

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 4th April, 2002

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

LIMITATION ON QUESTION TIME

Mr. Speaker: Hon. Members, I just wish to bring to your attention the fact that we must go to the main agenda not later than 3.30 p.m. There was a request by the Minister for Agriculture that he be allowed to give a Ministerial Statement on the Sugar and Coffee Bills. I will, consequently stop Question Time at 3.15 p.m., to enable the Minister to make those Statements and to allow few hon. Members to seek clarifications. So, please, take that into account.

ORAL ANSWERS TO QUESTIONS

Question No.111

MURDER OF MISS WAITHIRA NGOTHO

Mr. Gitonga asked the Minister of State, Office of the President:-

- (a) whether he is aware that the body of Miss Naomi Waithira Ngotho, who disappeared on 26th October, 2001, was fished out of the local cattle dip on 31st October, 2001; and,
- (b) if he could confirm to the House if anybody has been arrested for this heinous crime.

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I beg to reply.

(a) I am aware.

(b) Two suspects were initially picked up for investigations by the police, but were later released for lack of evidence to connect them with the murder. A police inquest file No.14/2001 was opened and the matter is still under investigation.

Mr. Gitonga: Mr. Speaker, Sir, the security situation in Lari has deteriorated very much; women and young girls are living in fear of being raped. They cannot move from one place to another after 5.00 p.m. What measures has the Government taken to assure the women in Lari will not continue to be raped every time they get out of their homes, even when they go out shopping?

Mr. Sunkuli: Mr. Speaker, Sir, this was not a common happening in Magina Market in Lari, but after the police discovered the body of Naomi Waithera, they carried out investigations and found out that, after being sent to Magina Market by her father, she did not return home. At 9.00 a.m, on 31st October, 2001, her body was found floating on a cattle dip. We will try and find the circumstances behind it. As I said, we arrested two people; Francis Kihara Gitumu and Benson Mbaaria Njihia, but after investigation, we did not find the kind of evidence that is required in order to charge a person with murder.

Mr. Muiruri: Mr. Speaker, Sir, murders and other types of crimes are far too many in this country, including Gatundu. It seems to me that the Government is totally unable to prevent these kind of crimes. I am even informed that this girl was raped. What measures has the Government put in place to protect lives of innocent girls who are raped and murdered? The Minister has told us that two suspects were arrested and released for lack of evidence. Is there a commitment from this Government or the Minister, to ensure that these kind of crimes---

Mr. Speaker: You are becoming to wordy, Mr. Muiruri!

Mr. Muiruri: Mr. Speaker, Sir, could the Minister tell us what measures the Government is going to take, because these kind of answers are totally inadequate; that So-and-so was arrested and released for lack of evidence?

Mr. Speaker: Would you like to respond, Mr. Sunkuli?

Mr. Sunkuli: Mr. Speaker, Sir, I have done my best to try and respond to this particular issue. The hon. Member is being very general, and I cannot say what we have done in every little case that has happened, except to say that it is a bad thing and we have tried to ensure that we arrest those who were involved. We have to depend on people to give us evidence and whatever leads there are.

Mr. Gitonga: Mr. Speaker, Sir, since this girl was murdered between 5.00 p.m. and 6.30 p.m. in the evening, could the Minister assure this House that those people who should give evidence to the inquest will be called upon to give information, which they have, to the police and to whoever is carrying out this inquest?

Mr. Sunkuli: Mr. Speaker, Sir, I will ensure that the police record statements from every person who wishes to offer evidence, and that they go out of their way to ensure that people record statements, so that when the inquest commences before a magistrate, the same people will appear to give evidence.

Question No.112

ROLE OF PRESIDENT AS CHANCELLOR
OF PUBLIC UNIVERSITIES

Dr. Kulundu asked the Minister for Education what rationale of having the Head of State as the Chancellor of all public universities is.

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

The appointment of Chancellor of each public university is provided for in the universities' Acts. For instance, Cap.210 University of Nairobi Act, Section 10(1) says that:-

"The President shall, unless he sees fit to appoint some other person thereto, be the Chancellor of the University".

That is repeated in every other university's Act.

Dr. Kulundu: Mr. Speaker, Sir, the Minister is not even answering my Question. My Question is not why the Head of State is not the Chancellor of public universities. My Question is: What is the rationale? It is a tradition worldwide that Chancellors are chosen from amongst eminent scholars who may have been members or students of those universities. But they must be eminent scholars who have distinguished themselves in some area of human endeavour. So, what is the rationale?

Mr. Speaker: By the way, Dr. Kulundu, this is a provision of the law. I think the best thing you can do is to amend it. You cannot ask for his opinion. It is out of order.

Dr. Kulundu: Mr. Speaker, Sir, the Minister for Education can also initiate an amendment to the law which looks repugnant.

Mr. Speaker: Why do you not ask him if he intends to?

Dr. Kulundu: I did not get you clearly, Mr. Speaker, Sir.

Mr. Speaker: Order! I think hon. Members must understand what a Question is, and that you will find under Standing Order No.35. A Question must be of a factual nature. You cannot question the Assistant Minister as to why a certain section of the law exists. If you are not happy about it, you amend it. So, ask him questions on factual issues.

Mr. Anyona: Mr. Speaker, Sir, I think, maybe originally, there was very good reason for the Head of State to be the Chancellor of universities, because we were still trying to weave together a new nation. But, in view of the fact that the Head of State is a very busy man, and also in order to protect the office of the Head of State from very petty controversies, could the Government consider amending the Act to introduce a provision which would allow the universities to elect their own Chancellors, including the Head of State, if the university so wishes.

Mr. Speaker: That, you can and must answer!

Mr. Karauri: Mr. Speaker, Sir, those Acts are passed by Parliament and if it wishes to change them, it can do so.

Mr. Keriri: Mr. Speaker, Sir, I think the Assistant Minister is taking this matter too lightly. The question is: Is he willing to bring an amendment to that effect to this House? If it is brought, would he support it?

Mr. Karauri: Mr. Speaker, Sir, presently, there is no reason to do that. Any hon. Member wishing to change any part of the law can initiate a Motion.

Dr. Kulundu: Mr. Speaker, Sir, the section that the Assistant Minister has just referred to is Sub-Section 3(b). It says:-

"The Chancellor may, from time to time, direct an inspection of the university, or an inquiry into the

teaching, research or any other work of the university."

The president of any nation is such a busy man that he cannot possibly get into intricate matters of a university.

(A mobile phone rang)

Mr. Speaker: Who is that again? Who is it? Are you sure it is not you, Dr. Kulundu?

Dr. Kulundu: It is not me!

Mr. Speaker: Very well! I hope it is not you! Proceed!

Dr. Kulundu: Mr. Speaker, Sir, as I was saying, a president of any nation in this world is a very busy man. He cannot be expected to get into the intricacies of research, teaching methodologies and so forth. So, could the Ministry consider, as a matter of urgency, bringing an amendment to that particular section? That is because it is out of date and it does not serve any purpose to have a Chancellor who may not even be a graduate himself!

Mr. Gatabaki: On a point of order, Mr. Speaker, Sir. Is it in order for Dr. Kulundu to insinuate that our beloved President does not have the time, capacity and willingness to preside over the universities, having known how workaholic he is; waking up very early in the morning, sleeping very late at night and going to all those functions, when he can attend only a few *Harambees*?

Is it in order for him to insinuate that our hard-working President, with all his titles, is not capable---

Mr. Speaker: Order! You are overworking yourself for nothing! Proceed!

Mr. Karauri: Mr. Speaker, Sir, the President may be a busy man, but in all matters pertaining to the universities, he is advised by the Senates. He has many other people working under him!

Question No.114

IMPROVEMENT OF EXAMINERS' WORKING CONDITIONS

Mr. Speaker: Is Mr. Kihoro not here? We will leave his Question until the end. Let us move on to the next Question.

Question No.119

PROVISION OF SPEED BOATS TO PROTECT FISHERMEN IN BUSIA

Mr. Wanjala asked the Minister for Environment:-

- (a) how many vehicles were bought by the Lake Victoria Environmental Management Programme (LVEMP) since its inception and how they were distributed;
- (b) how many speed boats were bought under the Programme during the same period; and,
- (c) what urgent measures he is taking to ensure that speed boats are sent to Busia District to be used by security officers in protecting Kenyan fishermen against Uganda security forces in the lake.

Mr. Speaker: Where is the Minister? By the way, can I make a general appeal? All of you, please, put off your mobile phones! It is very irritating and disrupts the conduct of the House business. It erodes our dignity. So, put all of them off!

Proceed, Mr. Nooru!

The Assistant Minister for Environment and Natural Resources (Mr Nooru): Mr. Speaker, Sir, I would like this Question to be deferred to next week, because we do not have an answer at the moment!

Mr. Speaker: You do not have what?

Dr. Kituyi: An answer!

Mr. Speaker: You do not have an answer?

The Assistant Minister for Environment and Natural Resources (Mr Nooru): Mr. Speaker, Sir, the answer that was given to me is not satisfactory!

Mr. Speaker: Mr. Wanjala, what is your response?

Mr. Wanjala: Mr. Speaker, Sir, they have not provided me with a written answer. The answer is required very urgently because today, fishermen in Budalang'i, Busia, Bondo and even Suba are not able to access the lake because the Ministry has deliberately refused to buy speed boats and yet, it has bought so many vehicles. Could the

Assistant Minister make an effort of answering this Question on Tuesday?

Mr. Speaker: Is Tuesday alright with you?

The Assistant Minister for Environment and Natural Resources (Mr Nooru): Mr. Speaker, Sir, yes.

Mr. Speaker: It is mutually agreed to and the Question is deferred until Tuesday.

(Question deferred)

Let us move on to the next Question by Mr. Angwenyi.

Question No.012

COLLECTIONS FROM NYAMIRA/KISII TEA FARMERS

Mr. Angwenyi asked the Minister for Agriculture:-

(a) how much money has been collected from tea farmers by each of the factories in Zone 10 of Nyamira and Kisii Districts in each year since 1994 to date, for the construction of tea factories; and,

(b) how much of that money has been collected from Kitutu Chache farmers in each of the years.

The Assistant Minister for Agriculture and Rural Development (Mr. J.D.M. Lotodo): Mr. Speaker, Sir, I beg to reply.

(a) Each of the tea factories in Zone 10 of Nyamira and Kisii districts have collected money since 1994 to date, for the construction of tea factories as follows:-

<u>NAME</u>	<u>YEAR</u>	<u>AMOUNT - KSHS.</u>
Nyankoba	1994/95 - 1997/98	Nil
	1998/99	5,983,137.95
	1999/2000	967,586.30
Tombe	1994/95 - 1997/98	Nil
	1998/99	14,980,956.55
	1999/2000	14,342,595.70
Nyansiongo	1994/95 - 1997/98	Nil
	1998/99	7,071,960.70
	1999/2000	Nil
Sang'anyi	1994/95 - 1997/98	Nil
	1998/99	16,136,584.70
	1999/2000	11,990,462.45
Kebirigo	1994/95 - 1997/98	Nil
	1998/99	14,669,245.25
	1999/2000	11,859,065.25
TOTAL		<u>98,001,595.85</u>

Mr. Speaker, Sir, no money was collected for building factories between 1994 and 1997 as the new policy of farmers contribution of 30 per cent equity was not in force.

(b) Mr. Speaker, Sir, out of the money mentioned at (a) above, Kshs10,341,403 was collected from farmers in Kitutu Chache, broken down as follows:-

<u>YEAR</u>	<u>AMOUNT IN KSHS.</u>
1998/99	5,116,853.00
1999/2000	5,224,550.00

Mr. Angwenyi: Mr. Speaker, Sir, the reason why I asked this Question is because the people of Kitutu Chache have had a very raw deal in Zone 10, because of the mis-direction by this Ministry. Farmers in each zone contribute funds to build factories in the area collectively. As you will notice from the answer, Nyankoba did not contribute adequately in the Financial Year 1999/2000. Also, the Ministry has not given us figures for 2000/2001 and yet we are constructing a factory right now at Rianchore to which this money should be applied. Could the Assistant Minister explain to us why Nyankoba contributed so little in that year and why they have not provided the figures for the Financial Year 2000/2001?

Mr. J.D. Lotodo: Mr. Speaker, Sir, in the case of Nyankoba the farmers were hesitant to follow the regulations. Therefore, the Ministry talked to those who were concerned with tea management to request the farmers to contribute. As per---

Mr. Speaker: Mr. Lotodo, will you speak up?

Mr. J.D. Lotodo: Mr. Speaker, Sir, I have given the figures for 2000. The factory in question was under construction in 2001.

Mr. Anyona: Mr. Speaker, Sir, could the Assistant Minister tell the House how this money he claims to have been collected from these factories was used because there has been no factory in that zone? We only have this new factory in Rianchore and that happened only last year when the issue was raised here and the farmers went up in arms. It was then agreed that they would now accept collections to complete the factory. How was all this money, that we are talking about, used? Which factories were constructed using this money?

Mr. J.D. Lotodo: Mr. Speaker, Sir, the money which was collected was supposed to be raised from the farmers. Realising that the cost of one factory is about Kshs400 million, the money which was raised by the farmers is not enough to construct any factory. Therefore, we require more funds to construct the factory.

Mr. Angwenyi: The Assistant Minister says that the amount collected is Kshs98 million which is about 30 per cent of the cost of constructing a factory. That is the cost of a factory which is constructed through corrupt means. A clear 2 line factory costs about Kshs120 million. Could the Assistant Minister explain to us why it costs the KTDA Kshs400 million to construct a factory when in fact it costs the private sector Kshs100 million to construct a similar factory?

Mr. J.D. Lotodo: Mr. Speaker, Sir, I will not go as per his calculation because we have technical experts who design these factories and they have told us that at least Kshs200 million is adequate for a one-chamber factory. Therefore, the insinuation by the hon. Member that the factory costs a lot of money, because of corruption and that we only need Kshs120 million to construct a factory, is wrong. I am not aware of any factory which can be constructed with such an amount.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to say that he is not aware that a factory costs Kshs100 million instead of Kshs400 million? Has he tried to get the facts from the private sector?

Mr. J.D. Lotodo: Mr. Speaker, Sir, as far as we are concerned, we go as per our engineers' advice. So many factories have been constructed since Independence to date. I will not go by the hon. Member's insinuations.

Mr. Speaker: Very well. Messrs. Anyona and Michuki, can I beg your indulgence to defer your Questions to Tuesday so that I can move on to Questions by Private Notice?

Mr. Michuki: Yes, Mr. Speaker, Sir.

Mr. Anyona: Yes, Mr. Speaker, Sir.

Mr. Speaker: Thank you. The Questions are deferred to Tuesday.

Question No.108

MEASURES TO RESOLVE TEA CRISIS IN GUSII

(Question deferred)

Question No.107

PROVISION OF SEWERAGE SYSTEM
IN KANGEMA TOWNSHIP

(Question deferred)

QUESTIONS BY PRIVATE NOTICE

RELOCATION OF ISRAELI EMBASSY

Mrs. Ngilu: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

- (a) Is the Minister aware that the Israeli Embassy is located in a densely-populated area of the City?
- (b) Is he further aware of the dangers and security risk that this poses to the residents of the area?
- (c) What urgent measures is the Government taking to relocate the Embassy?

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I beg to reply.

- (a) I am aware that the Israeli Embassy is located in a commercial area of the City of Nairobi.

