

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 29th October, 2008

The House met at 2.30 p.m.

*[Mr. Deputy Speaker in the Chair]*

### PRAYERS

### PAPERS LAID

The following Papers were laid on the Table:-

Report on the Constitution of Kenya Review Bill, 2008, by the Departmental Committee on the Administration of Justice and Legal Affairs together with the minutes of the Committee adopting the Report.

*(By Mr. Abdikadir)*

Report of the Thirteenth Session of the ACP Parliamentary Assembly and the ACP-EU joint Parliamentary Assembly meetings held between 8th and 12th September, 2008, in Brussels, Germany.

*(By Prof. Kamar)*

### NOTICES OF MOTIONS

**Mr. Namwamba:** Mr. Deputy Speaker, Sir, I wish to give notice of the following Motions:-

#### INTRODUCTION OF EQUITABLE SAFETY-NET BILL

THAT, gravely concerned that a combination of unemployment, inflation and the high cost of living is confining more Kenyans to existence below the poverty line and virtual destitution; noting that Kenya continues to be characterised by gross individual, regional and class inequalities with the poor becoming poorer; aware that the youth and vulnerable citizens, especially widows and orphans, bear the brunt of this unacceptable state of affairs; this House grants leave to introduce a Bill for an Act of Parliament to be titled the Equitable Safety Net Act to provide frameworks for innovative State-driven employment opportunities for the youth, basic social support to the vulnerable, competitive basic salary structures for low cadre workers and affirmative development measures to redress imbalances caused by historical marginalisation.

INTRODUCTION OF PRIVATE  
SECURITY PROVIDERS BILL

THAT, noting that there has been proliferation of private security firms in recent times; aware that though these firms are playing a crucial role in supplementing State efforts in the provision of security services, this fast-growing sector continues to operate without a legal framework; concerned that the absence of a legal and regulatory framework is a recipe for disorder, including poor terms and conditions of

service for thousands of young Kenyans employed in this sector; this House grants leave to introduce a Bill for an Act of Parliament to be titled the Private Security Providers Act to provide a clear framework for the operations of private security firms, including regulations to govern their registration and employment policies.

**Mr. Wamalwa:** Mr. Deputy Speaker, Sir, I beg to give notice of the following Motions:-

A BILL TO AMEND THE RETIREMENT  
BENEFITS ACT

THAT, in view of the suffering occasioned by the Retirement Benefits laws to employees, prohibiting them from accessing their contributions and those of their employers upon leaving employment before the mandatory retirement age; this House do grant leave to introduce a Bill for an Act of Parliament to amend the Retirement Benefits Act to provide for occupational retirement benefit schemes and regulations made by the Minister under Section 55 of the Act, to ensure a member leaving employment after three years of membership shall, therefore, be entitled to a refund of his or her contribution, together with the investment income accrued thereon and payment of the employer's contribution together with investment income accrued thereon and for matters incidental thereto and connected therewith.

INTRODUCTION OF SQUATTERS  
FUND BILL

THAT, being aware of the serious problem of squatters and landlessness in Kenya today, and the lack of a clear policy and legal framework to deal with the same; considering the efforts made by the Government so far in settling about 22,000 squatters on 11 farms in certain parts of Kenya without a clear criteria or structures to guide the process; appreciating the need to establish a Fund to facilitate a continuous squatter settlement process with proper structures and criteria for identification of genuine squatters in an open, transparent and consultative manner; this House do grant leave to introduce a Bill for an Act of Parliament to be known as "The Squatters Fund Bill, 2008", to establish a fund for purposes of continuous squatter settlement and for matters incidental thereto and connected therewith.

A BILL TO AMEND THE LATF ACT

THAT, appreciating the importance of bursaries in supporting bright children from poor families access education in Kenya; noting the huge demand

that completely outstrips the bursaries available under the Ministry of Education, the CDF and some local authorities; conscious of the need to harmonise and regulate the said bursary schemes so as to avail enough resources to support such children, being aware that whereas the CDF Act provides for 15 per cent of the funds allocated to be specifically set aside for bursaries, the LATF Act, No.8 of 1998, does not; this House do grant leave to introduce a Bill for an Act of Parliament to amend the LATF Act, No.8 of 1998, to provide for 15 per cent of the funds allocated annually under the said Act, through the Local Government Vote, to be set aside for bursaries to be issued through all the 175 local authorities in Kenya to bright children from poor families.

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

ADOPTION OF REPORT OF 13TH SESSION OF  
ACP-EU JOINT ASSEMBLY MEETING

THAT, this House adopts the Report of the 13th Session of the African-Caribbean and Pacific Parliamentary Assembly and the ACP-EU Joint Parliamentary Assembly meetings held between 8th and 12th September, 2008, in Brussels, Germany.

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

A BILL TO AMEND THE TRANSPORT  
LICENSING ACT TO CATER  
FOR SCHOOL CHILDREN

THAT, aware of the difficulties faced by school children in getting transport to and from schools; appreciating the need to provide a safe, reliable and efficient transport system for school children and appreciating the greater public interest in the safety and security of the school-going children; this House do grant leave for the introduction of a Bill to amend the Transport Licensing Act, Chapter 404 of the Laws of Kenya to provide for a requirement that as a pre-condition to issuance of a licence to carry passengers within cities and municipalities, owners of such motor vehicles must set aside one out of every five motor vehicles or 20 per cent, whichever is greater, for exclusive use by school children, and that the designated vehicles be clearly identified and designed for such use and further that a member representing the interest of children be added to the Board under Cap.404.

INTRODUCTION OF WAR VETERANS BILL

THAT, acknowledging the commendable role and selfless efforts of the Kenya war veterans during the First and Second World Wars, Mau Mau Freedom Fighters and other freedom fighters; aware that Kenya war veterans are generally neglected, are in their sunset years and experience increased medical and social needs; this House do grant leave to introduce a Bill for an Act of Parliament entitled the "Veterans Bill", to establish a Kenya Veterans Council to promote issues of concern to veterans and to advise the Government of Kenya in relation to such issues and create a Veterans Fund to provide a source of funds to support medical,

education, welfare and commemorative activities related to Kenya's war and service history.

AMENDMENT OF THE TRAFFIC ACT TO  
PROVIDE FOR INSTALLATION OF  
FIREARM DETECTORS  
AT STRATEGIC AREAS

THAT, noting the increase in crime along the country's highways targeting public service vehicles and involving sophisticated weapons usually concealed amongst passengers; this House grants leave to introduce a Bill to amend the Traffic Act, Cap.403 to provide for compulsory installation of electronic firearm detectors at the termini and other strategic areas in order to curb highway thuggery.

INTRODUCTION OF AGRICULTURE  
(AMENDMENT) BILL

THAT, noting that the Kenya Agricultural Sector is governed by over 130 pieces of legislations, most of which are outdated and in total contrast with today's economic thinking; 60 of which relate directly to agriculture, livestock and co-operatives; 50 relate to land; 22 to natural resources, forests, wildlife and minerals; eight to regional authorities and 20 on taxation, commerce, trade and industry; noting that adopting a piecemeal style of repeal and amendments would require over 100 years to cover all the Acts; this House do grant leave to introduce a Bill for an Act of Parliament entitled the Agriculture (Amendment) Bill, 2008, to repeal and consolidate all the 130 pieces of legislation in order to make provision for environment, commercialisation of the agricultural sector and removal of all unfair trade barriers, quality control and functional market organs and regional bodies that respect trading and fair competition, while retaining all useful provisions to modern agriculture.

QUESTIONS BY PRIVATE NOTICE

ILLEGAL APPOINTMENT OF COFFEE  
BOARD OF KENYA MEMBERS

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

(a) Could the Minister explain why he purported to appoint members to the Coffee Board of Kenya through Gazette Notice No.9190 of 3rd October, 2008, in contravention of Section 4 of the Coffee Act?

(b) Could he degazette the appointments and confirm when the *bona fide* Board of Directors will be appointed in accordance with the said legal provision?

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

Mr. Deputy Speaker, Sir, when the Minister was appointing the directors of the Coffee Board of Kenya, there is a section that we over-looked. I have talked to the hon. Member and the Departmental Committee on Agriculture, Lands and Natural Resources and I have informed them that we are going to look into this section, in consultation with them, and whatever we had violated is going to be rectified.

**Mr. Mututho:** Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for

admitting that big omission on their part. However, how soon can he gazette the *bona fide* Board members?

**Mr. Ndambuki:** Mr. Deputy Speaker, as I have said, I have written to the Departmental Committee on Agriculture, Lands and Natural Resources, so that we can consult with the Members. This is going to be rectified as soon as possible.

**Mr. Olago:** On a point of order, Mr. Deputy Speaker, Sir. That Question now belongs to the House. I am wondering whether it is in order for the Assistant Minister to refer to a discussion that he and the Questioner had without disclosing the substance of what they discussed to the House. The Question, once put on the Order Paper, belongs to the House.

**Mr. Deputy Speaker:** Hon. Assistant Minister, the Question is the property of the House. In effect, you have admitted that your Minister made a mistake and failed to follow the law and you intend to correct that. Is that the undertaking you are giving to the House? How soon can you report back to the House?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, we will do that in the next few days.

**Mr. Konchella:** Mr. Deputy Speaker, Sir, while the Assistant Minister has admitted that they made a wrong decision, we would like to remind him that the people of Kenya are becoming poorer because of mismanagement of their resources. Coffee farmers have been uprooting the coffee plant. The least the Assistant Minister could do is to break the law.

Mr. Deputy Speaker, Sir, the Act was passed so that Parliament can scrutinise the qualifications of anybody who will be appointed so that we do not have cronies of politically-correct people messing up the economy of this country.

Mr. Deputy Speaker, Sir, while considering to establish the Board in the future, he must take cognizance of the fact that Kenyans are getting poor because of the war between the Coffee Board of Kenya and the management. Could he clean up that mess?

**Mr. Deputy Speaker:** Ask your question, Mr. Konchella! Mr. Assistant Minister, you cannot break the law that was made by this House and expect the House to be patient with you and give you 14 days for you to correct the problem. I think that is too long. Why do you not ask for something shorter than that?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, we failed to inform the Departmental Committee on Agriculture, Lands and Natural Resources that--

**Mr. Deputy Speaker:** Order, Mr. Assistant Minister! The law is the law! If that is in the law, then you cannot say that you failed to follow a small part of the law. Whatever is there as the position of the law is the law itself and you have to follow it to the letter. You have admitted, yourself, that you broke the law. How soon do you intend to correct that mistake?

**Mr. Baiya:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has admitted that they did not comply with the law when they constituted the Coffee Board of Kenya. Is he in order to say that he will correct the legal mistake without committing to this House to dissolve that Board so that they can go through the process of reappointing the new Board by which time he will be seeking the approval of this House?

Could he clarify whether he will degazette that Board that was constituted in contravention of the law?

**Mr. Deputy Speaker:** Mr. Assistant Minister, I think conventional wisdom would have it that you consult the Attorney-General on it before you proceed to give any undertaking to the House. He is right next to you! Could you do that?

**An hon. Member:** Say, yes!

**Mr. Deputy Speaker:** The Chair has asked you to consult the Attorney-General!

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, I will do the consultation and come back to the House.

**Mr. Deputy Speaker:** Before the end of Question Time, you will give an undertaking to the House and it will be respected.

Next Question!

CONTRAVENTION OF COMPANIES ACT BY  
FARMERS' COMPANIES IN EMBAKASI

**Mr. Waititu:** Mr. Deputy Speaker, Sir, I beg to ask the Attorney-General the following Question by Private Notice.

(a) Could the Attorney-General indicate when the respective directors of Embakasi Ranching Company, Ngindu Farmers Company, Githunguri Farmers Company and Buru Buru Farmers Company were elected into office?

(b) Considering that the said companies have not held annual general meetings since the year 2000, why has he not taken action against the directors for contravening the Companies Act, Cap.486?

(c) What action will he take against the directors for the said contravention?

(d) When will the Registrar of Companies facilitate the Annual General Meetings for all the above companies and ensure that non-partisan officers supervise the meetings?

**Mr. Deputy Speaker:** Mr. Attorney-General, you can wait for the consultation to take place while you answer this Question!

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

(a) The current directors of Embakasi Ranching Company and Buru Buru Farmers Company Limited were elected on 26th May, 2006 until 1st January, 2002 respectively. As regards Ngindu Farmers Company and Githunguri Farmers Company, we do not appear to have records of their registration.

(b) The Attorney-General accepted the recommendations of the Kenya Anti-Corruption Commission (KACC) that the eight directors of Embakasi Ranching Company Limited be charged with the offence of failing to hold an annual general meeting for the period 2002, 2003 and 2004 contrary to Section 131(1) and 131(5) of the Companies Act, Cap.486 of the Laws of Kenya.

Mr. Deputy Speaker, Sir, they were so charged under Criminal Case No.2457 of 2005 and acquitted on 30th September, 2008. The directors of Buru Buru Farmers Company Limited asked for more time to convene an annual general meeting as they had some leadership wrangles and pending court cases.

(c) No member of the company has applied to the Registrar of Companies in accordance with Section 131(2) of the Companies Act to enable the Registrar take appropriate action.

(d) When the Registrar of Companies receives such an application from members of the company under Section 131(1) of the Companies Act, appropriate action will be taken.

**Mr. Waititu:** Mr. Deputy Speaker, Sir, three directors of these companies have converted members' property into their private property. They are selling the property to unsuspecting Kenyans without any regard to the law. They are also selling public utilities without being concerned that the members will need to develop them in future. We expect the Office of the Attorney-General to take action on these directors.

The Companies Act, Cap.486, states that an annual general meeting must be held yearly as per the law. This has not happened in these cases. I believe there is something that the Attorney-General can do to help these innocent members. Could the Attorney-General tell us what he expects the members to do? They went to court and their case was thrown out. These directors have money because they are selling public utilities---

**Mr. Deputy Speaker:** Order, Mr. Waititu! It is Question Time! Do not turn it into a debate! Ask your question!

**Mr. Waititu:** Could the Attorney-General tell us what he expects the members to do?

**Mr. Wako:** Mr. Deputy Speaker, Sir, I wish I was an advocate in the private sector, then I would give an appropriate legal advice on payment of deposits against my fees! But as the Attorney-General, the members have a number of options open to them. The Companies Act does not envisage the Registrar of Companies to intervene all the time in the affairs of the companies because companies are by nature private.

