you make an allegation, then it behoves you to substantiate. The hon. Member should lay on the Table of this House information regarding the nature of that meeting.

**Mr. Deputy Speaker:** Hon. Minister, the hon. Member has phrased the question in a very tricky manner. He has not sought a statement. He is seeking clarification from you, whether indeed, it is true. So, it is up to you to either accept or deny.

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Deputy Speaker, Sir, I thought that the hon. Member may have some information. For the benefit of the hon. Members, I thought he could have shared the information with us. Having said that, I am not aware of any meeting. That is why I thought that we could provoke the hon. Member to give us the information.

## PROCEDURAL MOTION

### REDUCTION OF PUBLICATION PERIOD: THE SUPPLEMENTARY APPROPRIATION BILL

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

THAT, pursuant to the provisions of Standing Order No.98; this House orders the publication period of the Supplementary Appropriations Bill be reduced from seven to six days.

This being a Consolidated Fund Bill, the requirements under Standing Order No.98 are that the publication period should be a minimum of seven days. Indeed, in the case of other Bills, as hon. Members will have noticed, the publication period should be 14 days. It is important, having

passed the Supplementary Estimates, that we get the authority to spend. This is so, in accordance with what the law provides. If the Ministries are to continue running, they need to draw money from the Consolidated Fund. Due to the importance of this matter, I propose that hon. Members agree that we shorten the period from seven to six days so that we can get into the business of giving the various Ministries the ability to continue to carry on the mandate that has been bestowed upon them by the people of this country.

I beg to move and request Prof. Saitoti to second the Motion.

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Deputy Speaker, Sir, I would like to second this Motion. As the Leader of Government Business has already said, this Bill is extremely important in the sense that although the House has already passed the Supplementary Estimates, that is not enough to allow money to be released to various Ministries so as to meet various obligations. Secondly, if you look at the Bill itself, you will notice that it is a fairly thin one. As a matter of fact, the reduction from seven to six days, I do not think will make much of a difference for the simple reason that is contained in the Appropriation Bill. The fundamentals in the Bill had already been debated at the time of the Supplementary Estimates. Much more important, is the fact that time is running out. We are now getting towards the end of June. This money needs to be released as quickly as possible so that it can be spent. The fact that Exchequer books are normally closed on 15th June, if you count from 15th of June to now, the time is fairly short. It will be fair to release these resources to meet the obligations of the Ministries.

I beg to second.

*(Question proposed)*

**Mr. K. Kilonzo:** Thank you, Mr. Deputy Speaker, Sir. Given that this is a Procedural Motion and taking into account what the Leader of Government Business has said, and that Kenyans are yearning to see the new Ministries run, I support the Motion.

**Dr. Khalwale:** Thank you, Mr. Deputy Speaker, Sir. I wish to support this Motion. I wish to inform the Leader of Government Business that the challenge facing this Government is staring them in their faces. It is only last week that we passed a similar Motion that allowed the expenditure of Kshs35 billion. There is now need for another one to come. That means that the challenge of the Coalition Government is greater than we had anticipated. I support this Motion because I am aware that some of my former colleagues who were in the Back Benches and have now become Ministers in the expanded Cabinet do not have offices. Some of them are riding in very old motor vehicles. Hopefully, when we pass this Motion, we will allow them some of these luxuries that drove some of them to take office.

I support.

*(Question put and agreed to)*

## **BILL**

### *First Reading*

#### THE SUPPLEMENTARY APPROPRIATION BILL

*(Order of the First Reading read -  
Read the First Time - Ordered)*

*to be read the Second Time today)*

*Second Reading*

THE SUPPLEMENTARY APPROPRIATION BILL

**The Assistant Minister for Finance** (Dr. Oburu): Mr. Deputy Speaker, Sir, I beg to move that The Supplementary Appropriation Bill be now read a Second Time.

Mr. Deputy Speaker, Sir, the Motion on the Supplementary Estimates was approved by this House on 30th, April, 2008. While moving the Motion, the Minister mentioned, in brief, the following:-

(i) That the Supplementary Estimates will not result in an increase in our earlier projected domestic borrowing of Kshs33.96 billion.

(ii) That while implementing the 2007/2008 Budget, we have adhered to the fiscal framework that was tabled before this House with the rest of the details of the Budget for the current financial year.

Mr. Deputy Speaker, Sir, due to the need, therefore, to continue with the best practices in financial management that we have committed ourselves to, we have proposed a Supplementary Budget of Kshs22.46 billion out of the requests by Ministries that amounted to Kshs62.3 billion.

*[Mr. Deputy Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, whereas revenue collection has performed as projected, and we have confined our expenditure to the approved level, Budget implementation has faced various challenges and demands that have constrained our resources. Some of these are:-

(i) Rising prices of crude oil that has resulted in increase in cost of commodities including, farm inputs;

(ii) Outbreak and spread of life-threatening contagious diseases, whose spread must be curtailed;

(ii) Post-election disturbances that have displaced Kenyans from their homes. These disturbances have caused a serious threat to our security. Additional funds were, therefore, required for security operations to stop the violence and protect the Internally Displaced Persons (IDPs), and for provision for their basic needs and amenities.