(A mobile phone rang)

Mr. Speaker: Where is that coming from? Is it at the Gallery? Could that stranger walk out? Where is it? Anyhow, I hope that person is traced. That noise is irritating.

Continue, Mr. Minister.

The Minister of State, Office of the President (Mr. Sunkuli): I am aware that the Israeli Embassy is located in a commercial and administrative area of the City of Nairobi.

- (b) Arising from my reply to "a", part "b" does not arise.
- (c) There are no plans at all to relocate the Embassy.

Mrs. Ngilu: Mr. Speaker, Sir, the Minister has admitted that the Israeli Embassy is located in a very densely-populated area. Part of the population that lives in this area is the Loreto Convent School which has over 1,500 pupils. The NSSF Building which houses 6,000 people is also very close. Other buildings nearby are the Chancery and Nairobi Hospital. We know what is happening at the moment between Israel and the Arab world. Parents and everybody without exception, have gone through harassment and have been subjected to total humiliation by the guards on this road. In actual fact, recently one person was shot at. Is this not enough to get the Government to relocate the Israeli Embassy or will the Government wait until fate strikes like we saw in 1998 with the American Embassy so that they can do something?

Mr. Sunkuli: Mr. Speaker, Sir, I do not know why the hon. Lady wishes the Israeli Embassy bad luck. The Israeli Embassy is appropriately located. As the hon. Member pointed out, the Embassy is located near buildings with offices like Ardhi House and the NSSF Building. There is no place in Nairobi where an embassy can be located without neighbours. The security concerns are being looked at and I do not see why the hon. Member is complaining when the Israeli Embassy has installed enough security to look after itself.

Mr. Kamolleh: Mr. Speaker, Sir, I am really appalled by the way the Minister is responding to this Question. All the prominent embassies are either in Runda, Lavington or Mombasa Road. The Israeli Embassy poses a big risk to the lives and safety of the people around that area. I am of the opinion that Mrs. Ngilu is very right to say that this Embassy should be relocated. There are a lot of vacant plots around here. Why must we have that embassy there when we know very well that there are problems usually associated with this particular embassy? If it was the Norwegian or Swedish Embassy it would have been a different case. The Israeli Embassy should be moved from there to places like Lavington or Runda so that our people can stay in peace. Is the Minister aware that this is so and, therefore, could he consider relocating the Embassy as soon as possible?

Mr. Speaker: Are there no Kenyans in Runda?

Mr. Sunkuli: The answer is what the Chair has said, that if we relocate it to places like Runda there will be complaints that it is located in a residential area. In fact, it is currently situated in an area where most of the Government offices are. It would be wrong to say that it should be relocated to a residential area. The Government does understand the risks concerned in every particular incident, be it the Israeli Embassy or any other embassy. I think that it is proper to address those concerns. At any rate, the Israeli Embassy does not consider itself at risk where it is now.

Dr. Kituyi: Mr. Speaker, Sir, we appreciate the right of diplomatic missions to choose any part of the country where they could have their offices. We also appreciate our primary responsibility to the safety of Kenyans. We cannot pretend away the fact that Loreto Primary and Secondary School are critical institutions for children in this town. We cannot pretend away the fact that this afternoon, Israeli soldiers broke down the doors to the Church of the Nativity in Bethlehem.

An hon. Member: Shame!

Dr. Kituyi: Over the past two weeks Israel has occupied the whole of West Bank. The rage that results from these actions that the bully government of Israel is involved in spills over to this territory---

Mr. Speaker: Order, Dr. Kituyi! Look at your Standing Orders! You cannot insult any country which has diplomatic relations with Kenya!

Dr. Kituyi: I am aware of that Mr. Speaker, Sir. I have said: "The bully acts of the government". That is not an insult to that government, but what happened in Palestine amounts to bullying. I am talking about the action. The bully action of that good government of Israel is raising outrage internationally, including on our territory. Is it not an action of a reasonable gentleman, as you people say, to anticipate such consequences and thus reduce the potential consequences on children if you do not care about Government offices? You should recommend that the Israeli Embassy relocates to the UN village like all the other major embassies. You should also explain to Kenyans why you are allowing Israelis to join in manning a road block outside their embassy. Do they have authority to do that in this country?

Mr. Sunkuli: Mr. Speaker, Sir, I would like, first of all, to begin with the last question. The Israeli Embassy does admit Israelites into the Embassy from time to time. I think that it is their primary responsibility to identify who enters their Embassy. That is why they assist the police outside the gate to determine who ought to go there.

Mrs. Ngilu: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Mrs. Ngilu! You must have the patience to listen.

Mr. Sunkuli: Mr. Speaker, Sir, the current Middle East events started just a few months ago. The Israeli Embassy has been located there for quite some time. Even if the Government was to say today that---

Mrs. Ngilu: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! You must wait for the Minister to finish!

Mr. Sunkuli: Why does she want to shut me up?

Mr. Speaker: Order! Mrs. Ngilu, you asked a Question and the Minister has the right to answer it. I will give you a chance. You must listen!

Proceed!

Mr. Sunkuli: Mr. Speaker, Sir, it would even be quite impractical to ask the Israeli Embassy to move even if one was requested to move away in haste. I think this is a matter to be considered and put to the Israeli Embassy in the long-term. However, in the meantime, it is important to look after the security of our people and the Government and there is no immediate threat.

Mr. Speaker: Mrs. Ngilu, you now have the opportunity to ask your question and then Mr. Muite will ask the last question.

Mrs. Ngilu: Mr. Speaker, Sir, the Minister has said that it is the right of the Israeli Embassy to check people as they enter the Embassy. However, people who are screened along that road are not necessarily going for any businesses to the Embassy offices. They check everybody without exception. So, is it in order for the Minister to say that they have the right to do so?

Mr. Sunkuli: Mr. Speaker, Sir, the hon. gracious lady and myself have once been to the Westminster Parliament and everybody is checked because that is what security is all about.

(Several hon. Members stood up in their places)

Mr. Speaker: Order, all of you! You must all sit down! Very soon I will also start checking people at all the gates outside Parliament.

An hon. Member: You mean checking an hon. Member on the road?

Mr. Speaker: On Parliament Road.

Mr. Muite: Mr. Speaker, Sir, leaving aside the anger, I am really making a very polite request to the Minister through you. Could the Minister consider officially communicating to the Israeli Embassy the feelings of this House that it should relocate? I pass through that road everyday and at times there are 100 armed GSU personnel. There are matatus full of Kenyans passing through that road all the time and many other Kenyans including schoolchildren. Sooner than later, there will be an incident there that is going to trigger a shootout and 30 to 40 out of the people who will be killed will be Kenyans. Could we request the Minister politely through you, to communicate to the Israeli Embassy that they should relocate as soon as possible please?

Hon. Members: To relocate where?

Mr. Sunkuli: Mr. Speaker, Sir, I am sure that the Israeli Embassy will---

Dr. Ochuodho: On a point of information, Mr. Speaker, Sir.

Mr. Speaker: Order, Dr. Ochuodho! Wait until you become a Minister and then you can inform hon. Muite. It is Question Time! The Minister is the one who has information and not you.

Proceed!

Mr. Sunkuli: Mr. Speaker, Sir, definitely the Israeli Embassy will know today that some hon. Members have raised their concern. I am sure that this will be put in the long-term consideration when relocating embassies.

Hon. Members: On a point of order, Mr. Speaker, Sir!

Mr. Speaker: Overruled! Next Question, Mr. Thirikwa!

ENCLOSURE OF NDARAGWA
FOREST INTO ABERDARES N.P.

Mr. Thirikwa: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Under what authority is the Kenya Wildlife Service (KWS) enclosing part of Ndaragwa forest into the Aberdares National Park?

(b) Is the Minister aware that the section between Kamiruri and Pesi in the Northern Aberdare is an elephant route from Rumuruti, Ol Pejeta and other areas?

(c) What measures is he taking to ensure that elephants are not enclosed with people in their farms?

The Minister of State, Office of the President (Mr. Nassir): Mr. Speaker, Sir, I beg to reply.

(a) The authority of KWS to enclose part of Ndaragwa Forest into the Aberdare National Park is derived from the Wildlife Act, Chapter 376, which empowers KWS to conserve and manage wildlife anywhere in Kenya be it in the parks, forests and range lands. Arising from the above, KWS has entered into partnership with the Forest Department to jointly manage selected forests of Aberdares, Ndaragwa being one of them.

(b) I am aware that any section around the Aberdares forest including the section between Kamiruri and Pesi would act as an elephant entry and exit points. However, 98 per cent of damages to farms around Kamiruri are occasioned by elephants from the Aberdares forest, but not from Rumuruti or Ol Pejeta. To control the movement of elephants, KWS will erect electric fences in the affected areas.

(c) To ensure that elephants are not enclosed with people when fencing the conservation areas, the Government considered social, economic and ecological facts in determining the present alignment of Mairuri across to Pesi thus excluding human settlement. Similarly, KWS has established rangers outposts along the fence to serve members of the public and similarly to ensure that animals do not threaten the Ndaragwa community in any way.

Mr. Thirikwa: Mr. Speaker, Sir, first of all, I was not able to get what the Minister was saying. Secondly, I do not have a written answer to refer to. However, I want to say the following: The Aberdares Forest is managed and formed under the Forest Act and KWS is an organisation formed under the Wildlife, Conservation and Management Act. These are two different Acts which govern land. I think there is nobody, including the Government, who is not subjected to the law. I do not really understand how KWS has enclosed part of Ndaragwa Forest when, in fact, the law requires that the only person who has the powers to change the forest boundaries is the Minister. In any case, he has to do that, he has to issue a gazette notice of 28 days. Could the Minister tell me which gazette notice he issued so that he was able to change the boundaries of Ndaragwa Forest so that KWS can now be able to put Ndaragwa Forest under the Aberdare National Park?

Mr. Nassir: Mr. Speaker, Sir, all the instructions come from the Minister. I am one of those Ministers who do not wait for the officers to work. I work closely with them and this is what is happening.

An hon. Member: Answer the question!

Mr. Wanjala: On a point of order, Mr. Speaker, Sir. I rise to seek guidance from the Chair. Taking into consideration the importance of this House, could you tell us how this Government appoints Ministers who did not go to school and who cannot answer questions here?

Mr. Speaker: Order! Order! Mr. Wanjala, you must respect Mr. Nassir out of his age, if for nothing else.

(Applause)

Mr. Nassir: Mr. Speaker, Sir, it is not the language which I was---

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. I do appreciate what you said. Maybe it was not said as it should be. But there is concern amongst certain hon. Ministers that they do not just display too much of that ability to answer Questions. We can respect age, but we have other things we can assign age, and not Cabinet positions.

Mr. Speaker: Order! Order! I am not asking you to respect the Chair out of age. You must respect the

ruling of the Chair as a matter of law!

Mr. Muithia: Mr. Thirikwa did ask a specific question regarding the Gazette Notice which authorised the Minister to take action and it was not responded to. Could the Minister answer that question by giving us the Gazette Notice that gave him the powers?

Mr. Nassir: Mr. Speaker, Sir, I do not have the Gazette Notice with me here, but I know that, that authority is contained in Cap.376 of the Laws of Kenya. This is also found in the Gazette Notice.

Mr. Thirikwa: Mr. Speaker, Sir, could you help me on this one? I am asking a very specific question. Under the Forest Act, Section 4(2), the Minister has been given powers by the law to alter forest boundaries, but if he has to do that, he has to give a Gazette Notice of 28 days. Could he tell us under which Gazette Notice the Kenya Wildlife Service or the Minister altered the boundaries of Ndaragwa Forest such that the KWS is now able to enclose Ndaragwa Forest into Aberdare National Park leaving our people suffering?

Mr. Speaker: Mr. Thirikwa, maybe it would help the House and the Minister, Mr. Thirikwa, if you could tell us where the boundary between Ndaragwa Forest and Aberdare National Park is. Is it within the forest or outside the forest? Would you know?

Mr. Thirikwa: Yes, Mr. Speaker, Sir. There are two clear boundaries. There is a clear boundary that marks the National Park and the forest. But the KWS has enclosed Ndaragwa Forest into the National Park. Our people draw water from the forest area. I am asking a specific question: If the Government has to enclose the forest, then is it able to provide my people with water so that we can give them the forest?

Mr. Nassir: Mr. Speaker, Sir, the forest is also in the national park. We work jointly with the Forest Department.

I will lay the Gazette Notice on the Table of the House later.

Mr. Speaker: Very well! Question No.3 by Private Notice has been deferred by request.

PROVISION OF BASIC SECURITY TO MPS

(**Mr. Kaindi**) to ask the Minister of State, Office of the President:-

- (a) Is the Minister aware that no arrangement have been made to provide Members of Parliament with basic security?
- (b) What measures is he taking to ensure that all Members of Parliament are provided with basic security apparatus or are provided with security?

(Question deferred)

Mr. Speaker: Dr. Ali, do you think we can go over your Question in two minutes?

Dr. Ali: No, Mr. Speaker, Sir.

Mr. Speaker: So, can I defer it to Tuesday next week?

Dr. Ali: It will depend on how the Minister will answer it. Can I continue? I will try to make it as brief as possible.

Mr. Speaker: Okay, ask your Question then!

VETERINARIES SANS FRONTIERS IN DRUGS BUSINESS

Dr. Ali: Mr. Speaker, Sir, I beg to ask the Minister for Agriculture the following Question by Private Notice.

- (a) Is the Minister aware that *Veterinaries Sans Frontiers* (VSF) is carrying out veterinary drug business in Wajir District?
- (b) Is he further aware that this organisation uses Government officers and vehicles for its operations and does not pay for using Government facilities?
- (c) What does the organisation do with the money collected as cost recovery from stock owners in respect of animal treatment activities?

The Minister for Agriculture (Dr. Godana): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that *Veterinaries Sans Frontiers* (VSF) are carrying out animal health delivery services in Wajir in collaboration with the Veterinary Department of the Ministry of Agriculture.

(b) I am aware that Government personnel and vehicles are involved in animal health delivery services in Wajir District using VSF funds.

(c) The funds collected as part cost recovery are used for community-based projects in consultation with the

District Steering Group, which is comprised of Government and community leaders in the district.

Dr. Ali: Mr. Speaker, Sir, I would like to point out that this is the third time the Minister is reading the same answer. He has not made any changes to his written answer. But be that as it may, could he tell me which projects this money was used for and which day the District Steering Group sat and decided on the projects which are supposed to be funded by these funds?

Dr. Godana: Mr. Speaker, Sir, I think I need to explain. When, in particular, the last drought broke out, we got a lot of NGOs, foreign development agencies, well-wishers and so on, who came in to save livestock particularly in the arid north to the point where they provided drugs and animal multi-vitamins to ensure that certain species survived. It is in that context that the aid through VSF came in. Obviously, in an area like veterinary services, where potentially dangerous drugs are being used, it is important that the department concerned has the general oversight. The VSF used our department as it has now become the practice. If there is an external donor working on the field for animal or human health, the relevant department of Government must be in the picture and work in partnership. When the charges were decided upon---

Dr. Ali: On a point of order, Mr. Speaker, Sir, I asked a specific question and I do not want to be lectured. I respect the Minister. This is the third time he has read the same answer, but I asked a specific question. In part "c" of his answer, the Minister has said: "The funds collected as cost recovery are used for community based projects in consultation with the District Steering Group." Which projects were funded by these funds and from which community? On which day did the District Steering Group meet to allocate those funds to those community-based projects? I do not want to be given lectures.