The Companies Act gives powers to the shareholders to take appropriate action and use their initiative to ask the Registrar of Companies to take some action. One of the actions that the members can take, if they are many, is to make an application to the Registrar of Companies to requisition a general meeting of the company. If that happens, then the Registrar of Companies, on an appropriate application, can requisition a general meeting. The other one is Section 132---

**Mr. Olago:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Attorney-General to mislead the House by saying that the Registrar of Companies can only be moved by an application by members of the company when in actual fact the Attorney-General's Chambers and the Registrar's office have been computerised and the Registrar should be able to take action on his initiative if the company is not able to comply with the regulations?

**Mr. K. Kilonzo:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for a Member of this House to participate in a debate while having a label and a badge declaring loyalty to a foreigner by the name Obama whereas we have a nation called Kenya where he is supposed to declare his loyalty to?

**Mr. Deputy Speaker:** Proceed, Mr. Attorney-General! I will respond to the point of order later.

*(Laughter)*

**Mr. Wako:** Mr. Deputy Speaker, Sir, I draw the attention of the hon. Member of Parliament, who is not yet entitled to use the words: "Senior counsel" but a senior advocate from the United Kingdom--- I draw his attention to Section 131(2) of the Companies Act. Section 131(1) talks about the holding of annual general meetings. Section 131(2) says:-

"If default is made in holding a meeting of the company in accordance with subsection 1, the Registrar, on the application of any member of the company may call---"

So, the jurisdiction of the Registrar comes into play when there has been an application from a member or members of a company. That is one option. The other option for the shareholders is under Section 132 of the Companies Act which empowers shareholders of the company to requisition to the directors for a meeting. If the directors fail to convene one within 21 days, the shareholders themselves will convene a meeting. That is another option. If they take either of these two options, I think I can convince the Registrar of Companies to be present at the meeting that I have been called to attend as an observer to ensure due compliance in accordance with the law. Those are the two options that they can take.

**Mr. Deputy Speaker:** Mr. Waititu, are you satisfied with that answer or would you like to ask one final question?

**Mr. Waititu:** Mr. Deputy Speaker, Sir, I appreciate the answer from the Attorney-General but also wish that he could tell me after how long he will take action when he receives the letter.

**Mr. Wako:** A decision will be made by the Registrar of Companies according to our service charter within seven days.

## ORAL ANSWERS TO QUESTIONS

*Question No.222*

## HEARING OF APPEAL BY MR. S. KARANJA

**Mr. Warugongo** asked the Minister of State for Provincial Administration and Internal Security:-

(a) whether he is aware that the appeal to the Public Service Commission by Assistant Chief for Kimahuri Sub-Location, Mr. Simon Karanja, who was dismissed from the service, has not yet been heard; and,

(b) when the appeal will be heard.

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Lesrima): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that the appeal by Mr. Simon Karanja who was dismissed from the service has not been finalised.

(b) Mr. Karanja appealed against the dismissal on 4th October, 2007 and the appeal has been discussed by the Ministerial Advisory Committee (MAC). The case is in the process of being forwarded to the Public Service Commission.

**Mr. Warugongo:** Mr. Deputy Speaker, Sir, I am happy that he has given an answer but it would be better if he would say when the case will be finalised considering that the crime that he is purported to have committed was sale of a piece of land which he was selling to somebody else but when the deal was not completed, he refunded the money. There was no case in court---

**Mr. Deputy Speaker:** Mr. Warugongo, you have asked your question. Mr. Assistant Minister, when will that case be forwarded to the Public Service Commission?

**Mr. Lesrima:** Mr. Deputy Speaker, Sir, the case is now with the Public Service Commission and they intend to finalise it within the next three weeks.

**Mr. Konchella:** Mr. Deputy Speaker, Sir, there was the case of a chief who appealed to the PSC but that appeal has never been heard. He was given one year to appeal. Could the Assistant Minister consider changing the law to ensure that there is a timeframe within which an appeal can be heard by the Public Service Commission? What happens to somebody who dies in the process while awaiting for an appeal? This particular chief I am talking about is dead. He died about two weeks ago. What will happen to the family?

**Mr. Deputy Speaker:** You have made your point, Mr. Konchella!

*(Loud consultations)*

**Mr. Lesrima:** Mr. Deputy Speaker, Sir, the hon. Member has asked two [Mr. Lesrima] questions and I could hardly hear because my colleague Ministers are consulting rather loudly. Could he repeat the question?

**Mr. Deputy Speaker:** Mr. Konchella, you are talking very softly; so much so that even the Chair cannot hear you! I do not blame the Assistant Minister for not having heard you. Could you speak louder, please?

**Mr. Konchella:** Mr. Deputy Speaker, Sir, I said that the appeals take so long to be heard. The Assistant Minister should consider having a timeframe within which an appeal must be heard. The chief died before the appeal was heard. What will happen to his family because they are now destitute?

**Mr. Deputy Speaker:** Mr. Assistant Minister, an appeal takes too long and former civil servants die before their appeals are heard!



**Mr. Lesrima:** Mr. Deputy Speaker, Sir, the Public Service Commission is speeding up the number of appeal cases. There are very few appeal cases now. With regard to people who die in the middle of an appeal case, I suppose the Ministerial Advisory Committee will have to look at the contents of the appeal and consider in the light of any information, before forwarding it to the PSC.

**Mr. Warugongo:** Mr. Deputy Speaker, Sir, I am happy to hear that the appeal will be heard within three weeks. I am satisfied for today but the assistant chief is not dead; he is still alive!

**Mr. Deputy Speaker:** Mr. Assistant Minister, make sure that you dispose of this matter before this House dies! So many Kenyans are dying while they are waiting for their matters to be disposed of by the Appeals Board of the Public Service Commission. It is a statutory board that falls within your Ministry in terms of responsibility.

*Question No.168*

CONSTRUCTION OF BUNYALA  
DISTRICT HEADQUARTERS

**Mr. Namwamba** asked the Minister of State for Provincial Administration and Internal Security:-

(a) whether he could explain why, despite the carving of the new Bunyala District from the larger Busia District in 2007 and the posting of District Heads of Departments, the district headquarters or other physical facilities have not been constructed; and,

(b) whether he could confirm that the headquarters will be at Bunyala and indicate when the Ministry plans to commence the construction.

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Lesrima): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The district headquarters for Bunyala District have not been constructed because quantified estimates for the works have not been submitted to the Ministry headquarters to facilitate inclusion in the Annual Budget for last year.

However, since the creation of the new district, the Government has disbursed Kshs1 million in the Financial Year 2007/2008 for improvement and refurbishing of the divisional office at Budalang'i which are temporarily serving as the district headquarters. The Ministry has received a request for funding the construction of the district headquarters for the Financial Year 2008/2009 from the DC, Bunyala. The district is being considered for allocation of funds along other districts which have sent their estimates to the Ministry headquarters.

(b) It is the mandate of the local leaders to agree and confirm where the district headquarters will be. According to Bunyala Leaders Meeting held on 14th August, 2007, the leaders resolved that the district headquarters for Bunyala District be at the present Budalang'i Divisional Headquarters.

**Mr. Namwamba:** Mr. Deputy Speaker, Sir, I commend the Assistant Minister for the answer and wish to tell him that the location of the district headquarters at Budalang'i had not been in contention. The concern is the speed at which the Government has facilitated construction of the district headquarters. The question that I would want the Assistant Minister to respond to is who is responsible for availing these quantified estimates for works and whether there is any timeline within which those quantified estimates should be made available.

**Mr. Lesrima:** Mr. Deputy Speaker, Sir, we have received quantified estimates which are provided by the Ministry of Public Works. Indeed, we have received quantities indicating that the amount required for the construction of the district headquarters is Kshs15 million. I cannot

promise how much money we will give along with several other demands when the Votes are finalised.

**Mr. Namwamba:** Mr. Deputy Speaker, Sir, would the Assistant Minister, therefore, confirm that we can expect some sums of funds as part of this Budget in the next Financial Year, 2009/2010?

**Mr. Lesrima:** Mr. Deputy Speaker, Sir, I can definitely confirm that, having posted a District Commissioner (DC) and other departmental heads, I can assure the hon. Member that he will get funds to start construction during this financial year.

**Mr. Namwamba:** I am happy, Mr. Deputy Speaker, Sir.

*Question No.246*

REHABILITATION OF KAMARINY STADIUM

**Mr. Chepkitony** asked the Minister for Youth Affairs and Sports:-

- (a) whether she is aware that Kamariny Stadium in Iten, Keiyo District, which was constructed in the 1950s, is in very poor state and is almost unusable; and,
- (b) how much the Ministry has provided in the 2008/2009 Financial Year for the improvement of that stadium.

**The Assistant Minister for Youth Affairs and Sports** (Ms. Ndeti): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that the murram running track, the VIP dais, the soccer pitch and the spectators' terrace at Kamariny Stadium in Iten, Keiyo District, were constructed in the 1950s and are in a poor state. I am, however, not aware that the stadium is not in a usable condition.

(b) The Ministry has not provided any amount of money in the Financial Year 2008/2009 for the improvement of this stadium. This is because the stadium is under the management of Iten/Tambach Town Council, which falls under the jurisdiction of the Ministry of Local Government.

**Mr. Chepkitony:** Mr. Deputy Speaker, Sir, I thank the Assistant Minister for that answer, but it is not satisfactory that the Ministry cannot give funds for this stadium. I am aware of many stadia under local authorities, which have been funded by the Ministry of Youth Affairs and Sports. If the Ministry has to support sports, then they have to fund them. Kipchoge Stadium in Eldoret is going to get Kshs100 million.

**Mr. Deputy Speaker:** Mr. Chepkitony, please ask a question!

**Mr. Chepkitony:** Mr. Deputy Speaker, Sir, could the Assistant Minister reconsider the Ministry's stand and fund the reconstruction of this stadium?

**Ms. Ndeti:** Mr. Deputy Speaker, Sir, I have said that this stadium is under the a local authority. It would be appropriate to direct the Question to the Ministry of Local Government.

**Mr. Deputy Speaker:** Are you happy with that answer, Mr. Chepkitony?

**Mr. Chepkitony:** Mr. Deputy Speaker, Sir, if the Assistant Minister cannot answer it then, I would like to request that we re-direct it to the Ministry of Local Government.

**Mr. Deputy Speaker:** Madam Assistant Minister, you are the Assistant Minister for Youth Affairs and Sports, and the matter has something to do with a stadium.

**Ms. Ndeti:** Mr. Temporary Deputy Speaker, Sir, it has something to do with sports, but the stadium is under the Ministry of Local Government.

**Mr. Deputy Speaker:** Is it under the jurisdiction of the Ministry of Local Government?

**Ms. Ndeti:** Yes, Mr. Deputy Speaker, Sir. I would really appreciate---

**Mr. Mbadi:** On a point of order, Mr. Deputy Speaker, Sir. In view of the fact that there is collective responsibility in this Government, why did the Assistant Minister not forward the Question to the relevant Ministry instead of bringing an answer? Is it in order for the Assistant Minister to come with an answer, and then tell the House that the Question should be re-directed to another Ministry?

**Mr. Deputy Speaker:** Mr. Mbadi, collective responsibility is there, but there is no collective jurisdiction in this. The jurisdiction is that of another Ministry, and in the circumstances, without wasting more time, I direct that this Question be sent to the right Ministry, which is the Ministry of Local Government.

*(Applause)*

*(Question deferred)*

*Question No.110*

RESETTLEMENT OF 1992/1997  
TRIBAL CLASHES IDPS

**Mr. Kioni** asked the Minister of State for Special Programmes:-

- (a) whether she could explain the steps taken by the Government to ensure that the internally displaced persons (IDPs) as a result of the 1992 and 1997 tribal clashes are resettled as promised by the Government in the past; and,
- (b) what steps she has taken to ensure that the above IDPs are not dispossessed of their legally owned land.

**The Assistant Minister, Ministry of State for Special Programmes** (Mr. M.M. Ali): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Government is not aware of any IDPs who are yet unsettled as a result of the 1992 and 1997 tribal clashes.

(b) Part "b", therefore, does not arise at all.

**Mr. Kioni:** Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for giving us an opportunity to know the extent of his awareness of some of these issues.

The answer I have has a whole part "b" answered. So, when I am told that it does not arise, the verbal answer and the written answer do not tally.

**Mr. Deputy Speaker:** Mr. Assistant Minister, why is it that you have two answers in the House, one written and one spoken? They are different from each other.

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, I have a written answer here, which states clearly what I am telling you. But for the information of the hon. Member, it is unfortunate that, that answer was given and we had to look at it again. We had to rectify it accordingly, and submit what the current position is. We are sorry in case some information which was not properly looked into reached some offices.

**Mr. Kioni:** Mr. Deputy Speaker, Sir, I think that is a confession that we have two sets of answers, and I do not know which one we are responding to.

Having said that, I have a list, that I would like to table, of IDPs who are still living within Kieni/Huruma Village. The Government is saying that it is not aware that there are IDPs, who are still unsettled up to today. This is a record that was given to the Ministry. There is a document here that was given to the Ministry last week; of IDPs within Kieni/Gatundu area, who have still not been settled. Is the Assistant Minister in order to come and deny information which has been taken

to his own office?

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, I have just said that we have not been given any information of any IDPs from 1992 and 1997 tribal clashes, but should there be some, as the case appears to be, where Mr. Kioni comes from--- Should there be any IDPs as a result of 1992 and 1997 tribal clashes, we should be given this information and we will deal with the cases on merit. But I also want to alert you, and this House, that since we had these tribal clashes during the 2007 General Elections, and the Government has been making an effort to resettle the families that were affected, people have been trying to come together to take advantage of the same, purporting to be equally displaced. So, we want to discourage that. We want to deal with only genuine cases of suffering Kenyans, and hon. Members should take note of that.