Mr. Temporary Deputy Speaker, Sir, the Government approved the policy to provide free secondary education, and this raised requirement of funds by the Ministry.

Mr. Temporary Deputy Speaker, Sir, the implementation of the National Accord has resulted in an additional eight Ministries being created. This has also resulted in the requirement of additional funds.

Mr. Temporary Deputy Speaker, Sir, the Supplementary Estimates have, therefore, been prepared against the backdrop of the above events. Their influences on expenditure, service delivery and the demand they have created on the Government have been taken into account. These factors also prompted Ministries to request additional funds to enable them to continue to provide essential services and effect appropriate interventions. Accordingly, the following are brief highlights of some of the allocations we have proposed for approval by this House.

Mr. Temporary Deputy Speaker, Sir, on Recurrent Expenditure, Vote for the Ministry of

State for Provincial Administration and Internal Security, the general election, and the events that followed demanded increased security operations by the police unit. The Government also approved a one-time payment of honoraria to the officers who were deployed for those operations. Additional funds requested for this Ministry are, therefore, to cater for payment of salaries and allowances, recruitment of security personnel and for operations and maintenance.

Mr. Temporary Deputy Speaker, Sir, on the Ministry of Agriculture, due to a prevailing shortage of food, it became necessary to supplement funds allocated for strategic grain reserve. It is also our strategy to raise, substantially, the level of the reserve in the medium-term. Additional funds are recommended for these purposes, including the facilitation and capacity building for district extension services.

With regard to the Ministry of Higher Education, Science and Technology, additional funds, amounting to Kshs4 billion, are required for the implementation of free secondary education. The rest of the increase under this Vote is due to transfer of allocations for services related to higher education.

With regard to the National Security Intelligence Service (NSIS), the Vote requires additional funds to enable it sustain its security intelligence gathering operations.

Mr. Temporary Deputy Speaker, Sir, funds have also been provided to the newly created Votes to enable them become operational. Increases under the rest of the Votes are mainly to cater for payment of salaries and allowances, operations and maintenance.

On Development Expenditure, the Ministry of Finance--- As hon. Members are aware, information technology is the critical functional tool for all sectors of the economy. Governments are, therefore, strategically investing in this sector as it will facilitate economic growth. Additional funds sought for this Vote are, therefore, for construction of Government common core network, implementation of fibre optic and computerisation of the Pensions Department. Funds are also required for equity participation in the National Oil Corporation (NOC) and the Kenya Electricity Generating Company. I think, the Minister for Energy has just expounded on the need for NOC to acquire more stations.

The other increases and decreases indicated under various Votes, both in Recurrent and Development Expenditures, reflect transfer of services in accordance with the new Government structure. The reallocations between Votes have also been effected in order to cater for emerging requirement in priority areas.

Mr. Temporary Deputy Speaker, Sir, there are other high priority programmes that require additional funds for their continued implementation. In addition, therefore, to those programmes I have highlighted above, other crucial programmes are:-

- (i) Disaster response and relief service
- (ii) Resettlement of the Internally Displaced Persons
- (iii) Disease control programmes and
- (iv) Hawkers' markets.

The details of the Revised Estimates are provided in the 2007/2008 Supplementary Estimates Book that was tabled before this House.

Mr. Temporary Deputy Speaker, Sir, the Bill before this House is, therefore, to seek approval for appropriations of funds to enable the Government to provide essential services without interruption, and to cater for its obligations and commitments. The approval of this Bill will grant the Treasury statutory authority to release funds from the Consolidated Fund and apply those funds for various purposes and services detailed in the Supplementary Estimates for the Financial Year 2007/2008.

I, therefore, wish to urge hon. Members to pass the Bill for the purposes and objectives outlined therein. I wish to thank the hon. Members for unanimous approval of the Motion that approved the tabling of this Bill. I request for their continued support.



With those few remarks, I beg to move and ask hon. Mungatana to second.

**The Assistant Minister for Medical Services** (Mr. Mungatana): Mr. Temporary Deputy Speaker, Sir, I want to congratulate the Assistant Minister for Finance for moving this Bill.

As he explained, the purpose of the Supplementary Appropriation Bill is to give out the statutory authority to Treasury to release funds to enable the Government to function. As Parliament, this is also our constitutional mandate. In exercise of that mandate, we have to scrutinize each and every proposed appropriation and expenditure.

Mr. Temporary Deputy Speaker, Sir, the work has been made slightly easy. The explanations that the Assistant Minister has given are self-satisfactory. One of the things that he has mentioned is that there was an initial amount of Kshs62.3 billion that was proposed in terms of appropriation. In exercising prudent financial prioritization within the Treasury, he has now brought to us a mere Kshs22.46 billion for Parliament to approve. This is commendable because from the recent economic review that we all receive in our capacities as Ministers and also Members of Parliament, we are aware that the inflationary trends in the country have been going upwards. At the same time, we are aware that the capacity to collect, as projected by the Kenya Revenue Authority (KRA), has gone down. The Assistant Minister, in moving this Motion, has given us the reasons and constraints that the Treasury faced recently in terms of collection of revenue.

Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has also brought to bear the fact of the rising prices of crude oil, contagious diseases and some of the constraints that he has faced in terms of revenue collection. So, for them to exercise prudence in a way that brought the initial requests from various Ministries; from Kshs62.3 billion down to Kshs22.6 billion. It behooves upon Parliament today to quickly pass this request from the Ministry.

Mr. Temporary Deputy Speaker, Sir, at the risk of repeating some of the things the Assistant Minister has said, it is essential to emphasize the fact that there was absolutely a great need in expanding or acquiring additional expenditure because of the circumstances of the new Government that we have found ourselves in. As a result of the implementation of the National Accord and Reconciliation Act that we passed here in Parliament, we have created several Ministries. To some people these Ministries were just political offices that were created to satisfy certain quarters. However, when you look at the mandates of some of the new Ministries that have been created, you will agree with me that they are extremely essential for the proper functioning of the Government of Kenya.

Mr. Temporary Deputy Speaker, Sir, one of the new Ministries out of eight additional Ministries that the Assistant Minister for Finance has said requires an authorization of additional expenditure is the Ministry of Development of Northern Kenya and other Arid Lands. The new Ministry that has been created that will be in charge of development of the Northern Kenya region is an extremely essential Ministry. We all know that there has been a great neglect of that region. Despite the fact that it has been represented in Parliament continuously since Independence, we are aware that there is such inequality in terms of development and allocation of resources to the northern region of Kenya.

The creation of that Ministry may be seen by some people to be one of the things that have been done just to please the National Accord or some office holders, but it is essential. It is required by the people of the northern region. Before the creation of this Ministry, the theory has been that all the line Ministries would be able to channel their resources effectively to the northern region and develop it equally. But that has not been the experience for last 40 years of Independence in this country. Therefore, the creation of that Ministry is extremely essential for purposes of service delivery to the people of northern region.

Mr. Temporary Deputy Speaker, Sir, the other Ministry that has been created is the

Ministry of Nairobi Metropolitan Development. Every informed Kenyan knows that 60 per cent of the revenue that the Treasury collects in this country, through the KRA, comes from the Nairobi metropolis. It is very fair for the people who are creating that amount or percentage of revenue in this country to have a Ministry that will specifically look into ways and means of making sure that the production capability of this metropolis in Kenya is not hindered. Jokes have been made that the new Minister for Nairobi Metropolitan Development will be digging tunnels and doing that kind of work. But, indeed, we need those tunnels to be built for proper communication to happen in Nairobi City. A few months ago, we experienced a problem in the transport sector in Nairobi. Immediately there was a change of policy in terms of where the City *matatus* could drop and pick passengers. There was a big strike in the country that was occasioned because the *matatu* operators that, that rule was against them. People in Nairobi suffered because there was no alternative means of transport to reach Nairobi City. The people who create 60 per cent of the revenue that the Treasury collects were being left at home. They were being left to walk miles on end because there was no tunnel! There was no other means of transport that will bring them to work to continue with the production capabilities that they are supposed to have within this country.

Mr. Temporary Deputy Speaker, Sir, what we are saying is that these Ministries that were created and that have occasioned additional expenditure, and I have just named two of them, they are extremely important to this Government. They are also extremely important for service delivery to the people of Kenya.

Mr. Temporary Deputy Speaker, Sir, of course, the Minister has explained about the officers who were deployed for purposes of dealing with the post-election crisis that we had in the country. We have incurred additional expenditure that was necessary to keep the country together. There is nobody who cannot see the justification for us to pay our people who sacrificed their time. While people were up and about, these officers were out there trying to stabilize our country. That was a job which was well done. We do not need to repeat the fact that there is every reason to motivate our security officers, particularly the police and the security officers who were called upon to quell the post-election violence. That is why there was a good reason for us to incur new and additional expenses as far as our security officers were concerned.

Mr. Temporary Deputy Speaker, Sir, on the agricultural situation in this country, we need to pass this Supplementary Appropriation Bill. The food situation in the country has become a big topic of discussion and something needs to be done. We have, as a Government, through the Ministry of Agriculture, implemented some measures that would come to address some of the food deficit situation that we are facing. One of the things that has been done is to help farmers to start ploughing at a faster rate. There was this section of mechanisation that was almost dead. In some areas, the Government has had to quickly step into the process of crop ploughing and preparation in order to move it faster so that we may not face a dangerous situation of food scarcity.

Mr. Temporary Deputy Speaker, Sir, it has been necessary for the Ministry of Agriculture to incur supplementary or additional expenses in acquiring seeds and distributing them to the farmers. This is one way in which we, as a Government, are looking into controlling the situation so that we do not have a situation where hunger is spilling out of control. Therefore, there was absolute need of incurring additional expenses.

Mr. Temporary Deputy Speaker, Sir, we have the Ministry of Medical Services and the Ministry of Public Health and Sanitation, which were split from the Ministry of Health. These are extremely important Ministries! For example, we have to deal with the issues raised by the nurses. They have been agitating for increased emoluments in their various cadres. As a Ministry, we have been involved in the negotiations with the nurses and, obviously, we are going to incur additional expenses as we move towards settling some of the problems although not all of them.