Dr. Godana: Mr. Speaker, Sir, if he wants that, I am afraid I will have to get back and get it. But I think he is the person who should know better than the Minister because the whole purpose of the District Steering Committee being made responsible for such funds is that the Ministry at the headquarters should have nothing to do with funds generated by the local communities. That is why we have facilitated them through local institutions to decide how to use those funds.

Mr. Speaker: Order! Order, all of you! I think it does occur to me that, ultimately, Mr. Minister, you cannot run away from the Question. The Question asks of you very specifically: "What does the organisation do with the money collected as cost recovery from stock owners in respect of animal treatment activities?" The onus is on you!

Dr. Godana: Mr. Speaker, Sir, the question he asked was: "Which specific projects have been implemented using these funds?" I am afraid it was not part of the Question I was expected to answer. But if he wants the general information, as to what happens with those funds, we gave the mandate to the local community through the department concerned and the District Steering Group. What do they use them for? Well, in other districts I know of---

Dr. Ali: In Wajir District?

Dr. Godana: In Wajir District, I will find out and come back to the House with an answer.

Mr. Speaker: Order! Order! It does occur to me, Dr. Godana, that you have not been given correct information on the ground. I am afraid it is your duty to get it and you owe it to the House. I think this, probably, is not the same thing that ordinarily Ministers would be misled by officers on the ground. Would you like to get correct information?

(Applause)

Dr. Godana: Mr. Speaker, Sir, I will check again and bring the information that he needs.

Mr. Speaker: Very well! I will defer the Question to Thursday afternoon to give you enough time. Or do you want a week? I appreciate the difficulty of getting to Wajir.

Dr. Ali: On a point of information, Mr. Speaker, Sir. This is the third time this Question has been deferred. Last week, it was deferred because they had no answer. The previous week, it was deferred because they had no answer. I talked with the Minister yesterday and I even specifically told him some of these things he is refusing to say now. These people sell drugs. Instead of giving the drugs to pastoral associations, they have their own people who sell them. This money is used to "buy" the personnel from the Veterinary Department and it is also used to pay their own allowances---

Mr. Speaker: Order, Dr. Ali!

Dr. Ali: Mr. Speaker, Sir, even if you give him a whole week, he will not be able to answer the Question. So, could he be straightforward and tell us that he has no answer, so that I can forget about the whole Question? Otherwise, people will continue bothering him!

Mr. Speaker: Order! Order! Dr. Ali, cool down! Since you have already asked the Question, it has become

the property of the House. Mr. Minister, I am sure that you would be very interested to find out the truth, or otherwise, of the allegations raised by Dr. Ali. They may very well be true. You may have been misinformed. But you should find out the correct position. It is in the interest of this House that we know the substance of the truth in the matter.

So, Dr. Godana, can I give you a whole week or two weeks?

Dr. Godana: Mr. Speaker, Sir, I will be back on Tuesday.

Mr. Speaker: Very well, see you on Tuesday.

(Question deferred)

Let us proceed to the next Order!

MINISTERIAL STATEMENTS

MEMBERSHIP OF SELECT COMMITTEE ON CKRC

The Vice-President and Minister for Home Affairs (Prof. Saitoti): On a point of order, Mr. Speaker, Sir. Pursuant to Standing Order No.154(1), the House Business Committee has nominated the following hon. Members to serve in the Parliamentary Select Committee on the Constitution of Kenya Review Commission in accordance with Section 10 of the Constitution of Kenya Review (Amendment) Act, 2001.

The Hon. Raila A. Odinga, MP, Chairman; The Hon. Musalia Mudavadi, MP; The Hon. Prof. Sam Ongeru, MP; The Hon. Joseph Kamotho, MP; The Hon. Kalonzo Musyoka, MP; The Hon. Julius Sunkuli, MP; The hon. Isaac Ruto, MP; The Hon. Dr. Bonaya Godana, MP; The Hon. A. Mukangu, MP; The Hon. Fred Gumo, MP; The Hon. Mathias Keah, MP; The Hon. M.A. Affey, MP; The Hon. Simeon Mkalla, MP; The Hon. Otieno Kajwang, MP; The Hon. Ochillo-Ayacko, MP; The Hon. Mrs. Zipporah Kitony, MP; The Hon. Mwai Kibaki, MP; The Hon. Norman M.G.K. Nyagah, MP; The Hon. Martha Karua, MP; The Hon. Kiraitu Murungi, MP; The Hon. Kijana Wamalwa, MP; The Hon. Dr. Mukhisa Kituyi, MP; The Hon. Joe Donde, MP; The Hon. Mrs. Charity Kaluki Ngilu, MP; The Hon. Njehu Gatabaki, MP; The Hon. Paul K. Muite, MP, and The Hon. Karisa Maitha, MP.

The Minister for Agriculture (Dr. Godana): On a point of order, Mr. Speaker, Sir. I have two Ministerial Statements to issue.

Mr. Speaker: Maybe, you will issue one Ministerial Statement, because you have only five minutes.

The Minister for Agriculture (Dr. Godana): Mr. Speaker, Sir, I have one Ministerial Statement on the coffee sector and another one on the sugar sector. I will start with the one on coffee.

IMPLEMENTATION OF COFFEE ACT, 2001

Mr. Speaker, Sir, Members of Parliament will recall that when we passed the Coffee Act, 2001, I pleaded with the House that the House would need more time to implement the Act. However, hon. Members of this House, uncharacteristically, decided that the Act should commence not later than 1st April, 2002. The Act, alongside others, was assented to on 31st December, 2001, at a time when there were many holidays - you will recall the month of December - and yet rules needed to be developed to guide elections and business activities under the new Act.

Mr. Speaker, Sir, the task force was appointed to prepare the necessary rules. The draft Coffee Rules, 2002, were discussed with the Board and the Parliamentary Departmental Committee on Agriculture, Lands and Natural Resources in a number of meetings which stretched into March, 2002. Meanwhile, a number of stakeholders continued to submit memoranda on several issues while others sought meetings with Ministry officials. Through these submissions and meetings, consultations were realised before the Rules were finally drafted and submitted to the Attorney-General for formal drafting.

Mr. Speaker, Sir, hon. Members will recall that the Coffee Act 1934, was being overhauled for the first time in its history. However, during the enactment of the new Coffee Act a number of amendments to the Bill were introduced at the Committee Stage in Parliament. These amendments gave rise to new policies unforeseen; such as a requirement for a 30 days' notice in advertising applications for marketing agents and requirements that companies incorporated to market coffee have separate directors, among others. These amendments introduced hurdles which are to be recognised in preparing the Rules. Also, careful studies were needed as there are many interested groups in the coffee industry. It is also recognised that the industry has been lent by various organisations up to Kshs18 billion.

(Loud consultations)

Mr. Speaker: Order! Order! Hon. Members, could we listen to the Minister?

The Minister for Agriculture (Dr. Godana): Mr. Speaker, Sir, that is why the coffee industry nearly collapsed. Already, the Coffee Board of Kenya is in a deficit of about Kshs260 million, and yet the former Director has spent about Kshs63 million incorporating a company which they called "Farmers Bank", which has tied down farmers' money to the tune of Kshs300 million in Treasury Bills. Past directors claimed that the Bank is a private company and yet they used the Coffee Board of Kenya (CBK) resources. The coffee cess money amounting to about Kshs531 million has been spent without being properly accounted for since 1997. There is need to determine how this mismanagement would be stopped under the new rules. Currently, the CBK owes farmers Kshs798 million, and others, Kshs425 million, totalling to Kshs1.22 billion.

Mr. Speaker, Sir, while farmers owe the CBK Kshs470 million, and others, Kshs42 million, coffee dealers owe the Board about Kshs48 million, totalling Kshs560 million. These debts, together with the need for a smooth transition, dictate the need for an interim Board during the transition in order to avoid some people taking advantage of the situation under the pretext that there is a legal vacuum. Everybody is concerned about smooth transition, and there is need for us to assure the people that obligations already incurred will be met in terms of Section 45 of the Coffee Act, 2001.

Mr. Speaker, Sir, the life of the transitional Board was extended to facilitate the Board to organise elections, whose date will be set soon, and also to process the business rules to facilitate the appointment, if necessary, of marketing agents. I would like to emphasise that, contrary to allegations made here yesterday, there is no marketing agency which has been licensed yet. We assure the market that the interim Board will handle the transition in a smooth and orderly manner as we do not want to repeat the 1997 experience with the Co-operative Societies Act, which was so poorly implemented, leading to the split of co-operative societies and the mess that we are now trying to sort out through the introduction of amendments to that Act.

Mr. Speaker, Sir, the life of the interim Board has now been extended under the State Corporations Act to allow the organisation of election of new members of the Board, and later constitute a new Board which will implement the rest of the reforms. This is being done to avoid chaos in the industry. Therefore, the Board will continue to receive and market coffee until the desired results are achieved through consultations. The Board will also invite applications from prospective marketing all---

Mr. Speaker: Order! Order! Dr. Godana, time is up. So, you will continue on Tuesday next week.

Let us proceed to the next Order!

COMMITTEE OF SUPPLY

(Order for Committee read)

MOTION

APPROVAL OF 2001/2002 SUPPLEMENTARY
ESTIMATES: RECURRENT AND DEVELOPMENT

The Minister for Finance (Mr. Obure): Mr. Speaker, Sir, I beg to move:-

(a) THAT, a sum not exceeding Kshs10,281,453,610 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 2002, in respect of Supplementary Estimates of 2001/2002 (Recurrent) having regard to the proposed reduction of Kshs5,432,622,400 therein appearing.

(b) THAT, a sum not exceeding Kshs1,541,140,014 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 2002, in respect of Supplementary Estimates of 2001/2002 (Development) having regard to the proposed reduction of Kshs1,350,779,549 therein appearing.

*(His Excellency the President has given
his consent to these Motions)*

Mr. Speaker, Sir, I hope that hon. Members have received the Printed Books which contain the Supplementary Estimates of both the Recurrent and Development expenditures for the Financial Year 2001/2002. I believe hon. Members will find time to peruse through them.

Before I proceed, I would like to take a brief moment of this House to appraise hon. Members on the

performance of the economy during the past one year. After a negative growth of 0.3 per cent during the year 2000---

Mr. Speaker: Order, Mr. Obure! Just to get it right; that, we do follow the Standing Orders correctly, I have not heard whether or not you have got the President's consent to move this Motion. Have you said so? If you have not, I cannot you allow to move the Motion.

The Minister for Finance (Mr. Obure): Yes, Mr. Speaker, Sir. I did, and I want to confirm again that the President has given his consent to this Motion.

Mr. Speaker: Very well! Proceed!

Mr. Ndwiga: Mr. Speaker, Sir, I was going to give him consent!

(Laughter)

The Minister for Finance (Mr. Obure): Mr. Speaker, Sir, I was just about to begin to appraise hon. Members on the performance of the economy in the last one year. After a negative growth of 0.3 per cent during the year 2000, the economy began to recover in the year 2001 and grew by 0.8 per cent. This, however, was far below the target figure of 2 per cent. This slow recovery was occasioned by poor performance of the key sectors of the economy. Agriculture recovered because of favourable weather conditions. We had sufficient rains last year, and that helped our agriculture a great deal. Power generation improved considerably as water reservoirs were replenished by the good rains. But the manufacturing sector remained depressed, largely as a result of the low demand for locally produced goods; and, secondly, as a result of the stiff competition from imported goods.

Tourism did not pick up as expected and was particularly dampened after the events of September 11th, 2001, in the USA. The hon. Members will remember that in the 2001/2002 Medium Term Expenditure Framework (MTEF), the Budget was formulated, bearing in mind two major assumptions in the preparation of that Budget. The first important assumption was that the Government would raise revenues, amounting to Kshs218.6 billion. The second assumption made at the time was that the Government would receive Kshs23.2 billion in Budget support from our development partners. Unfortunately, these assumptions have not been realised. The slow-down in economic activities has had a negative impact on the realisation of projected revenues. Ordinary revenues are likely to decline from an estimated Kshs194.7 billion to Kshs186.3 billion, thereby resulting in a shortfall of some Kshs8 billion.

Although we have continued to engage our development partners in intense dialogue and regular consultations, we have not so far been able to restore the International Monetary Fund disbursements. This has, in turn, resulted in the withholding of donor support by our other development partners. It is my hope that this House will hasten to resolve some of the outstanding issues and pass the required legislation which will help to facilitate and sustain the fight against corruption so that programme finance can resume as soon as possible. The combined effect of lower tax revenues, the absence of external support to our Budget and additional expenditures resulting mainly from the increase in house allowance for public servants will result in the financing gap of Kshs32 billion. We have had to finance this gap by borrowing from the domestic market. This was done as a bridge financing measure in anticipation of resumption of the release of Budget support from our development partners.

The Supplementary Estimates of the Recurrent Expenditure reflects an increase of net recurrent expenditure of Kshs4.8 billion over the Printed Estimates for the year 2001/2002 while the Development Estimates reflects a net increase of Kshs190 million from the Printed Estimates. The main highlights, where increases have been experienced in the recurrent expenditures, are in the following areas: A sum of Kshs2.1 billion has arisen from the cost of house allowance increases for civil servants in various Government Ministries. A further sum of Kshs3.1 billion has been the result of an increase in house allowances for teachers in our schools, a further increase of Kshs1.2 billion in house allowances for parastatals which are funded directly from the Exchequer and a sum of Kshs435 million in respect of house allowance adjustments for staff of the universities, including lecturers, senior lecturers and professors. A further increase has arisen in respect of adjustment of allowances for doctors amounting to Kshs756 million. An additional increase has arisen as a result of new recruitment of doctors and paramedics, police constables as well as prison warders. The additional expenditure on that account amounts to Kshs353.5 million.

Mr. Speaker, Sir, in the Supplementary Estimates, we are seeking Kshs1 billion to help build strategic grain reserves. I believe that hon. Members will appreciate the critical need for this. For a long time, we have not maintained any strategic grain reserves, despite the fact that we are required to do so by law. We are going to start doing that, and the above amount of money will be channelled through Vote 01 - Office of the President.

Mr. Speaker, Sir, on Development Expenditure, the main increases in the Development Vote are accounted for in two main items. The first one is a contribution by the Government of Kenya for the OI Karia Geo-thermal Project, amounting to Kshs660 million. The second one is a sum of Kshs900 million for the settlement of pending bills. As hon. Members may notice from copies of their Supplementary Estimates, the increases of expenditure in some Votes have been substantially compensated by reductions in others. The overall net increase in expenditure in the

Recurrent Estimates, therefore, amounts to Kshs4.8 billion while the net increase in the Development Vote amount to Kshs190 million.

Mr. Speaker, Sir, I am seeking parliamentary approval, therefore, in order to fund those services which cannot be postponed to the next financial year, and also to implement various development programmes which have run short of provisions or which have been brought on board during this financial year. I am, therefore, urging Members of Parliament to pass this Motion, so that additional funds can be made available to run the various Ministries and departments, and for those Ministries and departments to finance various service deliveries between now and 30th June, 2002.

With those few remarks, I beg to move.