**Mr. Kiuna:** Mr. Deputy Speaker, Sir, I think the Assistant Minister is misleading this House by saying that we do not have IDPs of the 1992 clashes. Because I come from the most affected area in this Republic, I have enough information that since 1992, there have been IDPs in my constituency. They are in Elburgon Division at a village with over 3,000 people, who are camping in Kasarani Village. In Njoro Division, we have over 10,000 people who were displaced from Olenguruone, Kamwaura and other areas. They are still waiting to be resettled.

**Mr. Deputy Speaker:** Mr. Kiuna, ask a question! This is Question Time and you need to ask a supplementary question! Do not give a speech! This is not the time for a speech!

**Mr. Kiuna:** Mr. Deputy Speaker, Sir, the Assistant Minister is misleading the House by saying that we do not have Internally Displaced Persons (IDPs) in the country.

**Mr. Deputy Speaker:** Mr. Kioni, could you have the last question on this?

**Mr. Kioni:** Mr. Deputy Speaker, Sir, the Assistant Minister said that part "b" of my Question does not apply and we have evidence that IDPs are there. I have a letter here written by a chief of Ol Konto Location confirming that Peter Njenga Njoroge lost his *shamba* in 1992 and he has not been able to get it back.

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

**Mr. Kioni:** Mr. Deputy Speaker, Sir, before I ask the question, this answer is not satisfactory. This issue is of grave importance. We need to get a substantive answer to it so that we can be able to discuss it and serve Kenyans the way we should from here.

**Mr. Deputy Speaker:** Hon. Kioni, like I said yesterday, you have a provision in the Standing Orders to seek proper redress on such matters. Standing Order No.18 will give you the solution to your problem.

Next Question by Mr. Baiya!

### *Question No.193*

#### MEASURES TO RAISE NUMBER OF PUISNE/APPEAL JUDGES

**Mr. Baiya** asked the Minister for Justice, National Cohesion and Constitutional Affairs:-

(a) whether she is aware that the backlog of cases currently crippling the Judiciary, especially at the High Court and Court of Appeal, is due to limited number of judicial officers; and,

(b) what she is doing to raise the number of Puisne Judges and Judges of Appeal, in compliance with the provisions of the Judicature Act, Cap.8 of the Laws of Kenya.

**The Minister for Justice, National Cohesion and Constitutional Affairs (Ms. Karua):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that there is a backlog of cases at the High Court and the Court of Appeal. Some of these are caused by inadequate infrastructure, shortage of personnel and delays occasioned by both litigants and their lawyers in the justice system.

(b) The Statute Law (Miscellaneous Amendments) Act, 2007, increased the number of High Court Judges from 50 to 70 and those of the Court of Appeal from nine to 14. In December, 2007, two Court of Appeal Judges and four High Court Judges were appointed. Plans are underway to fill the remaining vacancies as soon as facilities such as courtrooms are available.

**Mr. Baiya:** Mr. Deputy Speaker, Sir, the delays in our court system is such that when it comes to hearing of cases, the cases being currently confirmed for hearing are for the year 2002 in the High Court and 2003 in the Commercial Court. This means that litigants have to wait for over six years before they can expect to get a hearing. It is commonly understood that justice delayed is justice denied.

From the reasons being created, is it not apparent that there has been lack of proper planning to oversee the infrastructure that is needed to ensure that there is prompt hearing in the Judiciary?

**Ms. Karua:** Mr. Deputy Speaker, Sir, obviously, there has been lack of proper planning for development in our country which is what we have been trying to reverse since 2003. It is not possible to overcome the disjointed efforts of more than two or three decades in just six years. However, progress is being made. A lot of construction of court buildings and improvement of facilities is going on.

We also have the problem of the personnel and ourselves as citizens. We say we want change but we also resist change. Within the Judiciary itself, we have officers who work very hard and others who are not putting in much work. When it comes to litigants and their advocates, advocates are forever applying for adjournment and applying all manner of techniques to delay hearings. Advocates act on behalf of litigants who are again the citizens. We have to put our act together as a nation so that we can get the wheels of justice moving.

I want to suggest that, during constitutional review, we need very innovative methods of changing the way our justice system operates by ensuring that we have legislation and rules that make it impossible for a litigant and their lawyers to delay the hearings and also policing by having the Judicial Service Commission have an inspectorate that will ensure every Judicial Officer puts in a good day's work.

**Mr. Olago:** Mr. Deputy Speaker, Sir, the hon. Minister's answer to part "a" of the Question is perfectly right. I find that satisfactory but I have an issue with the answer to part "b" of her answer. The hon. Minister's view is that subject to provision of physical facilities and infrastructure, more judges, puisne judges and Judges of the Court of Appeal will be appointed. The procedure of appointment of judges either puisne judges or Judges of the Court of Appeal under the provisions of the current Judicial Service Commission Act is flawed.

Could the Minister confirm to this House that no appointment will be made until that flawed procedure and the law is amended?

**Ms. Karua:** Mr. Deputy Speaker, Sir, I admit that the system is flawed and it needs urgent reforms. I, however, cannot undertake that no appointments will be made. The House's attention is drawn to the provisions of the Constitution.

Mr. Deputy Speaker, Sir, I am not a member of the Judicial Service Commission. It is the Attorney-General who sits on the Judicial Service Commission. It is an independent body. We cannot stop them from going on but good sense would require that we reform the methods which we use to appoint judges because it is reform time rather than packing the High Court with officers and not getting the delivery of services that we are looking for.

**Mr. Deputy Speaker:** Order, hon. Members! It is a Supply Day and, indeed, we will have

to start the next Order not later than 3.30 p.m. Hon. Members, I am directing that Question No.375 by hon. C. Kilonzo, Question No.337 by hon. Koech and Question No.451 by hon. Bett be deferred to tomorrow and have priority over the Questions on tomorrow's Order Paper.

*Question No.375*

DISCHARGE OF RAW SEWAGE INTO RIVERS  
IN NAIROBI AND THIKA

*(Question deferred)*

*Question No.337*

ELECTRIFICATION OF KIPKAREN  
DIVISIONAL HEADQUARTERS

*(Question deferred)*

*Question No.451*

NUMBER OF STUDENTS AFFECTED BY  
EXAMINATION IRREGULARITIES  
IN 2007

*(Question deferred)*

**COMMUNICATION FROM  
THE CHAIR**

TUBERCULOSIS SENSITIZATION  
SEMINAR FOR MEMBERS

**Mr. Deputy Speaker:** Hon. Members, I rise to ask you to attend a half-day seminar aimed at appraising and sensitising all hon. Members on the Tuberculosis (TB) epidemic in the country. Kenya is ranked position 13 amongst the 22 high TB-burdened countries in the world that contribute 80 per cent of global TB cases. At the national level, the cases of TB have risen by an alarming rate of over 1,000 per cent between 1987 and 2007 resulting in 70 deaths daily.

Hon. Members can all play an important role in the advocacy for TB as an inseparable part of your political agenda especially by motivating the members of the public and your constituents with signs and symptoms of TB to seek early medical attention. It is on this backdrop that you are all invited to a half-day sensitization seminar organised by the Ministry of Public Health and Sanitation in conjunction with the appropriate Departmental Committee on Health, Housing, Labour and Social Welfare. The seminar will be held tomorrow, Thursday, October 30th, 2008, at the Hilton Hotel, Tsavo Room, from 9.00 a.m. in the morning to 12.30 p.m. All hon. Members are requested to attend this very important seminar.

**POINTS OF ORDER**

FATE OF MR. MUTUTHO'S QUESTION  
BY PRIVATE NOTICE

**Mr. Baiya:** On a point of order, Mr. Deputy Speaker, Sir. This concerns Question No.1 by Private Notice. It was not fully answered. You asked the Assistant Minister to do some consultations---

**Mr. Deputy Speaker:** Order! Order! Thank you very much hon. Member!

Mr. Assistant Minister for Agriculture, you have an unfinished business for today.

**The Assistant Minister for Agriculture (Mr. Ndambuki):** Mr. Deputy Speaker, Sir, I have consulted the Attorney-General and he has requested me to forward all the information to him tomorrow and in seven days, he will give us a response.

**Mr. Deputy Speaker:** In seven days, you owe this House an explanation and you must correct the law! You cannot break the law when this House is a law-making body and Kenyans are expected to follow the law!

**Mr. Baiya:** On a point of order, Mr. Deputy Speaker, Sir. Would I be in order to request that the Question be deferred and answered after seven days or what is the situation?

**Mr. Deputy Speaker:** The Question will appear on the Order Paper seven days from today! That is Wednesday next week in the afternoon.

Mr. Assistant Minister, the presumption of the House is that you will have sorted out your mess and come up with an appropriate answer to the House.

*(Question deferred)*

ABSENCE OF GOVERNMENT WHIPS  
FROM THE HOUSE

**Mr. Mututho:** On a point of order, Mr. Deputy Speaker, Sir. I am looking around and cannot see a single Government Whip. It has now become a habit that all the three Whips are outside the country 25 days in a month!

*(Applause)*

In our Parliamentary calendar, today is the most important day when we have to look at the affairs of all these Ministries. Could you give us directions on this matter? Is it in order for the Government Whips to be continuously away from the House? In fact, they have become tourists! Is it proper, also, for this Parliament to continue spending money on those kinds of tours that impede the functioning of this House?

*(Applause)*

**Mr. Deputy Speaker:** The roles, functions, responsibilities and duties of the Government Whips is the responsibility of the Government. The Vice-President and Minister for Home Affairs, who is also the Leader of Government Business, owes this House an explanation on the conduct of his own Whips. Would you want to say something?

**The Vice-President and Minister for Home Affairs (Mr. Musyoka):** Mr. Deputy Speaker, Sir, I have heard what the Member for Naivasha has said. In fact, he has some very interesting things to say about his constituency with regard to where Satan lives in Mt. Longonot. However, that is a separate issue. I admire Mr. Mututho's ability to be thorough. I want to confirm

before the House that the three Whips are away. Two of them have been away. One is in the USA trying to follow, on behalf of all of us, the proceedings leading to next Tuesday's historical elections in the USA.

Mr. Deputy Speaker, Sir, the Chief Whip, Mr. George Thuo, is similarly away on parliamentary business. The third Whip, Mr. Muthama, is leaving tonight on a business trip. I do not think he is making the trip to Eastern Asia on taxpayers' account. However, we will be careful, particularly today, because today, we are dealing with guillotine and I would have personally preferred all the Whips to be here so that they can whip all the Ministers and Members. We are doing some very historic thing at the conclusion of the Vote on the Ministry of Agriculture.

Mr. Deputy Speaker, Sir, be that as it may, I take very serious note of the remarks by the Member for Naivasha.

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

### COMMITTEE OF SUPPLY

*(Order for Committee read being  
Sixteenth and Last Allotted Day)*

### MOTION

THAT MR. SPEAKER DO NOW  
LEAVE THE CHAIR

Vote 10 - Ministry of Agriculture

(The Minister for Agriculture on 28.10.2008)

*(Resumption of Debate interrupted  
on 28.10.2008)*

**Mr. Deputy Speaker:** Mr. Njuguna was on the Floor! He has eight minutes to go! Please, proceed!

**Mr. Njuguna:** Thank you Mr. Deputy Speaker, Sir, for granting me the opportunity to continue from where I stopped yesterday.

Mr. Deputy Speaker, Sir, I raised the issue of wheat farmers. At times, wheat farmers are affected by army worms. It becomes very serious and cumbersome to the farmers. If the crop is destroyed, the farmers will not have anything to give to their workers or repay their loans with. I was, therefore, suggesting that the Minister for Agriculture creates a mechanism to be used to cushion farmers who are likely to be affected by army worms.

Mr. Deputy Speaker, Sir, the other issue concerns food security. The National Strategic Reserve has been depleted for some time. The entire population has been concerned. This could have been caused by failure of our national staple crops like maize. It is important that the Ministry of Agriculture becomes more careful about the national reserve. It has been a total shame to tell Kenyans that our reserves and granaries are almost empty. We should have adequate reserves for the Kenyan population.

Mr. Deputy Speaker, Sir, we remember very vividly that, at the beginning of this year, the Minister for Agriculture raised the issue of importing about three million bags of maize. However, up to now, the Minister is telling the nation that he has been able to import about two million bags.



One million bags are still remaining. I think a credible Ministry should give a national statement. The statement must be fulfilled to give the population hope.

Mr. Deputy Speaker, Sir, the other issue that I consider very important is the issue of the price of maize in this nation. When the Minister for Agriculture gives a statement on price reduction, that statement is taken very seriously by our people. How many times is the Minister going to talk about reduction of the price of maize, sugar and wheat? It is important that when a statement is issued by the Minister for Agriculture, it should give direction as to where the nation is heading.

Mr. Deputy Speaker, Sir, on food production, we cannot pride ourselves in saying production of food will be maximized in this nation when we realise that some people are already occupying other people's land. It is important that those who have occupied other people's land are removed from there and provide security to the genuine owners of those parcels of land.

Mr. Deputy Speaker, Sir, we also note the critical role that is being played by *mama mboga* in our big towns. These are the women who sustain our homes. These are the people who play a critical role in educating our children. Women in our major towns must be educated through seminars and workshops. We must extend credit facilities to them. We need all the people to take an active role in improving the economy of this nation. Designated areas must also be set aside for those people.

Mr. Deputy Speaker, Sir, regarding fertilisers, the Minister has come up with a noble idea of injecting about Kshs6.3 billion. That should not be a castle in the air. It should be a reality. It should not be like the Kenren issue where a lot of money was invested and nothing came out of it. We would like that idea to become a reality, so that we can produce enough fertilisers for this nation, and even export it to neighbouring countries.

With regard to food processing, I note that since 1963, Lari Constituency has never had a factory. Lari contributes about 30 per cent of the food that we eat in Nairobi. So, I urge the Minister, in his strategic planning, to think about a food processing factory in Lari.

With regard to irrigation, all the areas must be considered. We should have equitable distribution of resources.

