

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

### **Eighth Parliament - Second Session - First Day**

*(Eighth Parliament established by Proclamation -  
Legal Notice No. 57 of 1998)*

**Tuesday, 31st March, 1998**

### STATE OPENING OF A NEW SESSION

*The National Assembly met at thirty minutes past Two O'clock at Parliament Buildings on Tuesday, 31st March, 1998, it being the first day of the Second Session.*

### ARRIVAL OF HIS EXCELLENCY THE PRESIDENT

*[His Excellency the President (Mr. Daniel arap Moi) escorted by the Speaker and accompanied by the Mace of the National Assembly, entered the Chamber at fifty-five minutes past Two O'clock]*

*[His Excellency the President (Mr. Daniel arap Moi)  
took the Chair]*

*(The Mace of the National Assembly was placed on the Table]*

### PRAYERS

**Mr. Speaker:** Your Excellency, hon. Members, may I call upon the Spiritual Leaders to offer prayers for this new Session.

*(Prayers were then said by the following: Rt. Rev. Gitari; Bishop Fr. Koech; Sheikh N.M. Nahdy; the Rt. Rev. Jesse Kamau and Mr. Soipin Lekoolool)*

### COMMUNICATION FROM THE CHAIR

#### WELCOME TO HIS EXCELLENCY THE PRESIDENT

**Mr. Speaker:** Your Excellency the President, hon. Members, on behalf of all hon. Members, I welcome your Excellency to this august Assembly, to perform the State Opening of the Second Session, of the Eighth Parliament of our Republic. This function is the most important event in the diary of this House. In the first place, it sets in motion the usual business of the House since it was first elected. It also gives Members an opportunity to hear from the Head of State and Government, the kind of Bills that are likely to be introduced in the near future. Members will also be in a position to receive first hand, new Government policies to be formulated.

As all hon. Members know, this House carried out a revision of our Standing Orders on the last Sitting Day before the dissolution of the Seventh Parliament. One significant change entailed in the revised Standing Orders, is the requirement that virtually all Bills will stand referred to departmental committees. Upon such referral, the committees will only have seven days to receive representations from relevant Ministries and the public, compile their findings, and report back to the House. This procedure will afford an opportunity to almost all Members in the Back Bench to serve in one or more committees, including the traditionally important committees of the Public Accounts Committee (PAC) and Public Investments Committee (PIC).

However, your Excellency, the biggest constraint we have in ensuring the success of this new committee system, is the amount of resources available to the august House. At present, we only have three committee rooms despite having acquired the County Hall, for which we are grateful. The staff to service these committees are also grossly inadequate, inspite of the aggressive training of Parliamentary

Officers which the Clerk of the National Assembly, with the assistance of UNDP, embarked on since 1994. This programme is still continuing.

It is, therefore, inevitable that, notwithstanding the harsh economic hardships facing the country at the moment, we shall be seeking more resources to acquire more committee rooms, and to recruit and train more staff.

We always acknowledge with gratitude, whatever resources your Government avails, to enable Parliament build the capacity to achieve the noble objective of making this House accessible to Kenyans, through enhanced committee operations and thus, ensure public participation in the legislative process.

In this regard, I wish to acknowledge with thanks the funds which the Government availed to us last year, to purchase the Continental Building. More funds are now urgently required to partition that building, first and foremost to create offices for Members and staff, and obtain additional committee rooms.

It is now my duty and privilege to invite your Excellency, to address the House and officially open the first deliberations of the Eighth Parliament. Hon. Members, His Excellency the President.

### PRESIDENTIAL SPEECH

**His Excellency the President** (Mr. Daniel Toroitich arap Moi): Mr. Speaker, Sir, first of all, I congratulate all of you hon. Members, for being elected or nominated as the case maybe, to this august House. I welcome you all to this Second Session of the Eighth Parliament.

Mr. Speaker, Sir, as we begin a new Parliamentary term, Kenyans will be keen to see how seriously their representatives will address the pressing issues facing them. The challenge ahead of us is to be effective and resourceful in solving the problems facing our country.

Mr. Speaker, Sir, irrespective of our party affiliation, we must join hands in order to address these difficult economic challenges. In the agricultural sector, for example, we have embarked on the liberalisation of the dairy, coffee and tea sub-sectors. Our duty as leaders is to encourage the farmers to participate more effectively in agricultural production activities, and to ensure that their control over the running of the various sectors, translate into profits, higher productivity and improvement of their well being. We all understand that the business of developing this country rests squarely on the shoulders of each and every Kenyan. Whereas we shall continue to expect development support from our friends, we must learn to rely more on our own energy and resources. Leaders must, therefore, play a more active role in explaining to wananchi the importance of increasing our saving and participating in productive economic activities. Furthermore, I expect the Minister for Finance to look more critically, into ways and means of attaining the revenue collection targets, necessary for us to achieve a growth oriented Budget. This effort must also be backed by an equal determination to seal the loopholes which have, in the past, been exploited by tax evaders. The unpatriotic Kenyans who have specialised in evading tax, must understand that the Government is determined to catch up with them. Indeed, the fight against corruption must be intensified at every level of our society. In this regard, I call on the general public, as well as the private sector, to close ranks with the Government in order to put an end to corrupt practices in our society.