Mr. Temporary Deputy Speaker, Sir, even when you look at other parts of the Government,

like, for example, the Ministry which deals with prisons or correctional services; as a Government, we have had to make hard decisions that meant more additional expenditures to sort out the important grievances of our prison warders, who look after our prisons.

Mr. Temporary Deputy Speaker, Sir, when you look at the bulk of what needs to be done in Government services, it is important for us to support the Minister for Finance, as a Government, and give him full authority, especially given the fact that even the initial request had been reduced downwards to try and be sensitive to the current situation.

Mr. Temporary Deputy Speaker, Sir, looking at the requests that have been made and looking at the current situations that prevail in the country, it will be in order for Parliament to quickly approve the Supplementary Appropriation Bill in the same spirit we approved the Procedural Motion to reduce the number of days for publication of the Bill. We should unanimously support this Bill and give the Ministries quick authority to spend.

Mr. Temporary Deputy Speaker, Sir, questions have been raised that we have a huge Government right now. Questions are being raised: When will this Government start functioning? When are we going to start feeling Ministers doing what they need to do? When are we going to see them providing the services? When are we going to see the fruits of the Grand Coalition? The best of the best of this country have now come together from all major political parties. I believe that the best of the best, through the process of the delicate balancing of portfolios that was there have now joined the Government. It is important for us now to quickly approve this Motion so that services can be seen by the people to be provided, and quickly, at that.

Mr. Temporary Deputy Speaker, Sir, you have heard of the expression: "Hitting the ground running". We are coming from a very difficult situation. God has helped this country and we have recovered. But the people of Kenya still want to feel these services, and it is only through passing this Bill as fast as we can that we will be able to give the services the Kenyan people deserve.

So, Mr. Temporary Deputy Speaker, Sir, it is a great privilege for me to second this Bill and I beg to second.

Thank you, Mr. Temporary Deputy Speaker, Sir.

*(Question proposed)*

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Local Government** (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to make my contribution to this very important Bill.

Mr. Temporary Deputy Speaker, Sir, this Bill is important in the sense that it authorizes the various Government agencies to spend money and give Kenyans services. It is even more important because of the additional Ministries that were created. It is important for them to be given money so that they can start delivering services to the people of Kenya. That is the only reason why those Ministries were created.

Mr. Temporary Deputy Speaker, Sir, I am happy because I have seen that the Ministry of Environmental and Mineral Resources has actually been given a substantial amount of money. As far as I am concerned, this is the most important Ministry. I do not know where this idea that the Ministry of Environment and Mineral Resources is not important came from. The media has been heard saying that the Mr. Michuki should be returned to the Ministry of Transport because the Ministry of Environment and Mineral Resources is not important. The truth is far from this. As I said, as far as I am concerned, this is the most important Ministry and I believe it has been given to the right man. This is the man who will return snow on Mt. Kenya. We know that the snow is disappearing.

The rivers running through our mountain ranges such as the Aberdares, Mt. Kenya, Mau

Summit, Mt. Elgon and so on are drying because we have not respected nature. I think the words of Prof. Wangari Maathai have caught up with us. She told us that if we do not look after nature, it will avenge itself. There were a few rivers in my area from which we used to drink water when I was a young boy. These rivers have now disappeared. So, as far as I am concerned, this is the most important Ministry. If there is not enough rain, we will have hunger. Again, that is one of the reasons I believe this is the most important Ministry. It deals with the basics. Therefore, those who have been saying that this is the least important Ministry are wrong.

Mr. Temporary Deputy Speaker, Sir, Nairobi City was created where it is because of Nairobi River. When the *Wazungu* came to Nairobi, they saw the fresh river whose water was so clear. They decided to set base here when they were building the Uganda Railway. I think if those *Wazungu* were to rise from the dead and came to see the current Nairobi River, they would agree to go back to their graves. It is an eyesore because it is full of filth. It is full of plastic papers and people wash in it during daylight. The sewage is also emitted directly into the river.

One of the tasks that the Minister for Environment and Mineral Resources has to perform is cleaning Nairobi River. We need to bring Nairobi River back to its glory. This is the river that Nairobians depended on for drinking water, but now you cannot use its waters for anything.

I said that this is one of the most important Ministries because we also need to do one or two things about our wastage of rain water. We are claiming that there is drought and that there is no water, but whenever it rains all the rain water goes down to the Indian Ocean. We harvest very little water. This is in all buildings, including our Parliament Buildings. They do not collect any water. I think we should start doing that. In this era, every building, whether it is in Nairobi City or wherever, should have an underground water tank. Such buildings must, first of all, conserve the water which is harvested from the gutters and roofs before being allowed to use the piped national water. I think we need to do this. We need to buy tanks for our schools and other learning institutions so that they can harvest water from the rain. At the moment, the rain water just goes down the Indian Ocean.