About the resettlement of IDPs, it is important that we give them an opportunity to go back to their land, so that they can engage themselves in a productive life and produce a lot of food for this nation. I recall that, at one time, in the land of Egypt, there was a lot of farming. But somebody known as Joseph in the Bible came to Egypt and was given the responsibility of making sure that the land of Egypt produced adequate food. He conducted technical courses and made sure that all the soils in that land produced food. The entire world went to Egypt to look for food. I urge the Minister, who is a very hard-working person, to work like Joseph and make sure that our stores are full of food. If you work like the Joseph of Egypt, one time, you will become a Minister like the Joseph of Egypt. You will become a Prime Minister in this nation. Our stores will be full of food and our nation will enjoy prosperity and happiness.

With those few remarks, I beg to support.

**Mr. Nyambati:** Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to support this Ministry.

The Ministry of Agriculture is extremely important. I think it is up to this House to ensure that we support this Ministry in every way possible, so that we can have food security in this country. I want to take this opportunity to commend the Minister for Agriculture for eloquently presenting the proposals from this Ministry. I also want to commend him for ensuring that he has gone all over the country to see how the agricultural sector is doing.

Having said that, it is about time that this country became sufficient in the production of

food for its people. It is a shame that a country as rich as ours in terms of agricultural products, can import food. That is because we are not taking the Ministry seriously. We are not funding the Ministry the right way. We should fund this Ministry so that it is able to produce enough food for our people.

When we look at countries like Egypt and Israel which do not have much rainfall and are not blessed with good climate like ours, and learn that they are able to produce enough food while we cannot, it is a big shame. So, I think it is up to this House to ensure that there is proper funding for the Ministry of Agriculture. I want to challenge the Minister for Agriculture to come forward and ask this House to fund the Ministry properly, so that we can be able to produce enough food for this country.

We would like to have a situation where we are able to export food as opposed to importing food. We can do it. I want to thank the Ministry because it has handled the food shortage crisis in this country very well.

I want to thank the National Cereals and Produce Board for ensuring that there is food in this country under very difficult circumstances. I think the Managing Director of National Cereals and Produce Board has done a wonderful job, together with the Ministry, to ensure that, at least, Kenyans are not dying of hunger. I request the Government to ensure that people do not die in areas where there is a shortage of food.

Mr. Deputy Speaker, Sir, I want to request the Ministry to ensure that we have extension officers. I do not know what happened. Sometime ago, we used to have many extension officers to help farmers produce good food. I do not know whether it is because we are under-funding the Ministry or not. But we must ensure that we have extension officers that can help farmers to produce food. We have a very energetic and young Minister for Agriculture and I want to thank him for the good work that he is doing. We must support him as a House to produce food. If the other Ministers could follow the example of the Minister for Agriculture, I think this country would go a long way. He is even in the House to listen to what we are saying.

But having said that, I want to plead with the Minister to ensure that Kisii farmers, especially tea farmers from Kisii, also enjoy good returns as those in other parts of the country. Tea farmers from Kisii earn less than what other farmers in the country earn. I want to ask him to look into that issue and solve the problem. If it is a matter of crop husbandry, then we should do it so that the farmers can benefit.

Mr. Deputy Speaker, Sir, I also request the Ministry to give subsidies to farmers. The Ministry of Agriculture cannot give subsidies to farmers unless we fund it adequately. The Ministry of Agriculture is very important. You can walk naked if you are not hungry. You can wear a suit but, if you have no food, you cannot walk anywhere. Food is very important. A hungry person is a desperate person. So, we must feed our people. The only way we can feed our people is to ensure that our farmers are assisted to produce enough food for this country. Some years ago, Kisii used to produce pyrethrum. I think we were the leading producer of pyrethrum in the world. But because farmers could not get paid, they uprooted all the pyrethrum crop. The same happened with agriculture. We do not want that to happen in terms of tea. So, we must ensure that our farmers are assisted and paid handsomely.

Mr. Deputy Speaker, Sir, I want to request the Minister to put up a banana industry in Kisii, because we produce a lot of bananas which just rot because there is no market. The Minister should look into that, so that we have one banana factory in Kisii; that will go a long way in encouraging our farmers to produce more food in the country.

Mr. Deputy Speaker, Sir, having said that, I would like to say that I support this Ministry; I also want to request the Government to ensure that there is proper funding in the Ministry of Agriculture.

**Eng. Maina:** Mr. Deputy Speaker, Sir, first, I wish to commend the Ministry, and the present Minister for the effort he is really putting in this Ministry to see to it that agriculture comes up. I also want to agree with a policy that he has stated, that it is time we made farming commercial. Until a nation can feed itself, it cannot be free, healthy or have peace. It is time we invested enough resources in agriculture. The major problem in this country is that farming has been almost turned to slavery. In fact, if you go into farming, you need a commitment from your heart. You do not do it because of any returns. The farmers in this country are small-scale.

Let me mention the coffee farmers. Today, coffee farming has become like slavery. Similarly tea farming has gone the same route. Pyrethrum collapsed long ago. It is time we put in enough resources, and I support the Ministry in requesting for more funding. This Ministry produces more than it is getting from the Budget. I think it is time they got the proportionate share of what they are producing.

Mr. Deputy Speaker, Sir, the other issue is our way of farming. Rain-fed farming is a risky business. Most countries that produce food do it not from the rain-fed system but by harnessing and utilising water. I keep on imagining that in this country, many parts could become productive through the utilisation of the irrigation system. Until that happens, we will never be able to produce food to the maximum, as we wish to.

The other issue is that of supporting the farmers, so that they do not carry the burden of this country alone. Where do we get Kshs10 billion in one day to import maize. Is it not a shame that this Government can actually look for Kshs10 billion to import maize, whereas we could not afford, say, Kshs5 billion to buy fertiliser to give to the farmers and we get three times as much. Anybody who says that we should not subsidise agriculture does not love this country. The United States of America (USA) and Europe do it; whether through some intricate system, they protect their people and their markets. It is time we took courage and did the right thing for this country.

Our farmers have been suffering. We want to see people who have knowledge and the capital to invest in agriculture, but they will not do it so long as they are supposed to take the full risk and produce below the cost. Go to the small-scale farmers; they are in their tightened belts and tattered clothing. You do not have to be told. We are just enslaving them. I want to say that this country needs to relook into its agricultural policy.

Let me remind this House that after Independence, it happened that this country could not feed itself, and we went for yellow maize. So, the President said that he would ensure that he would never again feed his people with yellow maize. He instituted a policy, and out of it came a policy that was called "Guaranteed Minimum Returns (GMR), which guaranteed farmers that if they planted wheat and the rains failed, they would get back their returns. The following year, *The Standard* on the front page had a headline saying, "Kenya has a bumper harvest", because we got more than we expected. One may say that GMR went because it was misused, but let us get systems right. I do not believe Kenya will ever feed itself and---

*(Several hon. Members stood up)*

I have not finished!

We are spending time looking for foreign exchange, and telling tourists to come here, but let us look at coffee. If coffee farming was supported today, we would get enough foreign exchange, five times what we are getting today. If tea was supported today--- I feel like shedding tears when I see a tea farmer uprooting tea bushes in total desperation. The same tea farmer is the one who is enabling us to earn the foreign exchange that we use to buy drugs and fuel. Can we not support tea or coffee farming? Maybe, if we do that we may not need to talk to those donors while kneeling down. We will stand up as a country.

I would like to say that I support and commend the Ministry for trying. Let us

commercialise our agriculture; let the farmers get good returns. Let us have bold policies and not those brought here by the International Monetary Fund (IMF) or the World Bank. Kenya will never come out of the yoke of slavery until we can take courage and do it. Malawi did it. A friend of mine told me about it. They took a decision against the IMF and the World Bank. Today, they are exporting maize. A small poor country is exporting maize, and we are buying from them. We are even buying sugar from them. Let us think and put resources in our agriculture and become a free, peaceful and healthy nation and walk with pride.

Mr. Deputy Speaker, Sir, agriculture is our base; it is the best for our economy and it is the survival base for our people. For heaven's sake, let us give what is due; let our research also be put into meaningful things. I am looking forward to having our universities come up with findings to improve our agriculture, they way they did with *Katumani* maize breed. Let us relook into our policies.

With those remarks, I support the Vote of the Ministry.

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Trade** (Mr. Omingo): Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. I want to echo the sentiments expressed by my colleagues in this House that the Minister is doing a commendable job. Let the truth be said. Let us give him the encouragement and the support that he requires to turn this country around. The economy of this country is agricultural based.

Mr. Deputy Speaker, Sir, we cannot pretend to be an independent nation and secure, if we cannot feed our people. To echo the Minister's sentiment at one time, a country that cannot feed its people is like a country that is at war with itself. That is exactly what we must do to give support to the agricultural sector in terms of improving our well being.

Mr. Deputy Speaker, Sir, we all understand that if people are well nutritioned, our medical bills will go down. This is a fact! We need, therefore, to improve the quality of our food. We should have sufficient food to feed our people. Therefore, additional funding to the agricultural sector is actually welcome, so that we do not become a consuming economy, but an economy that grows to develop itself in terms of the expansion of agriculture.

Mr. Deputy Speaker, Sir, it is critical for us, as a nation, to embrace modern farming techniques. It is not space science to embrace modern farming techniques, particularly where I come from. The land acreage is actually reducing in sizes that cannot be viable. I request the Government, which I happen to be part of, to form a kind of multi-sectoral committee which will include the Ministry of Lands, Ministry of Agriculture and Ministry of Finance, and develop some villages to decongest highly productive areas to make them available for farming. By doing that, we can be able to centralise services for a particular sector or a market place where we can be able to supply electricity, sanitary facilities and farmers and individual owners can take their farms in a collective form and own them as shares.

That is also an issue of culture that we must embrace in terms of bringing on board the Ministry of National Heritage and Culture to educate our people. If you have buried your father on the same land, you must not live there. That is the problem of culture that we have. So, we should embrace the Ministry of Lands, Ministry of Agriculture, Ministry of Finance and Ministry of National Heritage and Culture. We will be able to educate our people and form a nucleus or a particular market centre where available land or acreage will be mechanised to be able to produce good results.

Mr. Deputy Speaker, Sir, agro-processing is the key, particularly in the sugar sector, which is really hurting. Reforms in the sugar sector are actually overdue. Where I come from in Kisii, Gucha and Nyanza, farmers go to the field, plant, weed and wait for somebody to harvest and, time on end, nothing happens! The same farmer who has ten acres of sugar-cane stands by your doorstep

to demand or request for fees for the children, when his sugar-cane is flowering on the farm! When sugar-cane flowers on the farms beyond 18 months, the sucrose content comes down to the extent that it is not worth even an investment again! That demoralises the farmers to the extent that they actually end up burning the cane to plant maize.

Mr. Deputy Speaker, Sir, the same thing is happening in the tea sector. Therefore, areas like South Nyanza and Kisii require three factories with the capacity of Sony Sugar Factory to make sense. That is because we produce 18,000 tonnes crushed per day (TCDs), when Sony can only crush 4,000 tonnes! Therefore, 14,000 tonnes go to waste annually! That is a serious joke and we must embrace modern farming techniques and agriculture.

Mr. Deputy Speaker, Sir, River Nile flows from this country, down to Lake Victoria and then to Egypt. We buy fruits from Egypt. It is high time that we negotiate the treaty of the River Nile, and divert that water! Unless we actually have our people benefitting from that water in terms of modern farming techniques, it is a shame that we can go and buy fruits from Egypt, while we are the source of the water. It is an embarrassment and I think it cannot pass the test of modern times! This is a nation that is a centre of excellence in East Africa and the rest of Africa.

Mr. Deputy Speaker, Sir, in the tea sector, when farmers agonise, they have a reason! Please, hear them! I think the Minister has been trying to give them a hearing. We want the farmers to be heard and given value for their hard labour. That is because the bonus payment is actually skewed! In some areas, without mentioning names, our tea is used, after being exported, to blend other teas to improve their quality in the international market. It is high time that we also improved our tea processing. We should brand our tea so that I do not have to go to the United Kingdom to drink "English Breakfast Tea" when that tea actually comes from Kenya! It is a shame! Therefore, we need to brand our products in order to get their full value.

Mr. Deputy Speaker, Sir, in the area of flower farming, I support a speaker who said here that we need to have subsidies in terms of supporting our farmers. We also need to re-engineer some of the products that we produce. We require some brand of unique products that can hit the international market. For example, with flowers, a single long stem exported to Russia gets a better yield or payment of about US\$50 per stem, as opposed to a bouquet that you send to Netherlands and get US\$20. So, we need to have a fresh re-engineering of ourselves and the best way to do that is to embrace modern farming, processing and branding techniques, so that our people can appreciate what we actually produce.

Mr. Deputy Speaker, Sir, on the dairy industry, we can do better than we are doing today! In the earlier days, I used to see boys and girls who used to provide Artificial Insemination (AI) services. These days, I hardly see any clashes anywhere to the extent that the cows that we had that were humpless--- Today, we have long-horned animals simply because the quality of AI services in this country has deteriorated! We require quality hybrid semen and not those ones that are carried in archaic conditions and before they get to Naivasha, those things are usually dead before they land on those sides of western Kenya! You, therefore, wait for a calf to come and it never comes simply because the handling techniques and the quality of the seed is actually archaic and, therefore, we end up having people keeping bulls. Before the gentlemen or ladies come to serve the cows, the small bulls would have done the job much earlier because they have a sense of smell! You know what it takes. Therefore, we require to improve our animal husbandry, so that the quality of our semen is improved. That way, our people will get high yields for purposes of self sufficiency. As I said earlier, the medical bills will go down. Infertility will go down if the people are well fed and we shall all be rich!

Mr. Deputy Speaker, Sir, the other day, I was on an agri-business trip in Eldoret. It is amazing how farmers are given a back burner! It is high time we invested in our farmers and gave them value for their money. We should reward them! It is a question of poor yields that people are

turning to white collar jobs to be able to earn a decent living, which is not so decent! But our people have buried their heads in the sand assuming that, when you go to toil in the farms and there are no yields, it is better to sit in the office, earn peanuts and wait for the month-end. That way, you are not embarrassed and you do not lose out in terms of efforts and wastage in terms of producing and you do not get sufficient yields.