Mr. Speaker, Sir, as we improve the growth of our economy, we will also continue our efforts to strengthen our democratic institutions. We will also continue to pursue a strategy of open and frank dialogue between the Government and the private sector, in order to create an enabling environment for both domestic and foreign investments. Indeed, we are determined to face the economic challenges facing us with courage. We will proceed with the privatisation of state enterprises in order to improve the quality of services offered by these institutions. In particular, the telecommunications and the energy sector will be opened up to allow the entry of private operators. We will use the proceeds from the sale of state enterprises to pay part of the domestic debts. These measures are expected to encourage a reduction in interest rates on bank lending, which will in turn, spur economic growth.

In order to address the economic, social and security challenges now facing our country, I consider it necessary that we, the Members of Parliament, must talk with one another, across the political divide, in order to find solutions for the common good of our people. It is in that spirit that I shall be meeting all the leaders from the Opposition, who may also have the genuine desire for finding ways and means of overcoming the challenges ahead of us.

Mr. Speaker, Sir, as hon. Members will recall, in 1996, Kenya was affected by a severe drought which seriously undermined food production in the major food growing areas of the country. Following this, the El-Nino induced rains of 1997 and early this year destroyed food crops, severely damaged our roads and also increased the incidents of water borne diseases. As a result of these natural calamities, it became necessary to divert a large portion of our scarce resources from planned projects, in order to cater for the emergencies. To

protect Kenyans from unnecessary loss of lives, the Government took immediate steps to provide famine

relief and drugs to the affected populations. My Government will continue to implement programmes aimed at alleviating the suffering of the vulnerable members of our society. Among these measures, are the provision of bursaries to needy children, supply of drugs and medicine, and waiver of cost-sharing charges for the poor.

Allow me, Mr. Speaker, Sir, to take this opportunity, on behalf of hon. Members and all Kenyans, to thank our friends from other parts of the world, who have supported our efforts towards this end. Concerning the destruction of our roads by the El-Nino rains, I am glad to inform hon. Members that the Government has embarked on a major road rehabilitation programme covering major urban centres. Already, emergency measures have been taken to resurface many of the roads in our towns and the City of Nairobi. Meanwhile, arrangements have been concluded with the World Bank to repair damaged roads countrywide on a larger scale.

The improvement of infrastructure goes hand-in-hand with the on-going economic reforms that are necessary for us to attract investments. But more fundamentally, there must be peace in the country to create confidence in our economy. It is, therefore, regrettable that some hon. Members have seemed to identify with, and in some cases, they have openly supported, activities that do not foster peace. I see the role of the leader as one who should strive to save and protect lives, and not be party to, or condone, threats to life. The Government is alert and will not hesitate to take firm action against anyone who attempts to disrupt our peace and stability.

Mr. Speaker, Sir, hon. Members will recall that towards the end of the Seventh Parliament, a number of important legislations were deliberated upon and passed by Parliament. Amongst them was the Constitutional Commission Review Bill which was passed, and which I assented to. It is upon this House to assess the views of wananchi and decide whether the Bill requires any further amendments. I urge hon. Members to move with speed to smoothen the way towards an orderly and peaceful debate of our Constitution. As most of you are aware, the issue of constitutional review is quite popular among wananchi.

Mr. Speaker, Sir, before I conclude my remarks this afternoon, I wish to remind hon. Members of the task ahead of them. This National Assembly is a key institution responsible for the conduct of our nation's affairs. This House is a living symbol of our parliamentary democracy. It behoves all of us, therefore, to uphold the supremacy of this parliament as a beacon of hope and source of trust and security for our people. It should not appear at any stage that this House is being belittled, or its role as the supreme law-making organs, being eroded for whatever reason.

Let this Parliament cultivate the trust of our people by asserting its responsibility as a dignified institution that charts out a bright future for Kenyans. Let this Parliament be viewed as a place for the peaceful resolution of differences through serious and meaningful discussion of issues. It must not be used as a platform for trading false accusations or settling personal scores. I urge hon. Members to observe the existing Standing Orders and to maintain the dignity of Parliament at all times.

Mr. Speaker, Sir, in concluding my remarks today, I wish to emphasize that we are here as servants of the people. Our duty is, therefore, to serve the interests of those who gave us this appointment, not our own interests. Therefore, I call upon all hon. Members to set aside their individual interests and pursue the common interest of our people. By doing so, we shall succeed in building one strong, united and prosperous nation.

Finally, Mr. Speaker, Sir, hon. Members, I wish you all fruitful deliberations.

Thank you.

*(Applause)*

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

**Mr. Speaker:** Order! Order, Mr. Gatabaki!

#### NOTICE OF MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

**The Minister for Lands and Settlement** (Mr. Ngala): Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on 31st March, 1998.

#### DEPARTURE OF HIS EXCELLENCY

**THE PRESIDENT**

**Mr. Speaker:** Hon. Members, it is now the pleasure of His Excellency the President to take his leave.

*(His Excellency the President, in procession, left the Chamber)*

**ADJOURNMENT**

**Mr. Speaker:** Hon. Members, the House is now adjourned until tomorrow, Wednesday, 1st April, at 9.00 a.m.

The House rose at 3.30 p.m.