Mr. Temporary Deputy Speaker, Sir, I have also been doing my calculations. There are NGOs which were saying that it will cost Kshs440 billion to maintain the current "large Government". Having done my calculations with regard to the amount which we are being requested to approve and the one that is being reduced, I have come to a figure of about Kshs200 million. That is the additional amount we are being asked to approve. I do not know where these civil society groups and NGOs got a figure of Kshs440 billion. If my mathematics is correct, it is about Kshs200 million. So, we must appeal to NGOs and civil society groups not to incite Kenyans against the Government, Parliament or the Cabinet. Really, the additional amount is only about Kshs200 million and yet the figure they were giving us is Kshs440 billion. So, I think it is important that we appeal to NGOs and civil societies to be telling Kenyans the truth.

I am also happy to see that the President, in his wisdom, created a new Ministry called the Ministry of Public Health and Sanitation. I think after the Ministry of Environment and Mineral Resources, this is the second most important Ministry. This is because it deals with preventive medicine. I am always sad when I read in the newspapers that the biggest killer disease in Kenya is not even HIV/AIDS. It is not even traffic accidents or murder cases. In fact, it is malaria. The sad thing about it is that malaria is preventable. If it were possible for everybody to use a mosquito net, we would reduce malaria infections by more than 90 per cent and the large amount of money that the Ministry uses in treating malaria would find better use.

Mr. Temporary Deputy Speaker, Sir, I am glad that we now have the new Ministry of Public Health and Sanitation which will deal more with preventive medicine than curative. We know that curing a disease is an expensive affair. If we can prevent medical problems, things would really work for us. I am saying this because there are so many diseases which have no cure.

For example, there is no cure for HIV/AIDS as much as I see people preaching in the media that they can cure people of the disease. There are many church ministers who say that they can cure HIV/AIDS. We know that there is no cure for that disease, but we can prevent it. I am glad that the Ministry will be given sufficient money to come up with HIV/AIDS preventive programmes. We must tell our youth not to be like a saying associated with Kenya Commercial Bank (KCB) which says: "Easy to access". We must tell our youth not to be "easy access". Again, KCB says that they are everywhere, but we must tell our youth not to go the way of KCB of "easy access". They must, if possible, avoid premarital sex.

Mr. Temporary Deputy Speaker, Sir, I am also glad to note that the Ministry in charge of national disasters has been given sufficient money. With regard to the issue of IDPs, we must encourage them to go back to their farms. There is no alternative. There is no other way because the repercussions of not resettling these people cannot even be mentioned. This is one country where people have the right to live, farm and work anywhere. That is what makes Kenya a sovereign Republic. Therefore, we should not have artificial boundaries.

I am saddened to see that not much money has been given to the Electoral Commission of Kenya (ECK) and yet we have been saying that there are a lot of the so-called historical injustices when it comes to constituency boundaries. At the moment, the registered voters in some constituencies are three or four times more than those of other constituencies. We must come up with a policy where the principle of one man, one vote has equal weight. These are some of the historical injustices which I think nobody has mentioned so far. I would have liked the ECK to be given more money so that they now work on reforming our constituency boundaries.

Mr. Temporary Deputy Speaker, Sir, how can we have a constituency with over 200,000 registered voters and another one with 10,000 registered voters, and both of them sending the same number of representatives to the National Assembly? Surely, can we have a more historical injustice than this one? We need to start working on this anomaly. Maybe, this will sort out some of the problems we have been having. Let constituencies have equal numbers of persons.

One of the things that makes the United States of America (USA) work is their policies. In the USA, every congressional district has the same number of inhabitants. That is what makes their systems work so perfectly. After every census, if your congressional district loses some inhabitants to another area, that area is rewarded with more congressional districts. We must come to that level.

Another thing is on the provincial boundaries. I see that not much money has been given to the Electoral Commission of Kenya (ECK). We must also review our provincial boundaries. These were done by the colonial Government. They have no basis. Some of them are ridiculous. Somebody from the upper most part of the Rift Valley Province has to go all the way to Nakuru to access services at the provincial headquarters. Even in Eastern Province, somebody from Marsabit has to travel all the way to Embu to access services at the provincial headquarters. We must come up with more logical provincial boundaries, so that we can bring services nearer to our people. The purpose of Government is to bring services to its people. Unless we tackle some of these issues, we will just keep on sweeping them under the carpet. This will not work in the long run.

With those words, I beg to support.

**The Assistant Minister for Labour** (Mr. Ojaamong): Mr. Temporary Deputy Speaker, Sir, I also rise to support the Supplementary Appropriation Bill.

Indeed, the reasons given by the Minister for Finance for requesting these additional funds are sound, considering where we came from. However, it is my appeal that these funds be put into proper use. Two months after we passed the Budget for the current financial year, we went on the campaign trail and Government services almost came to a standstill. Following the post-election violence, there was so much confusion to the extent that the money we voted through the Budget

did not go into proper use in provision of services to the people. I cannot remember any tangible project that has been implemented in my constituency, using the money we voted in June, 2007. I believe the same is true for many other constituencies.