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

**The Assistant Minister for Livestock Development** (Mr. Duale): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to give my views and support Vote 10 of the Ministry of Agriculture.

We know the role the Ministry of Agriculture, and more precisely, the production Ministry, plays in this country. It is on this basis that I want to thank and commend the Minister for Agriculture, his two able Assistant Ministers, the Permanent Secretary and the entire technical team of that Ministry. It is the Ministry that is in the hearts of Kenyans. It is the Ministry that has its operations in every village in this country.

I want to turn to the irrigation system. I come from northern Kenya, a region through which the biggest river in this country passes. The greater Garissa District covers all ASAL areas, which have potential for irrigation, amounting to 24,000 hectares. My constituency alone currently sits on 20,000 hectares of potentially irrigatable land. You know that ten or 15 years ago, there was the Agricultural Development Corporation (ADC) farm of about 600 hectares. We know the importance of investing in the ASALs.

We know that investment in this country is going to the ASALs. Agricultural heavy investment must be geared towards irrigation. I know that irrigation itself is capital intensive. It needs heavy capital investment, but as a country, we need to walk the talk in terms of food security. We need to walk the talk in terms of sustainable agricultural land use in this country.

Let me pick on a country that sits on a desert, that is our neighbour, Sudan. If you drive from Khartoum to Port Sudan along the Blue Nile, you will see what they are doing within the Al Jazeera Irrigation Scheme; you will understand what I am talking about in terms of the potential we have in irrigation. Sudan exports food from irrigation to our neighbours.

If I may come back to Dujis, where I have 20,000 hectares of potentially irrigatable land, only 2,000 hectares of that is being exploited. That translates to 10 per cent of the exploitable land in Dujis.

In this same constituency, and in most of the northern Kenya constituencies, we see that 75 per cent of the people live below the poverty line. Is it a question of misplaced priorities? Is it a question of omission? We need to address that imbalance. We need to invest in irrigation systems in this country.

Mr. Deputy Speaker, Sir, in northern Kenya, or in Dujis, 60 per cent of subsistence farmers along Tana River are mainly victims of drought. They lost their animals and they have come back to irrigation. They have formed groups. They are victims of the national disasters like drought and floods. We all remember the *El Nino* and the heavy floods of 2006 and 2007. We have a complete recurrent--- When all systems collapse, the livelihood of these people is at risk. It is high time we supported development of irrigation infrastructure and ensured that any gains our people make are preserved.

I said that irrigation is an expensive investment, but the Ministry, and the donors, must support farmers in terms of farm inputs and irrigation pumps. They must buy the idea about the Arid Land Resource Management Programme under the Office of the President. It is a World Bank project and the Bank meets 70 per cent of its expenses while 30 per cent of it is paid by the farmers. We want the Ministry of Agriculture to come in and give support. We want to encourage and support the various projects within the Ministry. There is the *Njaa Marufuku* Kenya, the Kenya

Agricultural Productivity Project (KAPP) and the NALEP, which are all geared towards improving productivity and the livelihood of the people.

Mr. Deputy Speaker, Sir, we want to commend the Ministry for the good extension services it is providing, but we want it to increase its staff. We want to see more officers on the ground. We want those officers to be facilitated. We want them to get enough budgetary allocation.

The road infrastructure and access to markets is very crucial to the farmers of this country. We want to see a situation where small scale processing factories are built along the irrigation schemes. Look at the mangoes, oranges and tomatoes which are being produced along the Tana River. We want to see a the Government building tea and coffee factories near farms; we want similar affirmative action taken with regard to tomatoes that are grown between April and September, during the cold season. If the ASALs have a small processing plant, that will add value. Value addition is a very important component from this Ministry. I know that unless we increase the value addition to our products, we will not be very competitive, and will not get enough income for our people. We need to increase the shelf life of these products like the tomatoes.

Finally, we want the Ministry of Agriculture to focus on horticultural production in irrigation schemes in this country. We are talking of the mangoes and the oranges that are produced in Garissa and sold in the international market in Dubai, Saudi Arabia and around the Gulf Sea. This is a private sector initiative by individual farmers. I want to thank the Ministry of Agriculture for opening the HCDA office in Garissa recently. That was a good step, but we want them to improve the capacity of the farmers. Train the farmers; increase the allocation to the training institutions for those farmers.

With those many remarks, I beg to support.

**The Assistant Minister for Information and Communications** (Mr. Khaniri): Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to make my remarks on this Vote of the Ministry of Agriculture.

In support of this Vote, I just have two or three points to make. Before I make them, I want to take this early opportunity to join my colleagues who have spoken earlier in congratulating the Minister for the very able and eloquent way in which he moved his Vote. I would also like to congratulate him for the good vision that he has for this Ministry.

Mr. Deputy Speaker, Sir, I listened to the Minister yesterday while moving this Vote and I want to say that I was very happy to listen to the policies that he said he intends to put in place in order to improve farming and agriculture in this country. I have a lot of confidence in him and I think if these policies are implemented, then he will move the agricultural sector to the next level. I have confidence in him and the technical team that he is working with, some of whom I had an opportunity to work with when I was in the Ministry of Agriculture.

Almost all the speakers I have listened to since yesterday agree on one thing; that agriculture is the backbone of the economy of this country and that is a fact. I want to support that agriculture is the backbone of our economy. Agriculture is the main source of income and livelihood for majority of Kenyans and we must accept this fact.

I know we would want to be an industrialised country but we have not achieved that. We are still relying heavily on agriculture. That is the reason why we are saying that we must treat it as the backbone of this economy. It is high time that we treated agriculture like a business venture as I heard one hon. Member say here. It is high time we gave adequate budgetary allocation to this Ministry for them to be able to give to the farmers the services that they require. It is high time we ensured that the Kenyan farmer got his farm inputs, the seedlings and fertiliser at the correct price, for them to be competitive. It is high time we ensured that we gave them the market after they have produced whatever they are producing.

Mr. Deputy Speaker, Sir, it is high time we started thinking on how we can give subsidies

to farmers. It defeats logic for sugar to be grown in Brazil which is about 10,000 kilometres from here and then it is shipped to Kenya. It comes here and attracts tax and yet it, is still cheaper than sugar that is produced locally here. We must look into what is ailing our sugar production and ensure that we are able to produce sugar cheaply like Brazil.

The situation as it is now in Kenya, the farmer toils and labours for the whole year. He spends most of his time on the farm. He spends so much resources on farm inputs but at the end of it all, he does not get the desired returns. This is what has led to incidences of farmers uprooting their cash crops like tea. This is what has led to the food shortage that we are experiencing in the country now. It is because the farmer has relaxed because he is not getting returns. He is not getting paid for the hard work that he puts in. That is why we are now importing food when Kenya is a country that should be producing enough food for consumption here and even for export.

Therefore, I just want to support the Minister when he says that he will be coming to this House sometime early next year with a Supplementary Estimate so that we can add him more money. The Kshs13 billion we are giving to this Ministry is not enough. I want to agree with him and I think that when he comes up with that Supplementary Estimate, the House should be able to support him.

Mr. Deputy Speaker, Sir, if we have to improve the earnings of the farmers in this country, we must come up with a policy to stop export of raw agricultural materials or products. The Ministry should come up with a policy to establish middle to small middle-scale factories to process agricultural produce so that we stop this idea of exporting raw materials to other countries. We export our tea in raw form. The Minister told us here yesterday that only a small percentage; about 4 per cent, is processed but the rest is exported raw and other countries use our tea to blend their own tea. This is a trend that we must stop if the farmers have to get good returns for the hard work that they are putting in.

I want to take this opportunity on behalf of the tea farmers of Mudete Tea Factory in my area, to appeal to the Government through the Ministry of Agriculture to waive a loan they are servicing. When this factory was constructed in the early 1990s, we borrowed money through the Government. Farmers have been repaying this loan for close to the last 20 years and it is not coming to an end. I have seen it here that other farmers like the coffee farmers who had heavy loans, being waived by the Ministry.

I request that on the same front, the Ministry considers to waive or to write-off the loan that is owed by the farmers of Mudete Tea Factory to the tune of Kshs200 million. It has become a very big burden to them. Every time we have farmers in the Republic earning their bonus, our farmers do not earn bonus. We are told that our bonus has been used to pay the loan that we owe. I know we have made this request formally to the Ministry of Agriculture but I thought I should take this opportunity on the Floor of this House, to request that this particular loan be waived.

Mr. Deputy Speaker, Sir, otherwise, we want to support the Minister as he implements the food security programme that he talked about yesterday. We think that, that is a very good programme that must be supported and fully funded by the Government. So, as he brings it to this House, we will support him. We also want to support him with the National Fertiliser Development Strategy Programme that he mentioned yesterday. I think this will alleviate the problems the farmer has been having with the prices of fertiliser. I want to urge my colleagues to support this Vote to give this Ministry the full and maximum support that they require so that the farmers of this country can benefit.

With those few remarks, I support.

**Mr. Bett:** Thank you Mr. Deputy Speaker, Sir. I want to associate myself with the last statement made by my colleague, Mr. Khaniri. We support this Ministry. However, it must also be supported by the Exchequer. Yes, we, as Members of Parliament, will support the Ministry. The



Ministry of Finance must also find it wise and prudent to allocate adequate funds to this Ministry so that as we keep singing that it is the backbone of our economy, it has adequate funds to run its affairs. We cannot say it is the key Ministry, it is the backbone, it is the engine, yet the engine has no oil. That oil is the money that is required to run the engine.

Mr. Deputy Speaker, Sir, as I speak now, the Ministry has only got an allocation of 4 per cent of the Government revenue. This is far below what was agreed in Mozambique. Kenya is a signatory to the agreement in Mozambique that Ministry of Agriculture and related Ministries must be allocated funds up to the extent of 10 per cent of Government revenue collection. We are far below this by 6 per cent.

Mr Deputy Speaker, Sir, out of the Kshs12 billion which has been allocated to this Ministry, Kshs8 billion is for Recurrent Expenditure and the remaining Kshs4 billion is for Development Expenditure. It looks like we are only working for ourselves in the form of salaries. We need to find a way of allocating more money for Development Expenditure which will then provide money for the Recurrent Expenditure. We need to do that because this is the industry that supplies this country with food. We keep talking of food security and famine. We say there is not enough food.

Mr. Deputy Speaker, Sir, yes, there cannot be enough food unless we provide adequate funds and extension services to the farmers. We must also provide good inputs at good prices. If we continue supplying the farmers with fertilisers and seeds the way we are doing, we will have to stop talking of agriculture being the backbone of the economy. They will not be able to sustain us in terms of food security. This is also another sector that supplies raw materials to agro-businesses. Our industries rely on raw materials from agriculture. The industrial sector must really be suffering because they have to get their raw materials from outside the country. It is a shame that we are importing a good amount of our inputs. In fact, it is a shame that we are also importing some of our foods, for example, eggs. We are doing this, yet we should be able to coordinate and organise our farmers to supply us with such foods.

Mr. Deputy Speaker, Sir, we say this is a key sector because it provides employment. There are so many youths out there without jobs. If we properly manage and fund agriculture, it will absorb most of the youths in the countryside into employment. We, however, are not concerned with funding this sector.

Mr. Deputy Speaker, Sir, let me talk about the cost of inputs. Fertiliser is so expensive, be it for use in planting tea, maize or wheat. The price is so high. I want to laud the Minister for having taken every step within his powers to find ways and means of supplying this country with affordable fertiliser. That is one thing I must congratulate the Minister and his team for, much as I would congratulate him for other activities within the agricultural sector.

There is one big supermarket which we have left out; that is, the Kenya Farmers Association (KFA). This was the supermarket for farmers. It has a network across the country. In the Ninth Parliament, we passed a Motion guaranteeing Kshs2 billion to resuscitate the KFA. That has not been done, yet if today we asked what KFA is owed, we should be able to pay it off. It is only Barclays Bank of Kenya and the National Bank of Kenya who are owed loans. If we can pay off the two and then we give the KFA a letter of credit to import fertiliser at an affordable price, the KFA stores will be opened. Another avenue for employment for our youths. That is another way of using the facilities that are already in place. We need to find a way of revitalising KFA to be able to sell farm inputs to farmers at subsidized rates.

Mr. Deputy Speaker, Sir, we must be extremely careful on the quality of seeds that we get from the Kenya Seed Company. We must not mix these seeds with other seeds. I hear people talk about Genetically Modified Seeds. I want to say that we must allow risk assessment to be properly done before we introduce Genetically Modified Organisms (GMOs) products. Not long ago, we

were in Bonn to discuss Genetically Modified trees. The whole world said, "No, until risk assessment is assured for the whole world". However, in this country, we seem to be in a hurry to introduce them. Let us be careful because it can be a risk that can even cost us our seeds and we might not have seeds locally in the long run.

Finally, Mr. Deputy Speaker, Sir, we must think of using irrigation as a means of producing food. If we look at the Kano Plains and Mwea rice irrigation schemes, they are all going down. If we were to use them and particularly gravity-generated irrigation, we would be supplying food to our people in a better way.

Mr. Deputy Speaker, Sir, I would like to ask the Minister to remember what the people of my constituency were promised last year by the former Minister. He promised us Kshs200 million to put up a pineapple processing factory. We are waiting for that money and we hope it is going to come within this Budget. The people of Buret are waiting for that money to put up a pineapple processing factory. I want to assure this House that the pineapple we have in Bureti is the sweetest in Kenya and the world. It has sweetness that is sweeter than sweetness!

I want to urge the Minister that he pursues what his predecessor said; that he was going to build a factory that will engage the farmers and create employment for our people. That will be a great help to the people of this country. With those many remarks, I beg to support.

**Prof. Kaloki:** Mr. Deputy Speaker, Sir, I stand to support this budget which is very important. However, looking at my region, I cannot say that I am excited.

Mr. Deputy Speaker, Sir, my area called Kibwezi is an area that has been facing acute shortage of food, rain and water for many years. We face the same kind of difficulties that we faced in 1963. Each year, the Government promises us that it is going to do far much better. However, every time we see the Budget, there is nothing!