The Vice-President and Minister for Home Affairs (Prof. Saitoti): Mr. Speaker, Sir, I rise to second the Motion brought by the Minister for Finance. This Motion seeks approval from the House, for some additional expenditure - slightly over Kshs4.8 billion. The Minister for Finance has explained quite explicitly the causative factor for the additional expenses. These funds are meant to meet additional allowances and other additional resources required to meet the harmonisation of terms of service for civil servants as recommended in the Kipkulei Report. Of course, there is also additional expenditure attributed to the recruitment of police constables and some staff in the Prisons Department.

Mr. Speaker, Sir, on the issue of adjusting the allowances and salaries for civil servants, I think we should take into account the fact that if we are going to demand adequate delivery of services, I think the people we are going to lean on are the civil servants. If we do not remunerate them properly, they will not offer their best. In essence, the quality of service delivery and productivity would be adversely affected. What has been started now hopefully, is going to be a continuation of a policy to re-look at the general terms and conditions of service for civil servants, so that the staff we have are capable of delivering the goods. I hope the additional expenditure is going to be looked at from that point of view.

Mr. Speaker, Sir, this additional expenditure is being requested for against an adverse economic situation. The Minister for Finance said that according to the Printed Estimates, there is a global figure which was passed by this House. On the side of revenue, there was an input of Kshs24 billion which was supposed to come from our development partners. If the International Monetary Fund and the World Bank had approved the budgetary support programme with the Kenyan Government, the other bi-lateral donors would have come in. A sum of Kshs24 billion was going to flow into the Budget from donors. We are aware that the release of those resources was conditional upon the passage of a Bill which was to entrench the Kenya Anti-Corruption Authority in the Constitution. But that was not possible. I believe that we all remember what happened, but I do not want to revisit the events of last August. On that basis, therefore, the programme between the Kenya Government and the Bretton Woods institutions was not approved. As a result, therefore, the Kshs24 billion factored in the Budget could not flow in. That, in itself, created a very major hole in the Budget from the revenue side. To make matters worse, because of the general performance of the economy and failure of the rains which we received only this year, our agriculture did not do well. Given the important role of agriculture in the general economy, that alone affected our revenue. That is why the Minister for Finance has said that there is going to be a general shortfall of about Kshs8 billion as far as taxation is concerned. So, we have got to look at that very adverse scenario.

Mr. Speaker, Sir, the non-disbursement of a sum of Kshs24 billion from external sources, and a shortfall on revenue, means that we are short of Kshs32 billion. We had budgeted for the money which was to come from donors and services were being provided, commitments were being made and it was extremely difficult for the Minister for Finance to find a way of stopping some of that expenditure. Therefore, in the overall Budget, we are seeing a scenario of a deficit of Kshs32 billion. There has been no disbursement or the inflow of resources from outside, yet services have to be provided. So, where are the resources coming from? I want to commend the Minister for Finance because he has been candid, honest and transparent to say: "The donor aid has been held, there is this deficit and this money has been sought from the domestic market". I am sure that hon. Members may then wish to dwell on that issue and say that it will create a problem. I want to inform the hon. Members of this House that authority is not being sought for us to go to the domestic market to borrow, right away, Kshs32 billion between now and the end of June, 2002. A substantial sum of that money has already been borrowed in a phased manner. So, what will be borrowed will be fairly a small sum of money.

But these are difficult conditions. Nobody can argue against the fact that borrowing from the domestic market is bad. It has got all kinds of implications, but we have had to face up to a very hostile economic situation, both domestically and internationally. That is manifested by the performance of the industrial sector, which has not been working well because of various factors. We are a member of the COMESA agreement and it is true that we play a very major role. But once again, within the COMESA region, there is one or two countries which today seem to have a slightly higher level of economic development than this country.

Mr. Michuki: On a point of order, Mr. Speaker, Sir. The Motion is very clear. Is the Vice-President in order to continue concentrating on the reasons why the money should not be given instead of telling us why it should be given?

The Vice-President and Minister for Home Affairs (Prof. Saitoti): Mr. Speaker, Sir, I do not want to answer Mr. Michuki's question. He has been in Treasury long enough to understand what we are talking about. You cannot talk about the figures without talking about the positive factors and implications. A Budget must be seen in a wider economic framework and not a narrow one.

We are in a difficult situation and I am explaining the reasons for the shortfall on revenue. The shortfall in revenue is attributed to poor performance of the industrial sector - and that is important. Kenyans need to know about it. That has happened because a number of countries which practise unfair trade practices. This is a role which has been looked into. But at the same time, when we also look at the negative side, let us also give the Minister for Finance some credit. Against a very difficult situation, he has managed to maintain a single-digit inflation rate. Inflation still remains low and that is no mean an accomplishment against a very difficult situation such as the one we are in. The inflation rate is decreasing and I commend the Minister for that.

The other thing for which we should also give credit to the Minister is the fact that the reserve in the Central Bank of Kenya still looks very good. It is almost US\$1 billion. It is equally true that the interest rate on the Treasury Bills has also come down. Those are very important economic indicators. But in spite of the fact that last year the Gross Domestic Product (GDP) growth was -0.7 per cent, we are now beginning to see a reverse of that. At this particular time, we are looking at a figure of about 0.8 per cent growth rate. This is the latest figure that I saw yesterday. So, we could very well end up with a GDP growth of 1 per cent. That in itself, however small it is, is a pointer in the right direction.

But I want to say that what is really important here is the overall welfare of Kenyans. Had we received the Kshs24 billion from external sources, that would have gone a long way to assist in our fight to reduce poverty. To the extent that these resources have not come, we perhaps will not reduce poverty. But the lesson that we should learn from this is that too much dependency on donor aid can be extremely destructive. I am not in any way suggesting that we should not go for donor aid, but I think it has been proven elsewhere that too much reliance for the Budget on the donor money can be difficult and can create difficult imbalances in the micro-economic framework. Now that we have been depending entirely on the domestic resources, let us still try to get the maximum money that we can get from abroad, but on the overall, our strategy must be to continue quietly finding out how we can have a strategy to ensure that we reduce the donor dependency by this country. It is essential that we do so. This should not be done for the benefit of the Opposition or of the Government, but it is important for the country. The resources which come from abroad should only be supplementary to what we already have. This will happen, provided we are willing to increase the productivity of our industries and our people. This is something that leaders must put a major premium on.

I know that the Minister for Finance has held very fruitful discussions in Washington with the World Bank and the IMF officials. It is hoped that when the Bills which will be brought here on governance are approved, we may obtain external aid in this financial year, and perhaps, in the next financial year. I want to repeat that the only way in which we will realise realistic growth and bring our economy back on track, is by all of us Kenyans committing ourselves to offer the best we can to this country.

(Mr. Michuki murmured something)

Mr. Speaker, Sir, Mr. Michuki is talking and I do not know whether he has forgotten what he used to do at the Treasury. I am sorry he is speaking in Kikuyu.

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. Since Mr. Michuki spoke in Kikuyu, it does not flatter the Vice-President who cannot understand the language.

Mr. Speaker: Order! There is a difference between hearing and understanding! Proceed, Prof. Saitoti!

The Vice-President and Minister for Home Affairs (Prof. Saitoti): Mr. Speaker, Sir, let me quickly wind up my statement in seconding this Motion. I sincerely want to ask hon. Members to appreciate the fragile situation that we find ourselves in.

With those few remarks, I beg to second.

(Question proposed)

Mr. Speaker: Just before I give the Floor to another hon. Member, I want to say this: Traditionally, we allocate a little time to hon. Members. We agree normally on ten minutes for each speaker. I propose that the House does agree that we will give every hon. Member speaking ten minutes. Is that agreed to?

(Applause)

Very well! Of course, the rule of responding by the Official Opposition will apply. We will give the Official Responder the usual time to respond adequately. So, the ten minutes rule does not apply to the Official Opposition Responder, who is Mr. Mwiraria.

Mr. Mwiraria: Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute to this Motion. Let me start by saying that the problems the Minister for Finance has discussed this afternoon are problems of Government's making. They could have been avoided but they were not because the KANU Government was not willing to do the right thing. Arising from what the Minister has told this House, most of the money being sought in respect of the Supplementary Estimates we are being asked to approve is going towards payments of house allowances to civil servants and teachers generally.

Mr. Speaker, Sir, in his introduction, the Minister told us that he needs about Kshs3.1 billion for teachers' house allowances and a fairly large sum, which I cannot state at the moment, for the civil servants. Why do I say that the problem the Minister is trying to solve is a creation of the Kenya Government? During the last ten years, the Government of Kenya systematically allocated most of the Government houses to individuals who did not pay economic rates for them. People got plots and houses in the Upper Hill area and somebody was sacked for assessing a house on a two-and-half acres plot for more than---

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

Mr. Speaker: What is it?

Mr. Munyasia: Did you notice that, while Mr. Mwiraria was contributing, in between him and the Chair, was Dr. Kituyi who was just standing around without bowing to the Chair? Is he in order?

Mr. Speaker: If he did it, he was a trespasser and out of order!

Mr. Mwiraria: Thank you, Mr. Speaker, Sir, for the protection. I was saying that during the last ten years, the Government of Kenya systematically allocated Government houses to politically-favoured individuals; both in Government and in political circles. One of the chief valuers was sacked for valuing a Government house on a two-and-half acres plot, in the Upper Hill area for just over Kshs1 million. He was required to value it at about Kshs160,000. That plot was later sold for over Kshs100 million and so many of these houses have been allocated throughout the country. Consequently, the Government has been forced to increase house allowances for civil servants and removed those civil servants who are still in Government houses, in the hope that the Government would raise some money from the rents that they collect from private tenants.

Mr. Deputy Speaker, Sir, as I speak here now, many of the Government houses from which civil servants have been evicted are still empty! It is, therefore, very painful that we are being asked to approve additional funds to pay for the mistakes which the Government has made deliberately. The second area where the Government has deliberately taken actions which have led to the present problems is the relationship between the Government of Kenya and the donor community.

Mr. Speaker, Sir, last year when the revised KACA Bill was brought before this House, the Attorney-General and the Government insisted that they wanted the Bill entrenched into the Constitution before we even knew what we were entrenching. We hon. Members from Opposition side pleaded with the Government to allow us discuss the Bill first and then entrench it into the Constitution afterwards, but the Government refused and, as a result, everything stalled.

As a Member of the House Business Committee, I would like to say this: After we knew that problems were coming up because of the fact that we were not passing that Bill in time, hon. Members of the House Business Committee from the Opposition pleaded with the Government to rush the Bill to the House, even if it meant spending a bit of time before adjourning the House for recess to make sure that we passed the Bill. That was not acceptable to the Government either. Is the Minister, therefore, surprised that he is not getting the Kshs22 billion plus which he was expecting as budget support from IMF? Is the Minister also surprised that other donors followed suit in refusing to give their money without the KACA Bill in place?

Mr. Speaker, Sir, I think we had better be honest to ourselves and admit our mistakes whenever we make them. From what happens in the Public Accounts Committee, about 60 per cent of the total approved Budget could be said to be properly spent. The balance of 40 per cent is spent on pending bills. This is money which Accounting Officers would like to hide under the carpet. I am surprised the Minister has admitted that, under Development Expenditure, about Kshs900 million will be used to clear those bills, which have been put under the carpet, for payment.

Mr. Speaker, Sir, the Mule Committee which looked at the deferred bills rejected many of them, but our understanding now is that virtually all of them have been paid. That is why the additional money is required. Under

these circumstances, I find it extremely difficult to support this Motion. But let us look at the Government's policy. Does our Government really have policies which promote economic growth in Kenya? The answer to this question is simply "No". The Minister has told us about low output in both the agricultural and industrial sector, but he did not mention anything about the phenomenal profits made by the banking industry.

As somebody representing an agricultural constituency, I would like to say that time has come for the Government to take the Kenyan farmer seriously and give him the necessary incentives and protection so that he does not have to compete with imported eggs, oranges and rice. We can produce enough of these commodities to feed the Kenyan population without importing anything. If imported sugar was brought into the country and duty paid, one would not be bitter. But when we know that sugar is brought into the country without collecting the revenues due to the Government, because it is being brought into the country by friends of the system, it is really very painful. My plea is that, in the coming Budget, let the Minister for Finance show this House that he really cares for the agricultural sector. On many occasions, I have talked about throwing open the floodgates for the manufactured goods, some of which are more inferior than the Kenyan manufactured goods. We cannot, and should not, use the fact that we are members of COMESA or any other organisation to allow unfair competition against our industry.

The Minister talked about the energy sector. I would like to say that this is one sector which I think is really fleecing Kenyans. Of late, the Kenya Power and Lighting Company (KPLC) has developed a habit of disconnecting electricity to consumers before the due days. I do not have the documents now, but I would like to prove this case, where the KPLC prepared the electricity bill for the month of February on 6th March, this year. On 15th March, they disconnected electricity in somebody's premises. When the consumer went to ask them to re-connect it, he was asked to double his deposit. The simple question is: Since the company already had a deposit which was higher than his normal monthly consumption, why was the additional deposit required? Is this meant to raise money for the forthcoming election? If the KPLC continues to fleece consumers, then this House should give people freedom to get it from elsewhere even if it means generating their own power.

Mr. Speaker, Sir, while I sympathise with the words of the Vice-President when he told us that we should not be very happy to receive donor funds, I would like to say that if these funds are properly utilised they can and do stimulate economic growth. Today, Kenya is the least developing East African state purely because we have not been receiving any donor funding. The Minister for Finance cannot tell the House that it is better for him to borrow locally or from the internal market at the Treasury Bill rates, which are above 10 per cent than to get budgetary support at no interest rate from outside. So, we should really do everything possible to improve our relationship with the donors, particularly the Bretton Woods institutions so that we do not only receive donor finances, but also get investment, which we do not get today into the country.

The industrial sector in Kenya does not receive any additional investment. On the contrary, in fact, people are dis-investing and companies in Kenya are moving out to invest in Uganda and Tanzania. The reason is simply that the investment environment in Kenya is not good enough. Perhaps, corruption is the main reason why investors no longer want to invest in Kenya. We would like to assist the Government in passing the Bills which the donors are waiting for before they can release funding to us. But is the Government ready with those Bills? Is the Government willing to do a clean and honest business with the House? Do they want to bring another Bill, trick the House into accepting it and then tomorrow, it will be taken to court and declared unconstitutional?

Mr. Speaker, Sir, the Government has choices to make. But in the meantime, Kenyans continue to suffer. Looking through the present Supplementary Estimates, we are not really using the additional money we are asking for to provide additional services to wananchi. We will use the additional money to pay for the mistakes of the Government. These are mistakes which the Government made deliberately; such as allocation of Government houses to individuals and eviction of civil servants from Government houses, some of which stand unoccupied to date.

Mr. Speaker, Sir, let me make a few remarks on the high interest rates enjoyed by our banking sector. One cannot, but see that in an economy which is experiencing negative growth, it is only the banks which are making phenomenal profits. Last year, all the banks declared huge profits. Barclays Bank, for example, declared a profit of over Kshs4 billion. Standard Chartered Bank declared a profit of over Kshs3 billion. Even small banks declared a profit of over Kshs1 billion. All of this is happening because the Government is willing to go to the market to auction Treasury Bills. In other countries, Treasury Bills are considered to be the safest security. Therefore, they attract the lowest interest rates. In all the other countries we looked at, as the Departmental Committee on Finance, Planning and Trade, the highest interest rates for Treasury Bills were three per cent. In Kenya, they are above 10 per cent. Why should we accept this situation? We accept this situation at the price of not having any money going to the private borrowers or the common man. How do we expect the economy to grow under those circumstances?