Mr. Temporary Deputy Speaker, Sir, we are faced with many problems in this country, which we have to address. With the formation of the Grand Coalition Government, it is my hope that the funds we will vote through the Supplementary Appropriation Bill serve as a basis for the main Budget and the real activities of the Government to be actualised.

Last week, my Ministry sent me on a familiarisation tour of the coastal region, as the Assistant Minister for Labour, together with the Minister. There is a very big problem at the coast, especially with the tourism industry. It has virtually collapsed. Businesses at almost all the hotels have collapsed, and employees are going through very many tribulations. People have not been paid. Their employers have run away. The employees do not know from whom to get their money. Officials at our Ministry also cannot assist those people; neither can the police nor the District Commissioner. So, those people are in a state of confusion. A very good sum of money has been given to the Ministry of Tourism. Right now, the Minister for Tourism is marketing the tourism industry outside the country. It is my plea that tourists come back to Kenya, so that the coastal region can come back to life, so that the people there can earn money from this industry and be able to live like any other Kenyans.

I want to support Mr. Githae when he says that we have to review the boundaries of our constituencies based on numbers. The ECK should, at least, do so, because the exercise is overdue. Unfortunately, I come from a constituency with two districts. Shuffling from one district to another, with the same constituency, is very difficult. If the number of constituencies and their boundaries are reviewed, I might be able to end up with two constituencies, so that when I am in the Government, there can be another Member of Parliament on the Opposition side, asking Questions on behalf of my people. Once you are in the Government, your mouth is shut. You cannot criticise the Government. You cannot raise many of these issues across the Ministries at one time. So, you need somebody from the Opposition to do so.

Mr. Temporary Deputy Speaker, Sir, so, once the ECK finds it fit to review the constituency boundaries and their numbers, it should also consider giving us an extra constituency and review the boundaries appropriately, because, as Mr. Githae has stated, there are certain historical injustices. Some of my people were curved into another constituency in Western Province and they are not being given any Government services. We shall keep on raising this issue until it is settled. It is necessary that we vote this money because we also have the by-elections coming. We have our brothers and sisters in Kilgoris, Ainamoi and in other constituencies, who do not have representatives in this House.

Mr. Temporary Deputy Speaker, Sir, the ECK has been given sufficient funds. It is necessary that it goes out there and does a good job. Let the ECK prove that it is actually independent. We are giving it this money to spend, and it should prove that it is independent. Let it not go out there and favour any political party. Let the ECK be fair. Let us test it and see whether it has learnt anything from the previous election, which led to the violence we had.

The Internally Displaced Persons (IDPs) are, indeed, going through very difficult times. The Member of Parliament for Kwanza Constituency is not happy, because his constituency has so many IDPs. I watched some of them on television yesterday. I saw a family which has six children with no blankets to cover them and no mattresses to sleep on except a small mat. There is no house to sleep in. It is necessary that money is given to the Ministry of Special Programmes, so that those people can be re-settled. The Government should distribute this money, and give any other help that the IDPs need, transparently. Personally, I do not trust Provincial Administration personnel, unless they have changed.

Mr. Temporary Deputy Speaker, Sir, let us use respected community leaders, or the leaders of the people in IDPs camps, so that food commodities, blankets and other help coming from the Government can reach the IDPs wherever they are, because they are now scattered all over. There are those people who are hell-bent in ensuring that the IDPs continue suffering. So, let us try to avoid a situation where people are going to benefit from the money or any other resources meant for IDPs.

Mr. Temporary Deputy Speaker, Sir, recently, some parts of this country experienced very heavy flooding. In Western and Nyanza provinces several bridges and roads were washed away. The money we are voting will go into a kind of an emergency fund, at least, to alleviate some of the suffering that people are experiencing, especially in areas where bridges were washed away. In my constituency, and that of Mr. Wetangula, we have a bridge which was built in 1910 by the *wazungu*. That bridge was washed away some two months ago by the heavy rains. That bridge was on River Malakisi. It is my appeal that, that bridge be reconstructed because it is our link with the border towns of Lwakhaha in Kenya and Mbale in Uganda.

Mr. Temporary Deputy Speaker, Sir, quite a good sum of money has been voted for the Office of the Deputy Prime Minister and Ministry of Local Government. This Ministry, which was formerly the Ministry of Local Government, has actually not been performing to the expectations of Kenyans. Since we have money set aside for auditing purposes, I want to particularly refer to the case of Busia Municipal Council (BMC). That Council is an embarrassment. Towards the last elections we had obtained Kshs7 million for the construction of a bridge and various housing projects. This money was squandered and the Government is doing very little to follow up on the same. We would like the Audit Department to move with speed and look into these issues. In the previous Parliament I raised various issues about the BMC. For 15 years, they have not constructed a single road. They have not even connected any electricity, or built any school in that town. The first school we put up was through the Constituencies Development Fund (CDF) money. This is a very viable council, which can collect revenue to the tune of Kshs6 million. They have a wage bill for their employees of around Kshs1.6 million. The officers there squander the Local Authorities Transfer Fund (LATF) money. There is virtually no project they have succeeded in implementing.