Mr. Deputy Speaker, Sir, I was just looking at the Estimates and I would like to be guided. This is because as I speak, the rains are about to come, but you find that people do not have the capacity to even buy food to feed themselves or money to buy seeds. I looked at the Budget and found something that is very disturbing; that is, Kshs48,000 has been allocated to Kibwezi to buy seeds! We can do without that amount! There is no budget for development for Kibwezi. We were expecting this budget to have the capacity to make available water for irrigation so that we can grow our own food and feed ourselves.

Mr. Deputy Speaker, Sir, when you look at Kitale because we went to Mr. Eugene Wamalwa's homecoming party, you will find that the region is so blessed. They have a lot of food for their own consumption and also, a surplus which they can sell to their neighbours. But at the same time, you have three quarters of the country really having difficulties. If you look at the entire Ukambani region beginning from Mwingi all the way to Kibwezi, Makueni and Kitui, you find that people there are suffering. I call upon the Ministry to undertake an emergency programme to take that food from Kitale and give it to the people who deserve it.

Mr. Deputy Speaker, Sir, the Government has money but it lacks the policy. I am challenging the Ministry to help us. On the food security that is another area where we have difficulties because we do not have enough areas to store the food so that we are assured that farmers have food when they need it. So, I am requesting this Government, through the Ministry of Agriculture, to spend a little bit more allocation in terms of food production and security. That way, we would not suffer each year.

Mr. Deputy Speaker, Sir, I rest my case and support this Budget with a lot of reservation when I look at allocations to my area.

Thank you.

**Mr. Chanzu:** Thank you, Mr. Deputy Speaker, Sir. I stand here to support the Vote for the Ministry of Agriculture.

Mr. Deputy Speaker, Sir, as all of us have heard and know, the Ministry is the mainstay of our economy. It is necessary that we allocate sufficient funds for the performance of the Ministry. As we talk about more funds for the Ministry, the Minister and his staff must also take care that whatever resources that we vote for the Ministries are equitably distributed.

I was looking at some figures yesterday - I am sorry I did not carry the document - there are some items for extension services where I saw that Rift Valley Province was given a figure which is quite high compared to North Eastern Province. I think over Kshs100 million was allocated to Rift Valley Province. North Eastern where there have been a lot of problems with the funding of livestock projects was given about Kshs39 million. Western Province was given about Kshs30 million and Eastern Province was given almost Kshs100 million. I would not substantiate the discussion we had but this is something that needs to be looked into. There was suspicion that because the Minister comes from the Rift Valley Province, that is why there was a lot of money put there. There was also suspicion that because the two Assistant Ministers come from Eastern Province, that is why that portion of money was put there. So, these are the kind of things that need to be looked into, so that there is fairness in the distribution of the resources.

Mr. Deputy Speaker, Sir, we have talked so much about farm inputs. It is too expensive for farmers to put in fertilisers, leave alone ploughing which was talked about quite a lot because of the cost of fuel. The fertilisers themselves, top-dressing and other inputs are very expensive. So, it is very difficult for a farmer to realise anything from his farm. I am thinking of a situation whereby this Ministry would work hand in hand with other Ministries such as the Ministry of Lands where we have a lot of idle land so that we can encourage large scale-farming like we used to have in the past whereby it was possible to have sufficient reserve for the purpose of food security.

So, I recommend that we look into ways and means of getting back into large scale-farming. I know a lot of land was grabbed from the ADC through corruption. A number of farms were divided into very small units which are not viable at all. They are just for subsistence. But if we have to have enough reserve, we have to think about large scale-farming.

Mr. Deputy Speaker, Sir, the issue of subsidies has been talked about. I think that is the only way out because tea farmers are uprooting tea. We have seen this happening in Othaya and in other parts of the country. This is because farmers are not getting enough income out of the tea they are planting.

My colleague who spoke here just a shortwhile ago mentioned about the loan which was taken by Mudete Tea Factory. At the function, we talked about the area that feeds Mudete Tea Factory. The hon. Member did not tell you that when we called the KTDA representative to address the congregation, there was an uproar. Even when we raised the issue of writing-off of the loan of Kshs400 million, there was a big problem because farmers are saying that even if the money is written-off, it is being consumed by the big fish in the tea sector. So, the Ministry should make sure that the benefit goes down to the farmers. Once the loan is written-off, the officials continue levying the loan from the meagre payments that are due to farmers.

Mr. Deputy Speaker, Sir, one of the key sectors that has been highlighted for us to achieve Vision 2030 is agriculture. It will not be possible for us to achieve that if farmers are getting into difficulties with payments. If we increase CDF allocation from 2.5 per cent to 7.5 per cent or 10 per cent, I think there should be a way to ensure that farmers have basic inputs. We cannot be talking about farming when farmers cannot afford the basic inputs. So, one of the items that I would push for when we make amendments to the CDF Act is to make sure that some of the money goes towards financing farmers for the basic inputs like fertiliser, seeds and whatever equipment that they would want to use.

With those few remarks, I beg to support.

**Mr. Mututho:** Thank you, Mr. Deputy Speaker, Sir. First of all, I want to thank the

Minister for Agriculture for the direction he is moving the Ministry. In life, the important thing is not where you are but what direction you are moving to.

Having said that, I want to pick from where Mr. Bett left in terms of precautions. Cartagena Protocol Article 21 is very specific that we must do proper risk assessment before introducing any new products into the market. We are signatory to Cartagena Protocol and looking at Article 23 in itself, it is mandatory that we involve everybody who is concerned before we commit ourselves to introduce these organisms or any technology on that aspect.

Fertiliser is becoming a very thorny issue. We remember about Kenren and many things that have happened. Instead of thinking two big, I think we should facilitate this Ministry to do a smaller factory. We better even be doing 10 per cent production than wait for this whole country production that may never take effect. I am glad that "*Serikali*" is making too much noise to the Minister of Agriculture. With his able technicians around, I am sure somebody is recording.

Mr. Deputy Speaker, Sir, Champagne is a market somewhere in France. Any wine from that village is called Champagne. Everything else is sparkling wine. Our Kenyan coffee has its own quality, because of our very unique altitude, unique factors like soil, unique cultivation methods like hand-picking and so on. Our coffee is our coffee. There are people who think that our coffee should only be used for blending. We are glad that the Minister for Agriculture has seen it necessary now to get us out of this slavery, where our coffee has been used for blending. Our coffee should be used as a brand, just like Champagne.

Mr. Deputy Speaker, Sir, soil and water conservation efforts by this Ministry was commendable in the 1980s. Somehow, things did not work out right. As they are doing other things, they should also pay a lot of attention to soil and water conservation. In any case, no matter how good policies we advocate in crop production and agronomy, if you have lost all the soil, then you come to zero.

You all know about Soko Mjinga on the highways and the small markets. They make good products available to urban people at affordable prices. However, it is impossible to have the produce reach the highways or market places because of roads. The Minister should discuss this with his counterparts, especially now that we have a Prime Minister, who is supposed to coordinate all efforts, so that the people in Kinangop and in Narok, who have produce can access markets. As a gesture, the Minister for Agriculture should seriously think about improving small markets, starting with Soko Mjinga around the escarpment, and then going to Kinungi, Timboroa, Salгаа and others, so as to improve things like handling of vegetables and storage. We see structures on the road where the Horticultural Crops Development Authority has done something. But since people know Soko Mjinga, Salгаа or Kinungi, let us facilitate that by doing something useful, so that people travelling to Nairobi can deliver home very good vegetables.

Mr. Deputy Speaker, Sir, it is a shame that this Government has ignored what was being done in 1970s. The Ministry of Agriculture was enjoying 13 per cent of the budgetary allocations. Today, we are talking of a paltry 4.5 per cent to be shared between seven very "hungry and thirsty" Ministries. I want to say that when His Excellency the President was the Minister for Finance, he introduced a requirement that every financial institution must, as part of its lending portfolio, have 17 per cent going to the agricultural sector. I want to remind him, because I am sure he is listening right now, that he should tell his Minister for Finance that we should start at 13 per cent and head towards 17 per cent, because Kenya is an agricultural country. Let us not even dare imagine that this country can develop any further if we continue ignoring our farmers, and if we continue with this meagre financing of agriculture.

Mr. Deputy Speaker, Sir, I am glad that this Ministry has looked at some serious legal issues to do with wetlands. Those wetlands are covered by the Ramsa Convention. The Ramsa Convention has prepared certain guidelines on how we should manage wetlands. It is through them

that lakes like Lake Naivasha are sustained. It is by sustaining Lake Naivasha that we also maintain the flower industry around the lake.

I would like to request that the whole business of irrigation and water distribution be entrusted to the Ministry of Agriculture. When you allow people to draw so much water from the aquifer, you will find that you have disastrous effects. Water sips from Lake Naivasha to go and recharge the aquifers, and that way we defeat our own process. I say this with a lot of pain; as you drive on the highway, you see acacias are nowhere. Acacia is a wonderful tree, which indicates existence of a high water table but is now dying. This is so because, maybe, this Ministry is not in charge.

Mr. Deputy Speaker, Sir, the other aspect that I would like to persuade you on is that this Government should take the famine relief efforts back to the Ministry of Agriculture. It is not good to have the Ministry of State for Special Programme dealing with the distribution of food. The Ministry of Agriculture has the technical capability to understand whether production is going right or wrong. It has the personnel to know who is suffering and what kind of food is required. I think it was a wrong policy to have the Ministry of State for Special Programmes and the Office of the President dealing with the issue of famine relief. I think they are very busy with security matters, anyway. That whole docket of famine relief starts with the distribution of seeds. We failed to distribute seeds to Ukambani and fertilisers; so, you can expect to deliver famine relief food to that area.

Mr. Deputy Speaker, Sir, I am giving this House full advantage of my experience of over 21 years in that Ministry by saying that this Ministry has a future and can go very far, but certain things have to be done right; these are things like staff recruitment, staff morale, staff housing. The idea of the staff having uniforms is good, but let it be decent uniform, so that they can feel free to walk around, rather than having something which is a compromise between a housegirl's uniform and an officer's uniform.

With those few remarks, I beg to support.

**The Minister for Higher Education, Science and Technology** (Dr. Kosgey): Mr. Deputy Speaker, Sir, thank you very much for giving me the opportunity to support what the Ministry of Agriculture has put before us. I am impressed by the amount of work they have done; you will recall that sometime before the middle of the year, we were completely worried about fertiliser. We were promised by the Minister that we would have fertiliser, but most of us were sceptical. So, I am here to congratulate him on behalf of fellow farmers for delivering on his promise.

If we do not have enough food in Kenya, we know that our economy, no matter what we plan, will not work. We, therefore, must continue to press the Ministry of Agriculture not to go to sleep, but to assist the farmers. Very often, the large-scale farmers do manage to buy the fertilizers and other inputs. At the moment, the feeling is that they cannot afford to use inputs and still make a profit. May I request the Ministry to look at it again? The small-scale farmers also do need some assistance, and we are glad that extension workers are back in the field to assist. However, even though the Ministry says all the time that we can have tractors or machinery from them, I want them to know that the experience we have had is that this machinery is available but it does not work. So, you are asked to repair it yourself, use it and then it does not work again and you have to hire someone else. At the end, the Ministry sends you an impossible bill. I hope that, that could, somehow, be corrected.

Mr. Deputy Speaker, Sir, I think that, somewhere along the line, the idea that we must have some type of subsidies for our farmers is not misplaced. That is because, once the economy was liberalised, a lot of food that comes into Kenya comes from farmers who had, indeed, received subsidies from their Governments. This is true, not only of the main food crops, but also in the sugar industry. The sugar industry is in crisis. I am sure the Ministry is aware because I have heard

that they are trying to get higher yielding seedlings which are also faster, as we have seen in places like Mauritius. That is the direction to move. Many of my constituents are sugar-cane farmers and they are in distress.

Mr. Deputy Speaker, Sir, I would like to support this Vote by urging the Minister to look again more seriously at the subsidies because farmers are going to give up. As you know, the cost of electricity at the moment is not affordable. Petrol is not affordable. Therefore, coffee, tea and horticulture farmers are on the verge of closing down and moving to other places. We do know that because our neighbours are offering cheaper land prices, electricity is cheaper and all the other things are cheaper than we are offering here. Maybe, it is not directly the responsibility of one Ministry, but since you have the responsibility to monitor our agriculture, may I request that, perhaps, you could look into this issue once more.

Mr. Deputy Speaker, Sir, one of the interventions is what Mr. Bett talked about. He talked about all the organisms that are being talked about here. You are aware that in this House, there is a Biosafety Bill that is coming. It is coming from the Ministry of Higher Education, Science and Technology, so that we can debate and decide what we can allow into our country and what we cannot. Currently, as you are aware, there is no law to actually prevent anyone from bringing into our country even what could be harmful to us.

Once more, Mr. Deputy Speaker, Sir, may I congratulate the Minister for his presentation, for obvious hard work and, therefore, also, his staff for what is to me, apparently clear; that they have done their work and done it well.

Mr. Deputy Speaker, Sir, I am happy to support.

*(Applause)*

**Mr. Deputy Speaker:** Proceed, Mrs. Noor, but you have only four minutes!

**Mrs. Noor:** Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to contribute to this very important Motion. I want to support the Minister and congratulate him for his bright vision and clear demonstration of his performance. Thank you for what you have done.

Mr. Deputy Speaker, Sir, this is a very important Vote. When the founding fathers of our nation founded this very important nation, they vowed to fight three issues: Disease, hunger and ignorance. But 45 years down the line, we are still crying over hunger! We are a hungry nation! An hungry nation cannot be a stable nation!

Mr. Deputy Speaker, Sir, this Ministry is a very important one. It is a key Ministry and it is the only one that can give us food on our tables. It is very hurting to see millions of Kenyans queuing for food aid. It is unfortunate that our country is on food aid and many of our people, while queuing for that food aid, fight over the meagre food rations that they get in terms of donations!

Mr. Deputy Speaker, Sir, it is also hurting to see thousands of children who leave their homes early in the morning on an empty stomach and go to school. Even when they get back in the evening, they do not know whether they will get food on their tables. It is really hurting to see pregnant mothers who are malnourished and unable to continue with their pregnancies. They lose their babies because of lack of food!