We do appreciate the Minister of Finance and the Central Bank of Kenya have done a good job in keeping down the inflation rates. But if we want to revive the economy of this country, then the Minister must bring down the banking interest rates. America which has the strongest economy on earth, lowered its interest rates seven times in the

year 2001. That was being done by the Reserve Bank. Why should we feel ashamed of intervening to lower interest rates in Kenya?

Mr. Speaker, Sir, I think it is time for the Government of Kenya to take the bull by its horns. We hear speculation as to why interest rates remain so high in Kenya. But I think it is time for this Government to do its work.

In conclusion, Mr. Speaker, Sir, personally, I find it very difficult to support this Motion. In fact, I cannot support it because we are being asked to pay for the mistakes made by our Government. Secondly, I would like to recommend that the Government takes itself seriously by bringing before this House another Bill on the Kenya Anti-Corruption Authority (KACA). First, let us discuss the Bill and then we entrench it in the Constitution when we know what it is we are entrenching, and not the other way round.

Finally, Mr. Speaker, Sir, the Government has a duty to protect and give incentives to its farmers who constitute the majority of our people. They should protect without shame fledgling industries which have been started in this country. We cannot hope that you can have an industry today which will compete with the largest industry in China tomorrow. This is unrealistic and impractical, and the sooner we face this reality, the better.

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

The Assistant Minister for Education, Science and Technology (Mr. Karauri): Mr. Speaker, Sir, thank you very much for giving me the opportunity to contribute to this Motion.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, we are looking for extra funds to finance expenditure. I would like to ask that this money be spent properly. There is a lot of insecurity in the country. The Government should deal with this insecurity because the money we are being asked to vote will be spent on development, therefore, we should make our country secure. Nairobi City has been taken over by street families. A lady cannot walk on Nairobi streets without fear of having her bag snatched, or of being confronted by a big street boy with human faeces in his hand, ready to smear it on her if she does not produce money immediately. You cannot park your vehicle in Nairobi and hope it will be secure without paying the street boys. It is sad that the Nairobi City Council is charging parking fees, but the person who looks after the security of your car is the street fellow. If we cannot deal with insecurity elsewhere, because, maybe we do not have a sufficient police force, why can we not handle a small city like Nairobi?

Mr. Deputy Speaker, Sir, I think we must think and rethink, because our major pre-occupation over the years has been elections and politics. We are not worried about issues like insecurity in Mombasa and Nairobi. From the first day when we are elected, we go into disorganising things and pitting one person against another, until the next elections. We are not worried about insecurity and poverty. I wish the new Minister in charge of internal security, referred to as a "young turk", who has young blood, can address just one issue; that of street families. We want security in this country and our cities. Let us stop addressing artificial and temporary issues. When we talk about poverty, we must look at its causes, but we do not. We are only looking at how to allocate power and seats to various individuals. It is possible that one day we might see three people sitting on one seat in one office. Nothing else is important to us apart from sharing seats.

In my view, raising funds for education and famine relief does not help anybody. We keep on treating symptoms instead of treating the disease. I have always asked in this House why we should spend Kshs15 billion on famine relief - God is great, this year there might be no famine relief and the country will save some money - year in, year out, instead of assisting people do irrigation so that they can fend for themselves. We have been enticed in a game of raising education funds in our constituencies. These are temporary measures meant to deceive people. Even if you raised Kshs5 million in a constituency, every student would get Kshs1,000, and yet school fees is about Kshs30,000. So, that child will never complete school. He or she would pay the Kshs1,000 and still be expelled or be unable to continue with education. We should look for permanent measures of eradicating poverty and stop politicking. I do not know who to blame for this sorry situation, but if you are an hon. Member of Parliament who plays politics from the day you are elected, pitting one person against another, fighting real and imagined enemies until five years are over, that constituency will never get any development. This is what is happening in this country. Let us stop politicking.

Mr. Deputy Speaker, Sir, we should appoint people in areas where they are qualified and proficient. If an individual has stolen in one company, he should not be transferred to another company in order to steal more. What has ruined this country is lack of common knowledge. I will never stop talking about this matter until this matter is resolved; the Government fully owned the Kenya National Assurance Company which used to employ over 1,000 people. When this company went under, a Receiver Manager was appointed who used to earn more than what all the employees were earning for many years. Most of those employees would have retained their jobs. Today, many of them cannot take their children to school. Many of them have died of poverty. The Kenya National Assurance

Company was solely owned by the Government. I have always asked this question, and I will keep repeating it until somebody gives an answer to it. For example, if I own three companies and one goes under, and I am still liquid, why should I not use money from the other company to pay for the liabilities of this other company? The Government has never gone broke. Why should it just watch when Kenyans are dying? Could the Government not pay those workers their benefits if their services had been terminated? Why appoint a Receiver Manager to stay there for seven years, earning more money than what the workers were earning? Does it make sense?

Mr. Deputy Speaker, Sir, we have done many things wrong. Many people worry about the sugar industry for which we have to look for foreign companies to come and manage, because our people cannot manage them. What kind of people are we talking about? We are talking about political appointees who cannot manage those industries. If we tried one day to appoint Kenyan professionals to manage those companies, we would save a lot of money for the sugar industry. But if he is an appointee of the Minister and knows nothing about the sugar industry, of course, we shall collapse. The cost of producing sugar in this country is high because, if, for example, we ask for a loan of Kshs70 million to rehabilitate a sugar factory and we embezzle Kshs50 million out of it, do we expect the cost of production to go down? It cannot because the money that will have been embezzled will have to be repaid by the same farmer. This country's economy can rise within six months if we do the right things. The best way to start it is by returning democracy in our parties. If we want to have a Government---

Mr. Deputy Speaker, Sir, I would have liked to have two more minutes, but since time is up, I beg to support.

Mr. Wamalwa: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute on this Motion on Supplementary Estimates.

I listened with tremendous interest to the Minister when he appraised the House on the development that has been achieved over the past one year, to reverse the trend of the growth of the economy from negative to positive. I suppose we have to be thankful for little masses. The growth rate of 0.8, less than 1 per cent, is something that, right now, we are forced to celebrate as something positive. If this is the trend of things to come, I wish the Minister all the luck and best wishes in dealing with a very difficult situation of turning the economy around after it has been on a downward trend for such a long time.

Mr. Deputy Speaker, Sir, one of the reasons the Minister said the economy had not grown to the extent expected or focused, of 2 per cent, was because there was slow growth in the agricultural sector. This is a fact. When one realises that Kenya's economy is primarily an agricultural economy, that is where it starts and ends. We are not endowed with a lot of minerals. We have not even developed to a point where we can make money out of computer software like the Far East Tigers - Singapore and others. So, agriculture remains our biggest source of income in this country. It employs more people than any other sector, and everybody depends upon it for food. Yet, what have we done with our agriculture?

Today, the Kenyan farmer is a slave! He has no access to credit. It was said a long time ago by a wise man that only fools do business with their own money. This country had developed to a level where there was ready credit for the farmers, in the form of GMR administered by the Agricultural Finance Corporation (AFC). For no liable reason, the Government stopped the GMR and substituted it with something called seasonal credit, which fizzled out after two years and left the farmers abandoned! The Kenyan farmer must now go to the market place to borrow like anybody else, in an area where interest rates are just phenomenal. Until this country controls interest rates, whatever we say to ourselves about reviving the economy will never be achieved. For example, one does not understand why banks, whose origins are in countries like the United States of America (USA), United Kingdom (UK) and other European countries, where interest rates are pegged to below 2 per cent, would want to come to a poor and struggling country like Kenya and demand interest rates of 25 per cent, 30 per cent and more! It is just like if I were to buy an air ticket from Nairobi to London, and somebody else was to buy an air ticket from London to Nairobi, the one buying from London to Nairobi will pay less than I who is buying from Kenya! It looks to me like it is a conspiracy against the Third World.

Mr. Deputy Speaker, Sir, until we re-organise our agriculture, all else is irrelevant in my opinion. This country had a very good foundation in agriculture, until we decided to ruin everything. Since the colonial days, the farmers in Kenya belonged to an organisation called the Kenya Farmers Association (KFA). If the farmer needed milking jelly, he went to the KFA and took it on credit. If he needed a wheelbarrow, panga or a jembe, he went and got it from there. He had access to credit. Today, the farmer has no access to credit. He must put his hand in his pocket to buy anything that he requires. How can you do business without credit? There is no good reason that the Government can give for destroying the KFA. There was the Kenya Co-operative Creameries. In the old days, we used to eat Kenya butter in Europe, even in the British Airways and the Middle East! But for no apparent reason, the KCC was just torn apart. The dairy farmer knew that if he delivered one pint of milk a day, he would get his cheque at the end of the month, however small it would be. He could plan because he had prospects. Today, the farmer does not know what to do.

Even those who use their own money or borrow at exorbitant interest rates and manage to grow maize, which is a staple food in this country, have no way of marketing their produce. This year, we experienced a very ugly situation. I drove through Moi's Bridge on Monday afternoon and saw a certain farmer by the name of Mr. arap Songok on the delivery queue, three miles away from the Moi's Bridge Depot. On my way back on Friday, I found the same farmer having moved a mile. I asked him: "Is this your second or third delivery?" He said: "Look! There is a fire place there. Since you passed, I have only moved a mile! I warm myself at night and I have not reached the delivery point yet!" I asked him: "Do you own the lorry?" He said: "No! I hired this lorry!" So, at the end of that waiting and suffering, when he gets his pittance in terms of price for his maize, all the money will go to the lorry owner! It is just like in the sugar industry. The transporters make more money than the cane growers. That is something very wrong! Until this country comes to grips with its agriculture, and makes it possible for the farmer to farm at an interest and as a business, we are dancing around the totem pole thinking that this economy is going to revive.

Mr. Deputy Speaker, Sir, today, you find hungry people everywhere! Those are the sort of people that Mr. Karauri has talked about. I went to a market place in Eldoret and there were people who had not eaten for two days. You could see it in their eyes and they were asking for a little "chai"! I made a mistake of taking out money-- I do not have a lot of money and so, I do not even carry it in a wallet! I just took it out and whatever little I gave, the rest was grabbed and taken away from me! That is where we have put Kenyans today. I do not know what sort of country we are going to leave to our children. Kenya today can boast of, maybe, 100 billionaires and the rest of the people are living below the poverty line. I do not think that is the sort of record we can be proud of.

Mr. Deputy Speaker, Sir, we had the Kenya Meat Commission (KMC). We were exporting beef to the Middle East and Europe. In London, you could buy Fay Benton's corned beef, products of Kenya. We were so proud to be Kenyans. Today, can you buy Kenyan beef anywhere? Even in Nairobi, if you are not careful, you will buy donkey meat! That is where we have driven this country today and when I see people celebrating great imaginary and individual successes, those are the enemies of this country.

Mr. Deputy Speaker, Sir, it saddens me because we have, under the African Growth and Opportunity Act (AGOA) arrangement, the opportunity to export fabrics and manufactured clothes to the USA. We cannot even meet our quota and we have to give it to other countries. Yet, we did not pay the cotton farmers and we never encouraged them to grow new seeds. As a result, we do not have any cotton today, and we cannot fulfil something like that. All the textile factories, such as Kicomi, Rivatex and others, closed down. I mean, what story is this? History does not fear anybody. It will dress you down, however mighty you might be. I intend to write the history of our times, and I am not going to spare anybody! Those who are in charge and have wrecked this country must be recorded in history.

Mr. Deputy Speaker, Sir, we hear now that we have to set aside Kshs1 billion for strategic reserves. We have talked about strategic reserves every year. We prefer to import cheap maize and make profits, rather than encourage our farmers to produce extra maize and start our own strategic reserves. Once upon a time, I had a chance to talk to Lee Kwan Yu, the founder of the Singaporean State. He said that in 1969, before the death of Mr. Mboya, Kenya and Singapore were equal. They had US\$640 *per capita* in 1969. Today, Singapore is a donor country, while we are still begging. We are still mourning about Kshs24 billion that the donors never gave us! What have we been doing when other people were making it? I think those in positions of responsibility and leadership must ask themselves, when they are completely alone, maybe in the bathroom--- I do not think Africans bathe with their wives! But when they are bathing alone, let them ask themselves whether they have done a good job for this country or messed it up. I think the conclusion will be that they have messed up this country with a big, capital M.

Thank you.

Mr. Deputy Speaker: Are you supporting or opposing the Motion?

Mr. Wamalwa: Mr. Deputy Speaker, Sir, for the sake of the new Minister who is doing his best, I support the Motion.

Mr. Sungu: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the Supplementary Estimates. We need to look for some of the root causes of our problems. Looking at the Supplementary Estimates, the Minister eloquently gave a detailed account of where the increases will arise from. Each time you heard of Ksh2.1 billion, it was for house allowances for civil servants. The Kshs3.1 billion was for house allowances for teachers. The Kshs1.2 billion was for house allowances for parastatal heads and what have you. Kshs435 million was for universities; Kshs765 million for lecturers and so on. At one point the Government had houses for each and every civil servant, parastatal and Government institutions in this country. It is no secret that these houses have been sold. Let us look backward and see why and how.

At one time we received advice from the Bretton Woods Institutions and the World Bank that we need to get rid of the housing provided by the Government. I think it is necessary and right to say right here and now that we need to listen to ourselves before we listen to anybody else from elsewhere, because we can be misled. Right now we are

asking for Supplementary Estimates, not to build the road from Kisumu to Kisii or from here to Kathiani, but to pay house allowances because houses have been sold badly through corruption. These houses could have saved us money.

Mr. Deputy Speaker, Sir, I have got a favourite saying that I sometimes quote. Once, when I was a poet, one poet said that if you fed a bull on sugar, it became sweet-tempered. We need to look after our workers, the police force and every civil servant so that they can work effectively in this country. You and I who represent Kisumu know very well that Kisumu is practically a police state. Every evening, at 7.00 o'clock, a police lorry goes round collecting people, even young people who have been sent to shops to buy bread or milk. Innocent people who are coming from work are asked to fill up a police lorry just because they are walking in Nyalenda, Manyatta, Obunga, Nyamasaria or Mamboleo in the evening. Where is this country heading to if the police are allowed to arrest innocent people, and yet there are criminals out there? I believe they have the machinery, knowledge and training to tell who are criminals and who are not. The police are harassing innocent people because they are underpaid. The time has come when we must say this and ask the Ministry concerned to make sure that these people are paid the right amount of money.

On health, it is awkward to hear that we are giving house allowances when people are dying. The AIDS menace is with us. We have said in this House from time to time that we need to provide free medicine to HIV/AIDS patients. This is a major issue. AIDS is actually afflicting and killing those of economic value to this country. These are people who are educated, working and can produce resources to help this country grow further. The Government must find the funds to help our people live longer. I heard that a Minister said here yesterday that teachers cannot be paid more money. This agreement was negotiated by the present Government and the teachers and agreed upon and signed. It is my wish that teachers be paid their dues. If the Government cannot pay them, then they should try to renegotiate right now. They should convince the teachers rather than force them because they are human beings and they are suffering.

When I was young, if a teacher passed near where you were seated, you would stand up and salute. They used to dress properly. These days you will find teachers walking in sleepers. They go to the banks and do not find their salaries and then they have to beg in the streets. The civil servants are here and they are doing much better. Let them look after those who are building this country because they are teaching young people that we can have a better future for this country. The future of this country depends on these people. Today I was a bit shocked and, maybe, some of my colleagues will disagree with me on what I have to say. In our language we have a saying that you should compare the tail of a ram to that of another ram. You do not compare the tail of a ram with that of a goat.