Mr. Temporary Deputy Speaker, Sir, now that we are in the Grand Coalition, it is my appeal that we try to follow up on where the funds have been going. I know Dr. Oburu, the Assistant Minister for Finance, is a strict man; he is a man of action. I know he will assist us to ensure that we see to it that these funds, that we are voting through the Supplementary Appropriation Bill, are applied for the exact services that we want, for example, provision of medical services, construction and maintenance of roads, improvement of school infrastructure and so on. Let us not just talk. I am happy that we removed KANU from power; it had a mad Government! During the KANU reign there were no services being rendered to the people. People were being bought with public money to go and say that there were projects in various areas. When the NARC Government came in, it was an improvement. I am now telling my people that, with the Grand Coalition, they are going to realise their dream. At least, this Government will render services to them.

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

**The Minister for Forestry and Wildlife** (Dr. Wekesa): Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to support this Bill. I do not want to repeat what my colleagues have said. I just want to highlight one or two areas.

First, we now have a Grand Coalition. This is a Government that has been formed through negotiations. It has established the Office of the Prime Minister, who is going to work very closely with His Excellency the President. Therefore, it is incumbent upon us, as hon. Members, to ensure that this

Coalition succeeds. We only have four and a half years to go. I can assure hon. Members that this is not a very long time. It is a very short period in which we must use all our efforts to unite Kenyans and establish a new Kenya; a Kenya that will be a reference point in Africa.

Mr. Temporary Deputy Speaker, Sir, when we created the first coalition in 2002, there were so many people who requested to know what we had done in Kenya to form a coalition. Five years down the road we have come up with a Grand Coalition. Again, Kenya is going to be a reference point. People are going to say: "We want to do what Kenya did". We may take this Grand Coalition lightly, but I can see that we have done something in Africa that is going to be emulated by many countries. It is upon us to pass this Bill to make sure that, since we established the Office of the Prime Minister, we give it the necessary equipment and tools for him to be able to serve Kenyans.

Mr. Temporary Deputy Speaker, Sir, the new Ministries that my colleagues have referred to are very important. I am very excited about my Ministry, the Ministry of Forestry and Wildlife. But before I make comments on that, I can also say that I am very excited about the Ministry of Nairobi Metropolitan Development that is being headed by an eminent lawyer, Mr. M. Kilonzo. When you look at the transport system in Nairobi, it is clogged up. If you leave your house at 7.30 a.m. to come to the centre of town, depending on where you live, you are likely to take 30 to 40 minutes get there. We need to do something about our roads and the railway system within the metropolis.

Mr. Temporary Deputy Speaker, Sir, I have always wondered why we never thought of ring roads. When I travel in Europe, every little town has got a ring road. If you are not going into that town to do business, for example, if you are going to Mombasa and you are coming from the Rift, you have no business coming through the City of Nairobi. But we do pass through the City. So we spend about an hour trying to traverse Nairobi. If we had a ring road through the Ngong Hills, we could leave Naivasha and go straight, and even by pass Mlolongo. This way we would save a lot of time. I am excited about that Ministry, because I can see the Minister for Nairobi Metropolitan Development addressing issues of technology, saving time and making sure that Nairobi is not only clean, but is also a hub of activity that is supplied by good communication.

Mr. Temporary Deputy Speaker, Sir, the Ministry of Forestry and Wildlife is also very exciting. We have seen what has happened to the forests in this country. If you drive down to Nakuru you will see what looks like a forest. But if you were to over fly that area, you would find that actually we do not have a forest. There has been illegal logging over the years, and more so during the last three or four months, that is from January to March, when we had the post-election violence.

Mr. Temporary Deputy Speaker, Sir, certain people have gone into our forests and added onto what actually has been happening in the last ten years. The so called ban has been there. However, I think this ban was to ensure that certain characters loot our resources. So, we have a momentous duty to ensure that we have mechanisms in place. With the new law that has set up the Kenya Forest Service (KFS), we are hoping that we can relook at that law and make sure that we are doing something, so that in 15 to 20 years to come, we have forests again that we can boast of. We can increase the percentage of forest cover which is dismally low now. It should be 10 per cent, but it is very low. Looking at the wildlife also, which is a cash cow for the tourism industry, we need to protect this natural resource and ensure that tourists come back to Kenya to see the wonderful animals like the "Big Five" that tend to attract most of them.

Mr. Temporary Deputy Speaker, Sir, I am reading through correspondences and interviewing people. Yes, I would like to make statements about the Ministry, but I am taking my time because the challenges that are within KWS and KFS are of a momentous nature. I need to really get to the grip of the problem before we can make any changes.

Mr. Temporary Deputy Speaker, Sir, I was at the launch of a Harambee for Internally



Displaced Persons (IDPs). I was disappointed to see a few Members of Parliament there. I talked to the Speaker, our colleague who assured me that efforts are going to be made for Members of Parliament, through a check off system to actually contribute to the resettlement efforts that the Government has undertaken of the IDPs. This is very commendable. I want to commend the President for launching this effort because as the hon. Member for Parliament for Amagoro has pointed out, I am one of the victims of this post-election violence. I have had 10,000 IDPs at Endebess. Only half of them, have been able to go back because of the threats of insecurity that are still in that area. However, it is very important that all of us join the Government and our leaders to preach peace.