Mr. Deputy Speaker, Sir, that is why I want to contribute to this Vote. We are not serious in realising the visions and targets that we have; Vision 2030 and the Millennium Development Goals (MDGs), if we cannot empower this Ministry and give it adequate resources. If we are a signatory to all the treaties--- If we are a signatory to the MDGs, how can we achieve them if we cannot give enough resources to this key Ministry? If we gave all the resources to this key Ministry, it could, in turn, translate them into adequate food for this nation. When we get adequate resources and food for this country, this country will be a healthy nation and we will not even require to get medicine.

That is because food will be our prevention! It will give us the strength and the capacity. It will help us to realise a working nation! We cannot be a working nation when everybody is hungry; when everybody, at the end of the day, is kneeling down for food; when we have 50 per cent or 70 per cent of our people living below the poverty line!

Mr. Deputy Speaker, Sir, we must look into ways of giving this Ministry 10 per cent of our national Budget!

*(Applause)*

If we continue to under-fund this Ministry, we will be a country that will always depend on donors. We will be a country that will always depend on food aid.

Mr. Deputy Speaker, Sir, if you look at the money that we use on food aid and translate what particularly goes to northern Kenya, it is a lot of money. If we could use that money for development, we could go very far!

**Mr. Deputy Speaker:** Order, Mrs. Noor! Your time is up!

**Mrs. Noor:** Thank you, Mr. Deputy Speaker, Sir. I beg to support.

**Mr. Deputy Speaker:** It is now time for the Minister to respond!

**The Minister for Agriculture** (Mr. Samoei): Thank you, Mr. Deputy Speaker, Sir. Let me take this early opportunity, in a very humble way, to thank hon. Members for the demonstration of goodwill that they have shown to the Ministry of Agriculture. We have noted the various comments that hon. Members have made. We have noted the concerns of some of the specific areas that hon. Members have raised. I want to pledge to this House that we will look into those specific cases and attend to them. I want to ask hon. Members that, whenever they find time, to liaise with my Ministry so that we can deal with the specific issues for the specific areas in their constituencies.

Mr. Deputy Speaker, Sir, let me single out the concern of hon. Members with respect to the level of funding of the Ministry. Agriculture contributes 80 per cent of all the persons working in Kenya. Agriculture equally contributes about 51 per cent to our Gross Domestic Product (GDP). About 60 per cent of all our foreign exchange earnings come from the agricultural sector. Therefore, it was with a lot of wisdom that the African Heads of States and Governments agreed in Maputo that the agricultural sector must be funded to, at least, 10 per cent of the Budget. It is, however, unfortunate that in our country, that still remains a dream! The seven Ministries in the agricultural sector have a combined budget of only 4.5 per cent.

Mr. Deputy Speaker, Sir, for an economy that is dependent on agriculture, in which 80 per cent of all the working people work in the agricultural sector--- It is an important sector that contributes about 45 per cent of all our internal revenue collection. Surely, this Ministry deserves more money, if we have, as a country, to realise economic growth that is actually going to deal with poverty, which is prevalent in our country, and the unemployment that is so prevalent and is actually becoming a matter of national concern. My Ministry will be proposing, before the next Budget, a Bill to this House for purposes of funding the agricultural sector. We are in the process of preparing a Bill that is going to request that 4.5 per cent of all our revenue collection be given to the agricultural sector so that we add onto the budgetary allocations. The same way, we have 2.5 per cent going to the Constituencies Development Fund (CDF), we want 4.5 per cent to go to an agricultural development fund, so that we can deal, effectively, with the issues hon. Members are raising here.

*[Mr. Deputy Speaker left the Chair]*

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

Hon. Members have raised issues to do with irrigation. We have irrigation projects in Perkerra, Mwea, the Coast and Ahero but, unfortunately, because of the level of funding of the Ministry, we are unable to attend to those irrigation projects, and we cannot produce as much of our various food items as we should, because the Ministry is under-funded.

The issue of subsidy is one that hon. Members have spoken about in this House. Unless we support our farmers, make farm inputs affordable and our farmers have confidence that the Government is going to enable them to access credit that is friendly to them, we will be unable to produce enough food to feed our population. We cannot talk about any meaningful economic growth until, as a country, a meal is not a luxury for the people who are well to do. A meal must be a basic necessity for every Kenyan. It must not be a privilege the way it is now, because many Kenyans cannot afford Unga at Ksh90 per the two-kilogramme packet; many Kenyans who work in quarries, the Industrial Area or in construction sites earn Kshs150 per day and they have families. Therefore, it is the intention of my Ministry, once we have begun the process of subsidy, we intend to make, at least Unga, which is the most basic food item in Kenya, affordable to the majority of Kenyans.

There is a gap between what our research stations, personnel and field stations have come up with in terms of information, new varieties of seeds of various food items and cash crops. There is a serious disconnect between what is going on in our research stations and what is going on in our farms. There is a disconnect between the research we have and the information the farmer is using at the moment. Therefore, I agree with hon. Members that we need to strengthen our agricultural extension service. We recruited in the last two years 650 persons to strengthen our extension research capacity. Unfortunately, that level of staffing is still way below what we need for us to have sufficient capacity to transfer information from research on new varieties and methodologies to our farmers.

Therefore, I want to inform hon. Members that I will be bringing, shortly, a policy position paper called NALEP. In it, we are going to get the input of this House on how we are going to strengthen the capacity of our extension service, including engaging private persons, non-governmental organisations, church organisations and other players and stakeholders in our extension service that will be paid for by the Government. Research being a very critical component of agriculture and, indeed, any other sector, we have funded the Kenya Agricultural Research Institute (KARI) to the tune of Kshs2.8 billion this year from Kshs2.2 billion last year. We are increasing the level of funding from our own resources to research, because we are aware that unless we work with the most recent technology and the best varieties of seed for all our cash and food crops, we will be unable to catch up with our population growth in terms of feeding them and their economic needs.

We will continue to increase the level of funding for research, because we believe that in research, lies the capacity for us to reach out to the majority of our population; not only to increase farmers' earnings but to also increase our capacity to produce food, so that we can make food a basic necessity that is easily available to every Kenyan.

Mr. Temporary Deputy Speaker, Sir, there were issues raised about gender and, this is a very important issue in line with the Government policy. My Ministry has developed a gender mainstreaming strategy and a manual in order to ensure that all gender issues are addressed in all programmes and levels, so that we achieve gender equality. When I say gender equality, we are going beyond the 30 per cent Government requirement that all sectors must have 30 per cent as women. We are actually striving to attain a gender equality scenario in all our programmes and areas.



As I said earlier, we have various small-scale irrigation projects. I launched one in Kajiado North two months ago. We will be identifying, together with the African Development Bank (ADB) which I mentioned earlier in my statement--- We have been given Kshs3.6 billion by our development partners; part of that money is going to go to small-scale research projects under our programme that we call "Small-Scale Horticultural Development Projects (HSDP), which is supported by the African Development Programme. This year, we have lined up 12 small-scale irrigation projects around the country.

Agro-processing is a very integral part of making agriculture a business. With it comes value addition. I agree with hon. Members here who have talked about value addition with respect to our mangoes, other fruits, fresh produce, tea and coffee. I am telling hon. Members that within four months, we have already got funding to create a Kenyan brand of coffee to begin with. By February next year, we will have developed a Kenyan brand of coffee, which can then be marketed as a Kenyan brand. We need to stop the fact that all our good quality coffee is used in auctions to blend lower quality coffee from other areas, yet we do not reap any benefits.

Mr. Temporary Deputy Speaker, Sir, therefore, we have already made the first step and we shall be on this path on all our other projects including our tea and fresh produce. I want to say that on tea, we have already negotiated with the Ministry of Finance so that every year, all revenues collected from tea consumed locally, we will make that money which is between Kshs200 and Kshs300 million available to the Kenya Tea Board (KTB) to be able to create a marketing programme for our tea because our tea and coffee has sold in the international markets in its own momentum so far. If we give it that push of providing revenue and money to be able to market it, we will not have the kind of problems that we have today, where farmers are complaining of very minimal earnings because most of the money goes to brokers and middle-men. We do not have Kenyan tea or coffee being sold in Europe, Asia or America because it is lost. It is used for blending other lower quality products.

Mr. Temporary Deputy Speaker, Sir, on the National Cereals and Produce Board (NCPB), Members have raised concerns about the distribution of our depots especially in Coast Province. I want to say that we shall continue to expand the network at the NCPB especially now that it is playing a much more central role in distributing farm inputs and buying produce from farmers. In the Coast Province, Members raised concern that we do not have enough depots but I want to say for the record, that we have depots in Mombasa, Changamwe, Voi, Hola, Lamu, Garsen, Kilifi and in Kwale. We will continue to assess, in consultation with the District Development Committees (DDCs) and Members of Parliament, the need for additional depots. As and when it is approved, we will establish them so that farmers can have ready access to farm inputs or markets for their produce.

Value addition in mango production is a very critical component especially in the Coast Province. I want to state that we are already in the process of establishing at least two mango processing plants in the Coast Province in the course of the next two years. They should be operational in the next three years and this will go on in the other parts of the country, as a means of fast-tracking the processing and marketing throughout the country, of our fruits and vegetables.

Mr. Temporary Deputy Speaker, Sir, fertiliser is a very critical component of our farm inputs. We promised the country that the Government was going to look into the issue of fertiliser because the world prices of crude oil whose by-products are used for the manufacture of fertiliser went up three times and with it, the price of fertiliser also went up three times. We promised the country that we will make fertiliser available and at subsidised prices. I want to inform the House that we have made 83,000 bags of Di-Ammonium Phosphate (DAP) and 200,000 bags of Calcium Ammonium Nitrate (CAN) available to farmers for the short rains in the eastern part of our country. That is now available and DAP which is retailing even now at Kshs6,500 in markets

around the country, we managed to negotiate and indeed subsidise. We are now selling it at Kshs4,000 per bag. CAN which is selling at Kshs2,500 per bag, we have negotiated for better prices and we have actually subsidised as Government and it is selling at Kshs1,700 per bag.

Mr. Temporary Deputy Speaker, Sir, the same DAP which is currently selling in the North Rift at between Kshs6,500 and Kshs6,800 per bag, we have signed an agreement this week with manufacturers and we expect that fertiliser to be in the country in December and again it will be retailing at Kshs4,000 per bag. Currently, it is selling at Kshs6,500 per bag. So, the Government is living up to its pledge to ensure that we not only negotiate good prices for our farmers but Government, indeed, actually, steps in and subsidises fertilisers so that as a first step, we make food affordable to all Kenyans. I want to thank this House most profoundly for supporting the initiative of the Government to ensure that there is subsidy for our farmers as a first step towards dealing with hunger, poverty and eventually unemployment.

Mr. Temporary Deputy Speaker, Sir, the Agricultural Finance Corporation (AFC) and the Agricultural Development Corporation (ADC) are two critical parastatals that provide service to Kenyans especially farmers. The AFC has been in the works since 2003. We have improved its performance from a lending programme of Kshs200 million to a lending portfolio of Kshs3.2 billion in 2007. It is the intention of the Government to enhance the portfolio available to AFC so that we can access cheap credit to our farmers. Indeed, I will be coming back to this House to request it to approve additional funds so that we can actually live up to the expectation of many farmers who are very hard working people, for credit which in turn they can use to feed our nation.

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

*[Mr. Deputy Speaker resumed the Chair]*

The ADC has also been revamped from a loss making parastatal now. Last year, it had a turnover of Kshs1.2 billion.

Mr. Deputy Speaker, Sir, our Arid and Semi-Arid Lands (ASALs) form 80 per cent of our country's land mass and we need a special programme to be able to bring these areas under economic food production. Under these areas, my Ministry is implementing a programme called the Orphaned Crop Programme (OCP). What we are doing here is that we are multiplying seed for what we are calling food security crops. We are talking here of sorghum, millet, common beans and groundnuts; the items that have very high food value and do not require too much in terms of husbandry.

Mr. Deputy Speaker, Sir, this year, we have requested this House to approve Kshs250 million for this programme so that our ASAL areas can have seeds that are not only suited for the areas but are also early maturing and high yielding as a means of boosting our food security requirements.

Mr. Deputy Speaker, Sir, Njaa Marufuku Programme will still continue in these marginal areas as a means of ensuring that citizens who live in these areas have a mechanism of accessing food.

Mr. Deputy Speaker, Sir, Trans Mara Sugar Company, alongside other sugar companies, will be handled under a comprehensive programme that is currently awaiting Cabinet approval. As this House knows, the law on privatisation demands that we prepare a privatisation programme to be approved by the Cabinet so that we can get consultants to package every sugar company for purposes of privatisation. Therefore, I want to assure the House that my Ministry is alive to the expiry of safeguards on Common Market for Eastern and Southern Africa (COMESA) by the year

2012. Therefore, it is important that we undertake this programme the soonest so that by 2012, we will have complied with all the requirements for us to be able to produce sugar at prices that are competitive internationally.

Mr. Deputy Speaker, Sir, we need to increase the capacity of our factories to crush sugar-cane. We need to enhance earning by ensuring that the technology we use is modern that not only crushes sugar-cane but also generates electricity on the sides and equally generates ethanol. This way, we can balance earnings and make sure that farmers, not only have increased earnings but the factories are operating in a cost-effective manner.

There will be no change at the moment for the receivers in Muhoroni because we believe this will have to await the programme that is to be approved by the Cabinet so that we can package both Muhoroni and Miwani for privatisation.

Mr. Deputy Speaker, Sir, my Ministry is encouraging the use of bio-technology to address food production. The Bill on Biosafety, which will provide the legal framework for us to benefit from research and science in food production, is already before this House. Once this House approves the Biosafety Bill, we will be on our way in ensuring that we tap the tremendous resource of research that we have in this country.

I want to assure this House that we have sufficient capacity, locally, to do our own research. We do not need the Monsantos of this world. We do not need all those other people. This country is not going to be hostage to any company or any country. Therefore, I want to assure the House that when the Biosafety Bill comes to the Floor of this House, as a country, we will be looking for a framework that would enable us move forward with research and science targeted at giving us variety of seeds, cash crops and food crops that are high-yielding, disease resistant, drought resistant and early maturing. That is the direction we want to go.