When it comes to foreign policy we must be seen to be fair. The situation with regard to the Middle East is pathetic. It is sad. It is really difficult for someone to imagine how this will be solved. It is of no use condemning one nation which is also struggling to survive on its own to be recognised as a country. There are other nations which feel that they do not exist as a nation without interfering with other nations. I think it is necessary for the Government to come out in full force and say what is right. They should call a spade, a spade. Israel has suffered. They have been bombed. Everyday you hear that a cafe or children have been bombed---

Mr. Deputy Speaker: Which item under the Supplementary Estimates is Israel?

Mr. Sungu: Mr. Deputy Speaker, Sir, there is a Vote for foreign affairs.

Mr. Deputy Speaker: Order! You must be relevant. If you have finished your contribution on the Supplementary Estimates, just sit down.

Mr. Sungu: I am sorry, Mr. Deputy Speaker, Sir. If you will allow me---

Mr. Deputy Speaker: I will not allow you to digress from the topic.

Mr. Sungu: Mr. Deputy Speaker, Sir, we are also debating the Vote on foreign affairs.

Mr. Deputy Speaker: No, we are not.

Mr. Sungu: The Supplementary Estimates include a Vote for foreign affairs.

Mr. Deputy Speaker: Mr. Sungu, in that case there is no point of having the Minister for Finance here. We might as well have the entire Cabinet here if we want to discuss the entire portfolio of the Government. For the time being, be advised that we are discussing Supplementary Estimates. I can allow you to mention in passing a matter that is not related to finance, but it cannot be the issue of your discussion.

Mr. Sungu: Thank you, Mr. Deputy Speaker, Sir. In that case, I had better turn to agriculture. As you know, you and I come from a place where there is a factory called Miwani Sugar Company, which has collapsed and is going down the drain. We are now passing Supplementary Estimates and I have not seen any mention of Miwani Sugar Company. This is a matter which is very dear to my heart. The other day we talked about 10,000 hectares of land which will soon be allocated to one single person, when hundreds of thousands of people are landless in Kisumu. The Government is just sitting idle and looking at this matter as it goes on. One day it will come to pass that this land will go to one individual. May I appeal to this Government to ensure that the land belonging to Miwani Sugar Company does not go to one individual. The Ministry concerned should take this into consideration so that this land can be given

to its rightful owners who are the people of Kajulu, Kano and the rest.

With those few remarks, I beg to support.

Mr. Michuki: Thank you, Mr. Deputy Speaker, Sir, for granting me the opportunity to contribute to this Motion. In the first place, I would like to invite the Minister for Finance to interrupt my speech if what I will say is not policy. We have been invited to consider Supplementary Estimates for this financial year. The purpose of Supplementary Estimates is to find money to meet expenses arising from policies that could not have been foreseen. That is financing of items that would never have been foreseen at the time of preparing the estimates nine months ago. Yet we have been told by the Minister that what he wants to finance mostly with over Kshs5 billion is the engagement of doctors who have been trained for seven years. It can be forecast when they will be employable.

We have been told that additional police officers are going to be employed. These are people who have to be sent to Kiganjo Police Training College to be trained. Surely, there must be a basis on which the expenditure can be reflected. These are not things that have just cropped up. This applies to the prison warders, policemen and all those people. Unless, of course, it is being admitted that this Government is very shortsighted and cannot see beyond its own nose. Therefore, it could not see it was training people in Kiganjo nine months ago and, therefore, to include their expenses within the annual estimates. Also, it could not have seen that it was training warders nine months ago who would require to be employed in prisons. So, either it is shortsighted or it just does not know what it is doing since its Budget cannot go beyond eight months. The principles that govern Supplementary Estimates have been violated, unless the Minister can tell us why they could not see these things nine months ago.

Mr. Deputy Speaker, Sir, secondly, I want to associate myself with what has been said here by hon. Wamalwa, and quite a bit of what hon. Karauri has said. In his analysis of the economy and in his budgetary prospects, the Minister tells us that his revenue has fallen short by Kshs8 billion. The Vice-President and Minister for Home Affairs comes up with another figure which, of course, the Minister, for his personal convenience, did not mention. This is the shortfall arising from his quarrel with donors, which is Kshs24 billion which Prof. Saitoti mentioned. This means that the overall deficit is over Kshs32 billion, in which case, in fact, this Parliament is being asked to vote for an additional sum - slightly over Kshs5 billion - to supplement a budget whose revenue has gone down by Kshs8 billion. Further, in which case, we are being asked as a Parliament, to vote for monies that are non-existent. The best the Minister could have done was to reduce services to balance his budget and request this Parliament to allow him to re-allocate or to effect virement, if he likes it. This is not what he has done. He is now telling us: "My revenues have fallen short. I have no taxation proposals to bring to you, but you must vote me another Kshs5 billion so that my deficit now increases to Kshs13 billion, which, I hope through the grace of God, to raise from Timbuktu and all the other sources that are unknown to budgetary institutions". Otherwise, he is not telling us where he is going to get this money from.

Mr. Deputy Speaker, Sir, in other words, the Minister is telling us that we should give him permission to go and use all the means to raise Kshs13 billion, although he is not telling us where he is going to get it from. This may include forcing the Governor of the Central Bank to print money or borrowing from the internal market, which is starved of money, at very high interest rates and thereby incurring huge debts which this Government cannot offload. Therefore, I consider the route that the Minister has taken, in the absence of a satisfactory explanation, very, very ill-advised. For a Minister of Finance to follow this route or to ask this Parliament to give him money which is not there in the Consolidated Fund is really taking this House for a ride. This is because, how can we be asked to vote for monies which are not there? It is like going to the City Market and pretending that you have money by putting your hands in your pockets and then enquiring about the prices of apples and bananas, and yet you do not have money. This is exactly what the Minister for Finance is trying to do.

Mr. Deputy Speaker, Sir, my questions are: "How long are we going to continue pretending that we have resources which we do not have; how long are we going to continue trying to steal other people's clothes in order to make our own coats because our clothes are not enough to make a coat? When are we going to admit that we have reached a point where this economy cannot sustain that insatiable desire for expenditure and consumption? When are we going to realise this?" These are questions this Parliament should be asking itself. Therefore, I want to propose that the Minister goes back to the Cabinet and advises his boss that these things cannot be financed because there is no money. Maybe, that is why hon. Okemo left the damn place.

(Applause)

The Minister for Energy (Mr. Okemo): On a point of order, Mr. Deputy Speaker, Sir. Is it really in order for hon. Michuki to say that I left the damn place when, in fact, I moved as a result of a Cabinet reshuffle?

Mr. Deputy Speaker: The net result is the same.

Mr. Michuki: Mr. Deputy Speaker, Sir, I, therefore, beg to oppose.

(Laughter)

Mrs. Mugo: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

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

Mr. Deputy Speaker: On what? Mrs. Mugo has hardly said anything. Being a Member who has concluded his contribution---

The Minister for Finance (Mr. Obure): Mr. Deputy Speaker, Sir, I was just wondering whether it is in order for hon. Michuki to say that I left the damn place.

Mr. Deputy Speaker: Proceed!

Mrs. Mugo: Mr. Deputy Speaker, Sir, from the outset, let me say that I oppose this Motion mainly because this money will not in any way benefit the starving and dying Kenyans, because they have no access to medicine.

Mr. Deputy Speaker, Sir, the other reason why I oppose this Motion is because that money is not there. This is fraud. If we give authority to spend this money, it is like saying that money can be gotten from anywhere, including from banks. It is only the banks which have money these days.

Mr. Deputy Speaker, Sir, looking at the reasons given, the biggest amount is going to planning and administration, both in the Office of the President and the other Ministries. Going by the past record, there is no planning that goes on in this Government. If you are borrowing more money to continue making bad plans, then we had better save this country from getting into further debts. I cannot see what planning and administration can take Kshs3.4 billion, which is being asked for by the Ministry of Education, Science and Technology. We are aware that teachers are threatening to go on strike to demand the package they were promised by this Government, but we do not consider that a priority. Indeed, if they can find this money, they can also find money for the teachers.

Mr. Deputy Speaker, Sir, at this moment, there is no development taking place in schools. They are not building more schools and that is why many of the children who sat for their examination last year could not even go to high school. But as far as the Minister is concerned, that is not a priority. Only yesterday, we were told that there is no money to pay teachers. What is this planning and administration, which now is a priority and an emergency, all about? Have they taken more staff in the administration at the headquarters? Could they not foresee this when they were preparing the Budget? We know that teachers are crying and we know that they are genuine because they were promised salary increase by this Government. In fact, the Minister should tell us where this money will come from since they have said that there is no money to pay teachers. If it is there, then, he should, first, pay the teachers. He should include that provision in the Budget to enable him pay teachers their package.

Mr. Deputy Speaker, Sir, also, looking at the Ministry of Health, the amount of money being sought also does not go to curative or salaries of the nurses who are terribly underpaid. I do not know where they got the idea that they were going to get a salary hike. I think they were tricked to go back to work. Now, they are being told there is no money and that it was never the intention of the Government to increase their salaries. I do not know who can trust this Government. If there is money, then it should go to the teachers, nurses and doctors. I think that is more important than this "planning and administration." We should be told exactly what planning and administration is all about instead of leaving us to guess.

Mr. Deputy Speaker, Sir, on the issue of security, the security of this country has deteriorated. Does it mean that there has not been planning in the past? In Nairobi, people are being executed and we do not hear anybody being apprehended or taken to court unless that victim is a senior policeman or a senior person. Is everybody getting the same protection in this country, or are we just recruiting security for the VIPs? I feel that whatever money that is there should be put into security so as to ensure that the City is safe. I thought Kisumu City was safe, but I am told that it has the same problem. Both urban and rural areas are very insecure. We should be told where the money we voted for security is being spent if we are going to vote more money towards the maintenance of security. I think the money we vote here goes everywhere else other than what it is intended for. That is why we should stop giving any more money until we are told where this money goes to.

Mr. Deputy Speaker, Sir, I do not know whether you have seen, like I see, those pathetic cases on the Kenya Broadcasting Corporation (KBC) television. I want to thank the KBC for bringing those poor sick people on the screen for people to help them. Is that not a shame? Can this Government not afford to help those poor cases if we are eradicating poverty? This money is said to be used to eradicate poverty. What poverty are we eradicating? Those are the poorest of the poor. They wait to die until a good samaritan comes from somewhere to save them. Do we have a Government or not? If we do, then I would like to hear that the Minister for Health has been given money to have those cases treated. I think it is such a big shame.

Mr. Deputy Speaker, Sir, HIV/AIDS is another major problem. Even the money given for HIV/AIDS from other countries has never reached the constituencies. In Dagoretti, we have the Constituency AIDS Control Committee (CACC) that was launched, but we have never received any money to start empowering the people. We do not need

seminars. I thank the Minister because he has now realised that they do not help. We need money to empower the people, educate and screen them so that those who find out that they are HIV positive do not continue spreading it. Could the Minister tell us where the money for HIV/AIDS went? Was it stolen as well? I think there is so much wastage in this Government. If they can, at least, try to avoid this wastage, we would not even need these Supplementary Estimates.

I was sad to hear the Governor of the Central Bank of Kenya say that banks make profit because they are efficient, while we know that they make profit because they overcharge on interest rates than anywhere else in the world. No matter what we do, we are not going to get growth until the people of this country can be able to access credit. We want them to be empowered so as to generate the economy or to make the economy grow. We do not want foreigners. We keep on talking about the African Growth and Opportunity Act (AGOA), but how many Kenyans of Kenyan origin have benefited from it, when what we see from television are foreigners who come here just to earn money? Now that the elections are coming, many of them are running out of this country with their money until the elections are over. When are we going to empower our own people? We want to see factories being manned by Kenyans who can borrow money from the bank and run their businesses. When the Minister will come here with such a request, we shall pass it because it is for the benefit of Kenyans. But we are not going to pass the Motion just for a few people to continue stealing from Government coffers.

As I speak, the police in my constituency patrol the area from 6.00 p.m. or 7.00 p.m., picking everybody on sight so that they can bribe them with Kshs500, or they are taken to court under fabricated charges.

With those few remarks, I beg to oppose.

Mr. Sambu: Mr. Deputy Speaker, Sir, thank you for giving me the opportunity to air my views on the Supplementary Estimates. I support the approval of these Estimates because of only one proposal presented to us by the Minister. He has asked the House to allow him to spend Kshs1 billion to establish a national strategic food reserve. However, I would like him to assure us the money will be used to buy Kenyan produce so that in the process, it can be used to pay Kenyan farmers.

Mr. Deputy Speaker, Sir, as I speak, maize farmers have delivered a lot of maize to the National Cereals and Produce Board (NCPB). I believe that the Government intends to stock maize to establish the strategic food reserve. Three years ago, we did not have a national strategic food reserve. That was why we imported yellow maize. Kenyans do not like yellow maize, but they had to eat it because white maize was not available. So, once the Minister gets this money, I would like him to liaise with the Ministry of Agriculture and Rural Development, and the NCPB, so that funds can be released direct to the NCPB, so that the NCPB can pay farmers for the maize they have delivered to its silos.

For most parts of the country which produce maize, it is now time for planting the next crop. The rain is about to come, but farmers have neither prepared the planting fields nor bought seeds because they have not been paid for the crop they have delivered to the NCPB. So, I request that once the Minister gets the money he has asked for, he releases it to the NCPB and ensures that it is used for paying for the maize that has been delivered to it by farmers. We understand that there are people who want to import foodstuffs. There is a foodstuff called "Uji Mix". There is an Indian who has already opened his mouth, and is ready to "swallow" the Kshs1 billion being sought here on importation of Uji Mix.

Mr. Deputy Speaker, Sir, if any amount of this money is used for importing beans, KANU will be faced with a disaster during the general election. I come from an area where the people talk KANU and maize. So, if the money being sought here is used to import Uji Mix, KANU will have kissed goodbye to the vote from that area. Why should the Government import beans? I know that people who need maize also need a little amount of beans. If we tell people in Western, Nyanza, Rift Valley, Central, Eastern and Coast Provinces to grow beans, the cereal will be produced within two-and-half months. If the bean varieties locally known as *Wanjiru* and *Mwezi Moja* are planted on the onset of the rainy season, they will be ready for harvest within two months. If we are to import beans from South Africa, these will arrive in the country after three months. So, why should we import beans when Kenyans can grow them here locally? If we should buy beans, let us buy locally produced beans. Let us not import beans from South Africa or wherever else.

Currently, a lot of milk is literally being poured down by farmers because milk processors in the country do not have the capacity to buy and process all the milk being produced. So, why do we not re-establish existing milk processing plants, so that we can process our milk into powder and prepare the Uji Mix we want to import? I do not want to over-emphasise the point, but paying the maize farmer is very important. So, the Government must take a very serious note of that point. The rains are coming and yet we have not prepared our planting fields because we have not been paid.

When we took our maize to the NCPB, we were told that some of the grains were rotten. So, we were made to select and remove the coloured grains from the rest of grain. We grew the maize from seeds supplied by Kenya Seed

(KSC) Company, which is a State Corporation. The company sold us the 626, 627, 628 maize seed varieties. I have said here before that maize grain grown from this seed series is prone to discolouration, because the cob absorbs moisture. So, although I support the passage of these Estimates, no money should be voted for the KSC. Instead, money should be voted for KEPHIS, which inspects seed producers.