Mr. Temporary Deputy Speaker, Sir, it is upon as politicians to guard what we say in public. If we, as Members of Parliament, must preach peace to our people because we are brothers and sisters. It must start with us politicians by talking to our people about the need to live as brothers and sisters. That is where we can start uniting our people. More often than not, I have noticed that what Members of Parliament say to their people is very important. So, in Kwanza Constituency, we have tried to moderate our language. We are even preaching peace to the victims of this violence and saying that let us forgive those ones that burnt our houses and maize stores and killed our children. We are preaching peace. I would like to implore my colleagues here that we have a very short period to live together. If we should preach peace to our people in order to save this country.

Mr. Temporary Deputy Speaker, Sir, therefore, I want to state very clearly that it is very important that we should not have IDP camps in the next two months. We, as a Government, must ensure that when these people go back, they are not threatened and attacked because that is the fear that has made some of them not to go back. What we forget is that some of these IDPs do not have anywhere to go to. I have a situation in my constituency in a farm called Kataga which was the first place to be attacked in my constituency. This is a coffee farm on the slopes of Mount Elgon and employees' huts were burnt down. Two to three people were killed and, therefore, everybody left to go to the market at Endebess. Now, we are asking them to go back but they were only workers on this farm and the owners of this farm also actually fled. So, they are not there. So, we are asking them to go back and yet their masters are not on their farms. So, these are the problems that we have.

Mr. Temporary Deputy Speaker, Sir, also another problem that we have is that we politicians must be able to bring the two communities that caused the problem together. Unless we talk reconciliation before these people go back, there is fear that when they go back they will be attacked again. So, we need to really get the elders to speak to each other so that there is a bit of reconciliation and forgiveness.

Mr. Temporary Deputy Speaker, Sir, I am about to end my comments, but I cannot forget to mention something about roads. Last year in Trans Nzoia District, we got very heavy rains and many roads as the hon. Member for Amagoro has indicated actually got affected. I have a bridge on River Sabwani at Namanjalala which was washed away. About two months ago, I visited the Ministry of Roads and Public Works. This is a very important road linking Kitale Town with Kolongolo right up to West Pokot District. It is a major road, but it is now closed because the bridge was washed away. So, again, these funds should be used to address issues such as the one my colleague talked about. It is important that we make sure that the roads are passable.

Mr. Temporary Deputy Speaker, Sir, also it is at the end of the planting season in Trans Nzoia. We have a problem of escalation of prices of fertiliser. This is not a problem to Kenya only, but it is a problem from outside since transportation and freight costs have escalated. Therefore, our farmers are paying far too much, in fact, three times the price of fertilisers that we bought last year. We hope that some of the money that is being appropriated to the Ministry of Agriculture will be used to offset some of these debts. Unless we ensure that farmers have fertilizers at affordable

prices, we will get into a problem of looking for food at the end of this year. Therefore, I would like to end by saying that all of us have a challenge as hon. Members and as a Government. We have to make sure that this Government will restore credibility to Kenya so that tourists can come back. Most of our young people who are unemployed can get jobs in the hotel and construction industry. We should also impress upon our friends outside Kenya, who have always assisted us, so that they can start coming back as tourists. The international community has also been with us during the post-election violence. I remember some of them pledged that they will assist us to revamp the economy. We are still waiting for our colleagues and friends outside Kenya to come and join the Government in its efforts to revamp the economy.

With those few remarks, I beg to support.

**Mr. Muriithi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. In view of the fact that all hon. Members are standing to support this Motion, would it be in order to ask the Mover to reply?

*(Applause)*

**Mr. Muthama:** On a point of order, Mr. Temporary Deputy Speaker, Sir. This Motion has been on the Floor for almost two hours. So, I want to emphasise that it has been debated exhaustively. Therefore, we kindly ask the Mover to reply.

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

**The Assistant Minister for Finance (Dr. Oburu):** Mr. Temporary Deputy Speaker, Sir, I want to take this opportunity to thank hon. Members for the very constructive contributions they have made with regard to this Bill. This Bill was about appropriation of the funds which were already approved by this Parliament. Parliament already approved the funds that we are asking to be withdrawn from the Consolidated Fund. Some hon. Members have raised concern about the appropriate utilisation of funds. This is a very valid concern about which, as a Ministry, we are also concerned. We are going to follow up, as the co-ordinating Ministry, to ensure that the funds which are allocated to the Ministries are put to their proper use.

Mr. Temporary Deputy Speaker, Sir, as you have realised from the presentation which you made, the Budget is mainly to support the people affected by post-election violence and also support activities in the newly created Ministries. With the approval of this Supplementary Appropriation Bill, we are sure that the Grand Coalition is going to start moving and that the Ministries which are created and are now getting the funds will now start delivering the services to the people.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, 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 tomorrow, Wednesday, 14th May, 2008, at 9.00 a.m.

The House rose at 5.40 p.m.