Mr. Deputy Speaker, Sir, we are feeding an ever increasing population on a fixed land mass. Therefore, if we have to feed more people from the same piece of land, we have to increase our yield. We have several ways of increasing that yield. Apart from fertiliser application, we have to look for seeds that are high yielding so that we can get more out of the same piece of land. This House will do this country a great service when they approve the Biosafety Bill. Our research men and women would then roll into action.

Mr. Deputy Speaker, Sir, with these many remarks, I beg to move.

*(Question and agreed to)*

*[Mr. Deputy Speaker left the Chair]*

IN THE COMMITTEE

*[The Temporary Deputy Chairperson  
(Prof. Kamar) took the Chair]*

**GUILLOTINE**

APPLICATION OF GUILLOTINE -  
LAST ALLOTTED DAY

**The Temporary Deputy Chairperson** (Prof. Kamar): Hon. Members, this is our last day of debate and we are now going into Guillotine. The Guillotine procedure is provided for by Standing Order No.142(7) which says:-

"On the last of the allotted days, being a day before 31st October, the Chairman shall, one hour before the time of interruption of business, forthwith put every question necessary to dispose of the Vote then under consideration, and shall then forthwith put severally the questions necessary to dispose of every Vote not yet granted; and if at the time aforesaid the House is not in Committee, the House shall forthwith move into Committee without question put for the purposes aforesaid".

Hon. Members, we shall, therefore, move to the Guillotine process. The Minister for Agriculture will move all the Motions starting from his. He will move the Motions for all the remaining Ministries. I will then put the Question.

Thereafter, if you have any comments, I would like to request that you reserve them for the time when we report back to the House or when we will be dealing with the Appropriations Bill. We know that the Minister will not be able to answer questions which are not related to his Ministry. We are aware that he has ably answered his own.

Vote 10 - Ministry of Agriculture

THAT, a sum not exceeding Kshs5,858,777,700 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 10 - Ministry of Agriculture.

*(Question put and agreed to)*

Vote 01 - Ministry of State for  
Provincial Administration  
and Internal Security

THAT, a sum not exceeding Kshs21,588,543,500 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 01 - Ministry of State for  
Provincial Administration  
and Internal Security

*(Question put and agreed to)*

Vote 02 - State House

THAT, a sum not exceeding Kshs577,500,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 02 - State House

*(Question put and agreed to)*

Vote 03 - Ministry of State  
for Public Service

THAT, a sum not exceeding Kshs841,273,600 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 03 - Ministry of State  
for Public Service

*(Question put and agreed to)*

Vote 04 - Ministry of Foreign Affairs

THAT, a sum not exceeding Kshs3,653,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 04 - Ministry of Foreign Affairs

*(Question put and agreed to)*

Vote 05 - Office of the  
Vice-President and Ministry  
of Home Affairs

THAT, a sum not exceeding Kshs5,408,292,300 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 05 - Office of the  
Vice-President and Ministry  
of Home Affairs

*(Question put and agreed to)*

Vote 07 - Ministry of Finance

THAT, a sum not exceeding Kshs16,759,126,660 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 07 - Ministry of Finance

*(Question put and agreed to)*

Vote 08 - Ministry of State  
for Defence

THAT, a sum not exceeding Kshs21,390,500,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 08 - Ministry of State  
for Defence

*(Question put and agreed to)*

Vote 09 - Ministry of Regional  
Development Authorities

THAT, a sum not exceeding Kshs698,498,605 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 09 - Ministry of Regional  
Development Authorities

*(Question put and agreed to)*

Vote 11 - Ministry of Medical  
Services

THAT, a sum not exceeding Kshs13,163,954,805 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 11 - Ministry of Medical  
Services

*(Question put and agreed to)*

Vote 13 - Ministry of Roads

THAT, a sum not exceeding Kshs12,957,191,190 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 13 - Ministry of Roads

*(Question put and agreed to)*

Vote 14 - Ministry of Transport

THAT, a sum not exceeding Kshs2,589,355,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect

of:-

Vote 14 - Ministry of Transport

*(Question put and agreed to)*

Vote 15 - Ministry of Labour and  
Human Resource Development

THAT, a sum not exceeding Kshs688,730,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 15 - Ministry of Labour and  
Human Resource Development

*(Question put and agreed to)*

Vote 16 - Office of the Deputy Prime  
Minister and Ministry of Trade

THAT, a sum not exceeding Kshs558,346,890 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 16 - Office of the Deputy Prime  
Minister and Ministry of Trade

*(Question put and agreed to)*

Vote 17 - Ministry of Justice,  
National Cohesion and  
Constitutional Affairs

THAT, a sum not exceeding Kshs605,042,515 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 17 - Ministry of Justice,  
National Cohesion and  
Constitutional Affairs

*(Question put and agreed to)*

Vote 18 - Ministry of Gender and  
Children Development

THAT, a sum not exceeding Kshs1,163,843,150 be issued from the Consolidated Fund to

complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 18 - Ministry of Gender and  
Children Development

*(Question put and agreed to)*

Vote 19 - Ministry of Livestock  
Development

THAT, a sum not exceeding Kshs2,036,389,400 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 19 - Ministry of Livestock  
Development

*(Question put and agreed to)*

Vote 20 - Ministry of Water  
and Irrigation

THAT, a sum not exceeding Kshs5,866,915,550 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 20 - Ministry of Water  
and Irrigation

*(Question put and agreed to)*

Vote 21 - Ministry of Environment  
and Mineral Resources

THAT, a sum not exceeding Kshs842,845,485 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 21 - Ministry of Environment  
and Mineral Resources

*(Question put and agreed to)*

Vote 22 - Ministry of Co-operative  
Development and Marketing

THAT, a sum not exceeding Kshs550,585,000 be issued from the Consolidated Fund to



complete the sum necessary to meet the expenditure during the year ending 30th June, 2009, in respect of:-

Vote 22 - Ministry of Co-operative  
Development and Marketing

*(Question put and agreed to)*

Vote 23 - Cabinet Office

THAT, a sum not exceeding Kshs661,500,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 23 - Cabinet Office

*(Question put and agreed to)*

Vote 24 - Ministry of East  
African Community

THAT, a sum not exceeding Kshs229,107,495 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009, in respect of:-

Vote 24 - Ministry of East  
African Community

*(Question put and agreed to)*

Vote 25 - State Law Office

THAT, a sum not exceeding Kshs523,785,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 25 - State Law Office

*(Question put and agreed to)*

Vote 26 - Judicial Department

THAT, a sum not exceeding Kshs950,716,600 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 26 - Judicial Department

*(Question put and agreed to)*

Vote 27 - Public Service  
Commission

THAT, a sum not exceeding Kshs189,290,575 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 27 - Public Service Commission

*(Question put and agreed to)*

Vote 28 - Kenya National Audit Office

THAT, a sum not exceeding Kshs672,500,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 28 - Kenya National Audit Office

*(Question put and agreed to)*

Vote 29 - National Assembly

THAT, a sum not exceeding Kshs3,622,652,275 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 29 - National Assembly

*(Question put and agreed to)*

Vote 32 - Ministry of Information  
and Communications

THAT, a sum not exceeding Kshs1,578,905,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 32 - Ministry of Information  
and Communications

*(Question put and agreed to)*

Vote 33 - Electoral Commission  
of Kenya

THAT, a sum not exceeding Kshs1,063,102,500 be issued from the Consolidated Fund to

complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 33 - Electoral Commission  
of Kenya

*(Question put and agreed to)*

Vote 34 - Kenya Anti-Corruption  
Commission

THAT, a sum not exceeding Kshs681,500,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 34 - Kenya Anti-Corruption  
Commission

*(Question put and agreed to)*

Vote 35 - Ministry of State for  
Special Programmes

THAT, a sum not exceeding Kshs4,683,555,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 35 - Ministry of State for  
Special Programmes

*(Question put and agreed to)*

Vote 40 - Ministry of State for  
Immigration and Registration  
of Persons

THAT, a sum not exceeding Kshs947,500,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 40 - Ministry of State for  
Immigration and Registration  
of Persons

*(Question put and agreed to)*

Vote 41 - Ministry of State for  
National Heritage and Culture

THAT, a sum not exceeding Kshs903,642,125 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 41 - Ministry of State for  
National Heritage and Culture

*(Question put and agreed to)*

Vote 43 - Ministry of Higher Education, Science and Technology

THAT, a sum not exceeding Kshs11,241,895,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 43 - Ministry of Higher Education, Science and Technology

*(Question put and agreed to)*

Vote 44 - Ministry of Housing

THAT, a sum not exceeding Kshs1,582,504,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 44 - Ministry of Housing

*(Question put and agreed to)*

Vote 45 - National Security  
Intelligence Service

THAT, a sum not exceeding Kshs4,000,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 45 - National Security  
Intelligence Service

*(Question put and agreed to)*

Vote 46 - Ministry of Tourism

THAT, a sum not exceeding Kshs850,124,500 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 46 - Ministry of Tourism

*(Question put and agreed to)*

Vote 48 - Office of the  
Prime Minister

THAT, a sum not exceeding Kshs575,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 48 - Office of the  
Prime Minister

*(Question put and agreed to)*

Vote 49 - Ministry of Public  
Health and Sanitation

THAT, a sum not exceeding Kshs3,337,112,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 49 - Ministry of Public  
Health and Sanitation

*(Question put and agreed to)*

Vote 55 - Ministry of Forestry  
and Wildlife

THAT, a sum not exceeding Kshs2,511,190,850 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 55 - Ministry of Forestry  
and Wildlife

*(Question put and agreed to)*

Vote 56 - Ministry of Fisheries  
Development

THAT, a sum not exceeding Kshs475,512,600 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 56 - Ministry Fisheries

## Development

*(Question put and agreed to)*

Vote 58 - Ministry of Development  
of Northern Kenya and  
Other Arid Lands

THAT, a sum not exceeding Kshs1,235,960,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 58 - Ministry of Development  
of Northern Kenya  
and Other Arid Lands

*(Question put and agreed to)*

Vote 59 - Ministry of Public Works

THAT, a sum not exceeding Kshs1,721,798,810 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2009 in respect of:-

Vote 59 - Ministry of Public Works

*(Question put and agreed to)*

Vote 60 - Ministry of  
Industrialization

THAT, a sum not exceeding Kshs1,079,700,350 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2009 in respect of:-

Vote 60 - Ministry of  
Industrialization

*(Question put and agreed to)*

**The Minister for Agriculture** (Mr. Samoei): Madam Temporary Deputy Chairperson, I beg to move that the Committee of Supply do report to the House its consideration of the Resolution and its approval of the same without amendment.

*(Question put and agreed to)*

*(The House resumed)*

*[Mr. Deputy Speaker in the Chair]*

## REPORTS

### REMAINING VOTES IN THE COMMITTEE OF SUPPLY ON SIXTEENTH AND LAST ALLOTTED DAY

**Mr. Deputy Speaker:** Prof. Kamar, you may just make it the sum voted and the Vote without the formal words.

**Prof. Kamar:** Thank you, Mr. Deputy Speaker, Sir.

<u>VOTE NO.</u>	<u>MINISTRY</u>	<u>KSHS.</u>
10	Ministry of Agriculture	5,858,777,700
01	Ministry for Provincial Administration and Internal Security	21,588,543,500
02	State House	577,500,000
03	Ministry of State for Public Service	841,273,600
04	Ministry of Foreign Affairs	3,653,000,000
05	Office of the Vice-President and Ministry of State for Home Affairs	5,408,292,300
07	Ministry of Finance	16,759,126,660
08	Ministry of State for Defence	21,390,500,000
09	Ministry of Regional Development Authorities	698,498,605
11	Ministry of Medical Services	13,163,954,805
13	Ministry of Roads	12,957,191,190
14	Ministry of Transport	2,589,355,000
15	Ministry of Labour and Human Resource Development	688,730,000
16	Office of the Deputy Prime Minister and Minister for Trade	588,346,890
17	Ministry of Justice, National Cohesion and Constitutional Affairs	605,042,515
18	Ministry of Gender and Children Development	1,163,843,150
19	Ministry of Livestock Development	2,036,389,400
20	Ministry of Water and Irrigation	5,866,915,550
21	Ministry of Environment and Mineral Resources	842,845,485
22	Ministry of Co-operative Development and Marketing	550,585,000
23	Cabinet Office	661,500,000
24	Ministry of East African Community	229,107,495
25	State Law Office	523,785,000
26	Judicial Department	950,716,600
27	Public Service Commission	189,290,575
28	Kenya National Audit Office	672,500,000
29	National Assembly	3,622,652,275
32	Ministry of Information and Communications	1,578,905,000
33	Electoral Commission of Kenya	1,063,102,500
34	Kenya Anti-Corruption Commission	681,500,000
35	Ministry of State for Special Programmes	4,683,555,000
40	Ministry of State for Immigration and Registration of Persons	947,500,000

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41	Ministry of State for National Heritage and Culture	903,642,125
43	Ministry of Higher Education, Science and Technology	11,241,895,000
44	Ministry of Housing	1,582,504,000
45	National Security Intelligence Service	4,000,000,000
46	Ministry of Tourism	850,124,500
48	Office of the Prime Minister	575,000,000
49	Ministry of Public Health and Sanitation	3,337,112,000
55	Ministry of Forestry and Wildlife	2,511,190,850
56	Ministry of Fisheries Development	475,512,600
58	Ministry of Development of Northern Kenya and Other Arid Lands	1,235,960,000
59	Ministry of Public Works	1,721,798,810
60	Ministry of Industrialization	1,079,700,350

**The Minister for Agriculture** (Mr. Samoei): Mr. Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee of Supply in the said Resolutions.

**The Minister for Justice, National Cohesion and Constitutional Affairs** (Ms. Karua) seconded.

*(Question proposed)*

*(Question put and agreed to)*

#### ADJOURNMENT

**Mr. Deputy Speaker:** Hon. Members, it is now time for the interruption of business. The House now stands adjourned until tomorrow Thursday, 30th October, 2008 at 2.30 p.m.

The House rose at 6.35 p.m.