Mr. Deputy Speaker, Sir, I support the Minister's request for funds to employ doctors. The Government should employ doctors and pay them well. Moi Teaching and Referral Hospital (MTRH) is the referral hospital for the whole of western Kenya. Doctors in Bungoma and Kisumu refer patients to that hospital. However, when the patients arrive at the hospital, they are attended to by clinical officers, because the medical consultants at the hospital spend most of their time at their personal clinics due to the poor remuneration they receive from the Government.

We have voted a lot of money for Kenyatta National Hospital (KNH) but it has been kept in some funny banks, and has now disappeared. I would, therefore, like some more money voted for MTRH to enable it put up dialysis and intensive care units, so that people from western Kenya can be treated there instead of them coming to KNH to queue for six months before they can have their heart and kidney conditions treated. Rather than vote a lot of money for KNH only for it to disappear, we should upgrade hospitals in western Kenya. If Nyanza Provincial Hospital (NPH) is upgraded, it will ease the congestion at MTRH Hospital.

If today you go to what used to be the Nyayo Wards of MTRH, you will find three patients sharing a bed. As I said, if a patient is referred to that hospital, before he is attended to by a doctor, he will be seen by a clinical officer first despite the fact that such a patient will have been referred to that hospital by a doctor from a district hospital. So, you can see how bad things are. I want to believe that the Minister for Finance, who controls the kitty, will discuss the matter with the Minister for Medical Services, so that the situation can be improved.

Mr. Deputy Speaker, Sir, finally, I would like to talk about the funding of District Road Committees (DRCs). The DRCs money is still pending. Some district road engineers told us that the DRCs are supposed to hire graders from Government departments at the rate of Kshs22,000 per kilometre. Why should one arm of the Government pay money to another arm of the same Government? Why should we take money from the DRCs and pay the Public Works Department? The engineers only want to steal the money; that is what I told the engineers in Kapsabet. I told them that I would rather employ young people to do the roads manually than pay the Public Works Department from the DRC kitty. It is a very sad state of affairs, and that is why the Ministry of Finance and Planning has to put its acts together, in the way it controls these funds. Otherwise, we will vote for the Supplementary Estimates and the Budget, and nothing will ever improve; the poverty afflicting our people will still continue.

Mr. Deputy Speaker, Sir, some of my colleagues have talked about banks over-charging on interest rates. That is why the Indians are taking over all the towns, because we cannot afford to borrow any money. We are simply becoming an Indian colony in the making.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Muite: Mr. Deputy Speaker, Sir, I do wish to emphasize at the very outset that one of the most fundamental functions of Parliament is to act as a watchdog against public expenditures as far as the Executive is concerned. If Parliament, as an institution, is going to be effective in acting as a watchdog, it is unfair that the Minister for Finance should only yesterday give notice of this Motion and, then, only today at 10.00 a.m., the Supplementary Estimates books were put in our Pigeon Holes, asking this House this afternoon to approve nearly Kshs12 billion. Where will hon. Members get the time to analyse these figures, item by item, so as to effectively question these supplementary expenditures?

(Mr. Obure consulted with Prof. Saitoti)

Having said that, I would like to ask the Minister for Finance, through you, to listen to what I am saying, instead of over-consulting with the Vice-President and Minister for Home Affairs. I would like him to assure this House that the widening Budget deficit is not being caused by payment of accumulated bills to contractors through the use of the Treasury bills. We would like the Minister for Finance to assure this House that the Budget deficit is not widening because the Government is paying accumulated bills to contractors without the authority of this House, by the use of the Treasury bills. Could he also give this House a complete inventory of how many contractors have been paid in the last 12 months and the amount of each payment to each of these contractors so that this House can be sure that this is not one of the issues that are widening the Budget deficit.

When the Minister was moving this Motion, he said that part of the reason for the shortfall is because they expected donor aid to be resumed; that, that was the assumption on which the Budget was made. I would like, through you, to say that, that assumption was wrong. But I would also like to ask this Minister: Which of their economic assumptions has ever turned out to have been well founded?. Could he tell us one assumption that turned out to be accurate and correct? They now say that the fresh assumption is that aid will be resumed because they are bringing two

Bills to this Parliament; one is that of anti-corruption. Therefore, the assumption, even when they are asking us to approve these Supplementary Estimates, is that they expect aid will be resumed because they are bringing those two Bills. I would like to tell the Minister, through you, that if he brings back Mr. Kombo's Bill, word for word, without removing a comma or adding a full stop, we shall enact it. But if he is going to bring the shady job that was done by these people from England, whom we paid, we will not enact it. They concocted a Bill which left the control and the final decision on who to prosecute or not to prosecute on the Attorney-General and the institution of the Judiciary as it is; that is a public relations exercise. Certainly, those hon. Members of the Opposition will not be duped into enacting a Bill like that one. So, again, let me sound advance warning; that, your assumption that aid is going to be resumed because you are going to bring a faulty Bill here for the purposes of not fighting corruption, but getting aid, we will not enact it. So, that assumption is, again, going to be wrong.

One would have expected to see a Supplementary Estimates Budget being brought here in order to pay the teachers. The Opposition is not going to let the Government off the hook on the issue of teachers.

(Applause)

They signed with their eyes wide open; where the Government gets the money from is its problem; it is not the problem of the teachers or that of the Opposition. We are going to insist that they honour the contract which they signed. So, if these Supplementary Estimates Budget is brought in order to pay the teachers, we will pass it without any opposition. But let me say this: If the Government does not bring or accommodate the teachers' salaries in the context of the coming Budget, then, the Government is asking for a showdown or confrontation that, without any question, will follow. There are many items one would have questioned here if we had the luxury of time. But I can see that the Office of the President is asking for a Supplementary Budget of just over Kshs1.7 billion. I know that the Kenya Wildlife Service (KWS), a parastatal, for some strange reasons, is under the Office of the President. The KWS used to be headed by Dr. Richard Leakey. He left KWS and became the Head of the Public Service and Secretary to the Cabinet, and he was given a very exorbitant salary. You will remember the "Dream Team," headed by Dr. Leakey. Those very exorbitant salaries were being paid by funds provided, not for free, by a loan provided by the World Bank. The repayment of that loan falls squarely on the shoulders of Kenyans; it was not free money. We are repaying those huge salaries the "Dream Team" were earning today, including that of Dr. Leakey. When, for whatever reason, his services as the head of the "Dream Team" and the Head of the Public Service and Secretary to the Cabinet were terminated, one assumed that his contract was complied with. But I can see that we are now being asked to approve Kshs1.7 billion for the Office of the President under which the KWS comes. I wonder whether part of these Supplementary Estimates is in order to pay additional money to Dr. Leakey, after he left Government Service as the head of the "Dream Team" and the Head of the Public Service and Secretary to the Cabinet.

We have a letter here asking the Financial Controller of the KWS to write a cheque of Kshs1.7 million to Dr. Leakey. For what reason? It was for the balance of the term that he would have served, had he continued to work for the KWS. But he did not work. The Financial Controller said that, that was illegal. He replied: "That is public money; we cannot pay this unless the Office of the President authorises us to pay this money." But he was ordered to write a cheque immediately. He was told: "Those questions about audit queries and whether Dr. Leakey is entitled to this money or not will be sorted out later. But can you write the cheque today!"

I would like to lay on the Table this correspondence, and presumably the cheque--- The cheque was drawn and paid out because the correspondence here indicates: "Paid." That was as recently as 15th February, this year. The Minister should give an explanation to this House as to why somebody should have been paid twice, when the office of the Director of KWS had a substantive holder. How could we pay him two salaries at the same time, and yet he was not serving at KWS? The Government claimed that it was the balance of the period which he would have served. I would like to lay this on the Table of the House so that the Minister can respond to it.

(Mr. Muite laid the document on the Table)

Mr. Deputy Speaker, Sir, there are items here that require explanation from the Minister. On Page 6, for example, there is a sum of Kshs340 million for the Anti-Corruption Police Unit. In the column of the Printed Estimates, it is blank. I would like the Minister to explain why there were no Estimates for the Anti-Corruption Police Unit, so that we can accommodate them within the Supplementary Estimates. Where were the original Estimates? Many of us have got a lot of problems when voting monies for the Anti-Corruption Police Unit. We do not mind voting monies to an anti-corruption unit which is going to be effective, but not one which is not effective.

With those remarks, I beg to oppose.

Dr. Anangwe: Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to

this Motion. From the outset, I would like to declare that I support this Motion. The request by the Minister for Finance in the Supplementary Estimates should be supported fully.

Mr. Deputy Speaker, Sir, what we are undergoing now is a ritual. This time, every financial year, we are always obliged to come up with Supplementary Estimates and the House is always requested to approve such Estimates. This is necessitated by the fact that the Budget is a plan and is based on certain assumptions. The longer the period, the more precarious the situation becomes, because the assumptions one may have made in the course of the year become the constraints or active factors influencing the process. So, when the Government comes up with the Supplementary Estimates which amount to a supplementary budget, it should be understood. It is a common practice everywhere, even in the corporate world. We cannot really hold things constant for a whole financial year. One is bound to come up with variations and changes in the assumptions one may have had in mind. Of course, the process becomes a bit complicated for the Government because it cannot go directly to the Treasury. It has to seek parliamentary approval in order to withdraw money from the Consolidated Fund.

Mr. Temporary Deputy Speaker, Sir, when a problem is recurrent and is routine, we do not have to be coming up with new solutions all the time. I propose that in future, as we undertake reforms under the Constitution of Kenya Review Commission, we should build in a mechanism, whereby a certain percentage of money can be withdrawn from the Consolidated Fund as a percentage of the total Budget, to take care of contingencies of this nature. In that way, we would be saving a lot on the amount of time we spend debating the Supplementary Estimates. In the first instance, we know that these resources are required because they are used to support Government services. In any case, we have no choice but to approve the Supplementary Estimates. My honest proposal is that at a future date, if the House deems it fit, we should budget for a certain amount of money which the Treasury can withdraw directly from the Consolidated Fund, as long as they do not surpass the given amount. That will save the Minister for Finance from the agony of having to come to this House every time.

Mr. Deputy Speaker, Sir, when we look at the Supplementary Estimates, there have been reductions in some Votes, while there have been increases in others. Of course, the idea is that where the reductions have occurred, the same money has been transferred to where we have increases. This is desirable. The net beneficiary of the Supplementary Estimates, especially with regard to Development Expenditure, is the Office of the President which is asking for about Kshs1.7 billion. A detailed examination of how this money will be spent shows that most of the money will go towards the registration of persons. We all appreciate that the need for identity cards in this country has not been met. In many constituencies and in many districts, the youths who require identity cards are complaining. Many have missed the opportunity to register as voters because they could not access identity cards. It is common knowledge that the capacity of the Office of the President to perform this function is really stretched. The Registrar of Persons has said that his office has the capacity to register new persons, but I think that is the normal talk among civil servants so that they are not blamed for inadequacies that may occur. When inadequacies occur, they are felt on the ground. In Butere Constituency, the youth need identity cards and the capacity of that office needs to be enhanced so that our youths can get identity cards. May I request that when this money is finally approved, the bulk of it should go towards supporting the registration of young persons who need identity cards in the rural areas.

Mr. Deputy Speaker, Sir, the National Food Security Office within the Office of the President requires about Kshs1 billion. We understand where this money is going to. It is going to be used to pay our farmers who delivered their maize to the National Cereals and Produce Board. Unless we motivate our farmers, we may not have adequate food in the next season. Many farmers in maize growing areas are very demoralised. When we look at the cost of producing one bag of maize and the market price of one bag of maize, it is very discouraging. We should avoid a situation where we discourage our farmers, especially in Western Kenya and the Rift Valley. If this money is going to be used to pay the farmers, so be it.

Mr. Deputy Speaker, Sir, the Ministry of Health requires about Kshs2.2 billion. The bulk of that money is going to curative health in the district hospitals. Indeed, the money will be used in the district hospitals to finance personal emoluments, purchase of drugs and food rations. This is not enough and we need more. If this allocation will help to relieve that particular shortcoming so that the medical staff are paid, drugs can be procured and food can be availed to patients, then it is a desirable expenditure.

With regard to Kenyatta National Hospital which may require about Kshs554 million, it is high time the Ministry of Health came with a programme to wean off Kenyatta National Hospital because it has the capacity to sustain itself without having to go to the Treasury to seek this amount of money. There are many loopholes in the management of Kenyatta National Hospital and if avenues for pilferage of the revenue that is collected from the hospital were sealed, it would be a good development.

Mr. Deputy Speaker, Sir, with respect to the Ministry of Education, Science and Technology, we can see how much money is required. The bulk of this money will go to the Teachers Service Commission, particularly to finance house allowances and other personal emoluments. This is necessary in order to motivate teachers. I know that there is a

crisis looming amongst the teachers, but it could be avoided if reason could prevail. Teachers have made certain demands, and the Government has already given its response. Let that Government response be a point of departure so that we can explore new options. This is like going to the market with goods and services to sell, and you may of course demand how much those goods are worth. But sometimes it is the ability of the buyer to purchase that determines prices. In my home area, if you take a bag of maize to the market and ask for so much money, stand there the whole day and nobody buys your maize, you will have to re-examine your price and ask buyers how much they can pay.

All I am saying is that teachers need to re-examine the situation in the light of what the Government has said, and if possible sit down and think of another option. If the Government cannot afford what the teachers have asked for, then they should ask the Government what it can afford and let this be a basis for a renegotiation. I know that teachers came to this House through a Committee and I had strong reservations about them having to bring that issue here, particularly to the Committee, which accepted this initiative because it was going to expose our inability to handle the matter. In spite of the teachers having come to this House, we have not offered a solution. We should not have got ourselves into this kind of mud. That is the basis upon which I really felt that Parliament is not the right channel for solving this problem. I support the fact that teachers need the salary increment, but the proper avenues must be followed.

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

Mr. Wamae: Thank you, Mr. Deputy Speaker, Sir, for giving me an opportunity to contribute to this Motion on the Supplementary Estimates, which I do not intend to support.

We have noticed that Kshs224 million has been provided to the Ministry of Roads and Public Works from the STABEX funds to finance roads in tea and coffee growing areas. While this is welcome, we would like this money to be used in coffee and tea growing areas, but spent through the District Roads Committees (DRCs). We do not want this money to be spent from the Ministry. We want it to go to the grassroot so that we can construct rural roads to coffee and tea factories and societies. So, a formula should be found to divide this money and distribute it to the districts to be spent by the DRCs.

There are more funds under the STABEX funds programme. We had Kshs6 billion, and Kshs1 billion has already been used through the Co-operative Bank of Kenya, and now Kshs224 million is being proposed to be used. So, there is still more than Kshs4.5 billion lying idle in banks in London, Brussels and Nairobi. This money can help this country. Most of it should go to coffee farmers. As you all know, coffee farmers have suffered in the last two or three years because of the poor international prices of coffee. Many of them have abandoned their coffee husbandry and cannot send their children to school. So, why is that money not being utilised? Why can we not re-open negotiations with the European Union (EU) for this money to be released? This money has been lying in these banks since 1991. Why do we have to have money earning 3 or 4 per cent interest in some of these banks? Whose interest is it to keep this money lying idle? Kshs4 billion is a lot of money. We should come up with a programme to negotiate with the EU to have this money utilised. Some of it can go to growing cotton, coffee, tea, horticulture and the tourism industry. But let us use this money. We should not keep it in banks where it is not helping anyone.

Mr. Deputy Speaker, Sir, most of the money that we are voting here will go into provision of house allowances for civil servants and other personnel. As has been mentioned here, many Government houses are now unoccupied. They are unoccupied because civil servants have left them because they cannot afford to pay the required rent. So, we cannot at the same time pay high house allowances and have those Government houses unoccupied. So, a solution has to be found. One way in which a solution could be found is to value the houses and sell them at the market value. But if the houses are unoccupied, their value will deteriorate and eventually they will not be useful to anyone. They will suffer breakages and loss of locks and other things. Why should we keep those houses unoccupied, yet we are paying high house allowances? We should have a special board comprising of incorrupt people - not the ones who are in charge - to ensure that the houses are valued and sold at commercial rates, to give the Government additional resources to meet some of its commitments.

Corruption is continuing and we are being requested to vote over Kshs300 million here for the Anti-Corruption Police Unit under the Police Commissioner. If you go to Kasarani, you will find a police roadblock where traffic police officers collect bribes from matatu owners. What is the Anti-Corruption Police Unit doing? Why can it not find out what is happening with the police? Matatu owners have to charge higher fares to recoup the money they are paying to traffic police officers. The Anti-Corruption Police Unit has failed to stop this corrupt activity. Everybody driving along the Roysambu Roundabout will see money being given openly by matatu owners directly to traffic police officers. This happens on a daily basis and nothing is being done to stop it. We spend a lot of money to maintain the Anti-Corruption Police Unit in the police force, yet we do not see what they are doing. Could the Anti-Corruption Police Unit, at least, stop the traffic police officers from taking bribes from matatu owners? You will even find that these officers are very fat and are not like the ordinary policemen. I think they are receiving more than they should be

earning.

Mr. Deputy Speaker, Sir, we would like the Government to seriously consider doing something about the price of power in this country. Our industries have been affected greatly by the cost of power in this country. The cost of power is US9 cents per unit in Kenya, US4 cents per unit in Egypt, and US2 cents per unit in South Africa. How will we compete with South Africa when we have to pay four times more for electricity? How will we encourage tourism in our hotels when they have to pay so much money for power? We cannot compete with such countries.

Also, we should investigate the independent power producers such as M/s Westmont and M/s Ibera Africa. They are milking the Kenya Power and Lighting Company (KPLC). They are being paid more money than what the KPLC charges consumers. This is a corrupt deal and it should be investigated and the contracts terminated. One reason why the KPLC is making losses is because it is paying a lot of money to the independent power producers. Although these companies are said to be owned by foreigners, there are some Kenyans who are shareholders in those companies and are benefitting from them. Why should we allow that to continue? We must bring the cost of power down in Kenya. There has been enough rainfall in the country; we cannot say that there has been drought, and yet hydro-power generation is going on. So why has the cost of power not come down? The KPLC has increased deposits from the consumers. For what does it need all this money if it is not being inefficient? If we want to solve economic problems in this country, we must solve the problem of the price of power. Unless we do that, this will be tantamount to passing all the costs to all the sectors of our economy. Every hon. Member here knows how much we are paying in every household; Kshs10,000 to Kshs20,000 a month. That is too much money to pay for power!

Mr. Deputy Speaker, Sir, when the Departmental Committee on Energy, Communications and Public Works went to Europe, it came back and said: If it means we have atomic energy in order to produce cheap power in this country, let us have it. That is the only way that we can have more power than we need. Atomic energy will produce about 1,500 MW, and we will incur the same cost as we would incur in building Kamburu Dam, and we will continue producing power cheaply for a long time. But we are planning to import power from South Africa, who are producing hydro-electric power and atomic energy, which can be done here! Nobody thinks about that. I do not know where we have gone wrong in our planning! It is high time we became realistic in this country and saw where we are going wrong. Kenyans are becoming poorer every year and the Government is not going to have enough resources to finance its programmes for education and health. The economy is not generating enough income because there is no cheap power for production. Therefore, we are going in a vicious cycle and poverty is increasing. Our people are growing too impatient; they are not going to continue accepting to be led by the Government of this nature, where poverty has increased from 23 per cent 1978, to 56 per cent last year. The percentage of people who are living below the poverty line is high and it is still rising!

Mr. Deputy Speaker, Sir, these are very serious matters that we need to contemplate upon. The rate at which poverty increases in western Kenya, according to the official statistics, is unbelievable; 72 per cent. We are still importing sugar instead of helping the farmers in sugar cane and cotton growing areas; we are importing sugar and textiles. These are things that we have to consider, and it does not matter whether you had elections on 18th March or what, those things are not going to help the economy unless we go back to the basics and decide whether we want to be sincere to our people and check where we are going wrong and correct it.

Mr. Deputy Speaker, Sir, let me touch on the issue of teachers and nurses. Education and health are two sectors that we cannot play around with. If you want to improve the economy, you must have educated people, who can only come from the education sector. Let the Government pay our teachers what was agreed and promised in 1997. Let us find money to do so. If there is any problem of raising the money, let us sit down with the Kenya National Union of Teachers (KNUT) and re-negotiate the agreement sincerely, rather than announcing here in the House that there is no money.

With those few remarks, I oppose the Motion.

Mr. Murathe: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. I want to support the sentiments of hon. Members who have contributed that it is very unfair for the Government to ambush hon. Members with details and specifics that we needed time to go through.

Mr. Deputy Speaker, Sir, once we establish the Budget office, it will be possible for the relevant committee to look at the specifics for each Ministry; investigate that Budget, and look at the specific areas that need to be addressed. You can see the Ministers are all here and they want to conclude this debate now, even before hon. Members have looked at some of the details in the Supplementary Estimates.

The Assistant Minister for Local Government (Mr. Hashim): On a point of order, Mr. Deputy Speaker, Sir. May I call upon the Mover to reply?

Mr. Murathe: You can see, Mr. Deputy Speaker, Sir, how twisted logic--- This is ridiculous!

Mr. Deputy Speaker: Order! Order, hon. Members! Ordinarily, we should conclude the discussion of Supplementary Estimates in one sitting. It had been indicated to me that there was a desire for the debate to continue to

next week. But if a Motion has been proposed, as indeed it has, I have no option, but to put the question.

Mr. Angwenyi: But you should look at the mood of the House!

Hon. Members: The mood!

Mr. Deputy Speaker: Order! Order! If you look at the Standing Orders---

(Several hon. Members stoop up in their places)

Order! Order, hon. Members! If your desire is to continue beyond today, the Standing Order requires this to have been done before 3.30 p.m. If you look at Standing Order No.143(3), indeed, we should have called the Mover to reply half an hour before the time of interruption of the House. So, I will put the question.

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

Mr. Deputy Speaker: Order! Order! I will now put the Question.

(Question put and agreed to)

Mr. Muite: On a point of order, Mr. Deputy Speaker, Sir. In terms of orderliness and fairness to the conduct of business in the House, I had spoken to the Speaker and wanted to hand over a Motion of extending time of debate on the basis that we are now being asked to vote money within three hours. These Estimates books were put in our Pigeon Holes only at 10.00 a.m. this morning. The Speaker consulted with the Minister for Finance, as I was standing there. The Minister for Finance and the Speaker agreed that it was reasonable to continue this debate on Tuesday. Therefore, it was not necessary for me to formally move this Motion, which I would have moved when there were many hon. Members on the Opposition side. For us now to be ambushed by an hon. Member, when I was prevailed upon not to formally propose this Motion, to say the least, is not fair, at least, to Opposition Members, who want to contribute to this Motion. Was the hon. Member from the KANU side, who is now proposing for the Mover to be called upon to reply, not part of the consultations? In fact, the Minister for Finance told the Speaker that he was going to consult, and he did consult and came back and said that there was no need for me to move this Motion. This is money we are voting for and this is a fact. Is it not renegeing on the understanding that was reached after the Minister consulted? It is, indeed, actual dishonesty!

An hon. Member: Mr. Minister, can you confirm or deny?

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

The Minister for Finance (Mr. Obure): Mr. Deputy Speaker, Sir, I want to say one thing in this respect, about the issue which Mr. Muite has raised. Indeed, personally I have no objection if this debate was to be continued next week. But this same House has overruled my wish. That is precisely what has happened. Who am I to challenge the authority of the Chair?

Let me proceed to reply.

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order! Order, hon. Members! He is responding to a point of order and he has not finished!

An hon. Member: He has finished!

Mr. Deputy Speaker: Order! I have not heard him finish. It is only the Chair who must be satisfied that the hon. Member has finished.

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

Mr. Deputy Speaker: He is responding to a point of order!

The Minister for Finance (Mr. Obure): Mr. Deputy Speaker, Sir, I want to thank hon. Members for the very useful contributions they have made in this respect. A number of useful proposals have been made by---

Mr. Deputy Speaker: I want you to address the issue raised by hon. Muite, because I want to be satisfied that---

Mr. Murathe: We need democracy to prevail! We cannot be ambushed on a very important issue like money!

Mr. Deputy Speaker: Order! Order! You cannot be democrats and hecklers at the same time! So, do not heckle; let the Minister say his piece so that I can make a ruling! But you are not even allowing him to make his point!

The Minister for Finance (Mr. Obure): Mr. Deputy Speaker, Sir, let me go back to the issue raised by Mr. Muite. We did consult with the Speaker about the possibility of extending debate on this subject to next week. I did say

that I had no objection whatsoever, if that could be the hon. Members' wish. Later on, I learned that a Motion to that effect should have been moved at 3.30 p.m. Therefore, there was nothing I could do about that because, indeed, no Motion had been moved at 3.30 p.m. It is not within my powers to change the wish of the House.

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

Mr. Deputy Speaker: Order, hon. Members! Really, there has been gross misunderstanding. Before us, we have a Motion which has been put and carried. So, I am afraid that as much as I would have liked that Motion to be put, I have already made a ruling that the Motion has been carried.

Proceed, Mr. Obure!

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

Mr. Deputy Speaker: Order!

Proceed, Mr. Obure!

The Minister for Finance (Mr. Obure): Thank you, Mr. Deputy Speaker, Sir, for allowing me to continue. As I said earlier on, I would like to thank the hon. Members of this House for giving us very useful information.

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

Mr. Deputy Speaker: Order, hon. Members! We must follow our rules. They are not mine! If you want them changed, do so, but for as long as they exist in our Standing Orders, and I am required to enforce them, I will do so. There is no point of order arising even before the Minister makes a statement. You cannot rise on a point of order against a ruling of the Chair! The Chair has ruled because that was the mood of the House.

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

Mr. Deputy Speaker: Order! There will be no argument on the outcome of that vote on the Motion.

The Minister for Finance (Mr. Obure): Mr. Deputy Speaker, Sir, in this circumstance, I will proceed and thank the House for the useful information that it has provided. A question was raised by Mr. Michuki as to where the Minister for Finance will get this money from.

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

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order!

Mr. Muite: On a point of order, Mr. Deputy Speaker, Sir. Could we get guidance from the Chair because Standing Order No. 143 talks about the procedure to be followed on Supplementary Estimates. Part "3" of this Standing Order says:

"On any day on which an Order of the Day for Committee of Supply has been set down under this Standing Order, the business of such order shall commence not later than three hours before the time for interruption of business and, unless the House otherwise orders that such business shall continue for more than one day, the Chairman shall, half an hour before the time for interruption of business, forthwith put every question necessary to dispose of the Motion then under consideration and shall then forthwith put severally the questions necessary to dispose of the business of Supply under the same Order of the Day."

It was 6.10 p.m. when you asked the Minister for Finance to reply. It was not half an hour before the time for interruption of business. Are we not, as a House, acting in contravention and violation of this Standing Order?

Mr. Deputy Speaker: Order, hon. Members! If we were going to Committee, then that Standing Order would have applied. This House has for many years in the past dispensed with the necessity for going into Committee during Supplementary Estimates. I have gone directly and treated it as a Motion. That is the practice of this House!

(Applause)

Order! So, there is no breach; we are following an established precedent; that Supplementary Estimates is both by a way of a Motion, and at the end of that Motion, we do not proceed into Committee. If we were going into Committee, I would have stopped whoever was on the Floor at 6.00 p.m. in order to enable us to proceed to Committee and do precisely what the Standing Order says.

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

Mr. Deputy Speaker: Order, hon. Members!

Proceed, Mr. Obure!

The Minister for Finance (Mr. Obure): Mr. Deputy Speaker, Sir, I would like to thank the hon. Members for the useful contribution they have made. I would like to take this opportunity to clarify one or two points.

Hon. Members: On a point of order, Mr. Deputy Speaker, Sir. Look at Standing Order No.68.

Mr. Deputy Speaker: Order! Read the whole Standing Order! The first part merely allows you to rise on a point of order. But subsequent to that, you must indicate to me the Standing Order which has been contravened.

Proceed, Mr. Obure!

Mr. Angwenyi: Mr. Deputy Speaker, Sir, the Minister---

Mr. Deputy Speaker: Order, hon. Members! I understand all that, perhaps even more than you do. I am not even saying that my hands are tied. I am saying that the correct procedure for bringing this Motion across has been followed.

Mr. Angwenyi: But, Mr. Deputy Speaker, Sir---

Mr. Deputy Speaker: Order!

Proceed, Mr. Obure!

The Minister for Finance (Mr. Obure): Mr. Deputy Speaker, Sir, I would like to clarify that there will be no question of printing money to finance the Budget.

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

(Several hon. Members stood up in their places)

The Minister for Finance (Mr. Obure): Mr. Deputy Speaker, Sir, out of the Kshs900 million in pending bills, Kshs400 million was allocated to the Kenya Railways Corporation (KR) to refurbish their operations and make them more efficient and deliver service to the economy which needs it so badly.

A lot has been said about agriculture. I would like to say that it is the intention of the Government to improve extension services; it is the intention of the Government to introduce credit and soon we will come up with measures here to revive the Agricultural Finance Corporation (AFC) as a credit organisation for farmers, as well as the Kenya Meat Commission (KMC)

Hon. Members: No!

(Loud consultations)

The Minister for Finance (Mr. Obure): Mr. Deputy Speaker, Sir, I wish the hon. Members would be orderly and listen to what I am saying. But in light of what is happening, I would like to take this opportunity to move this Motion.

(Several Opposition Members withdrew from the Chamber)

Mr. Deputy Speaker: Order, hon. Members!

(Question put and agreed to)

Mr. Munyao: On a point of order, Mr. Deputy Speaker, Sir. This Motion touches on issues of finance and taxation. I am saying the Chair and the Government should uphold what is inscribed there: "For The Welfare of Society and Just Government of men---"

Mr. Deputy Speaker: Order! What is your point of order? The Motion is concluded. If you stand on a point of order, please, let it be a point of order. Do not stand on a point of order to make a speech. So, make your point.

Mr. Munyao: Mr. Deputy Speaker, Sir, I am trying to save the Chair and your face because you have got a name in this country. Hon. Muite consulted the Chair and the Minister. What is the position of this Motion?

Mr. Deputy Speaker: Order! There is no revisiting of a decision taken by the House. If you want to rescind it, move a substantive Motion and you will be given an opportunity to debate and reverse it.

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until Tuesday, 9th April, 2002, at 2.30 p.m.

The House rose at 6.25 p.m.