

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 24th June, 1999

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

Annual Report and Accounts of Kenya Ferry Services Limited for the year ending 30th June, 1992 and the Certificate thereon by the Auditor-General (Corporations)

The Annual Report and Accounts of the Kenya Ferry Services Limited for the year ending 30th June, 1993 and the Certificate thereon by the Auditor-General (Corporations)

The Annual Report and Accounts of the Kenya Ferry Services Limited for the year ending 30th June, 1994, and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of the Kenya Ferry Services Limited for the year ending 30th June, 1995, and the Certificate thereon by the Auditor-General (Corporations)

(By the Minister for Transport and Communications)

Annual Report and Accounts of Kenyatta University for the year ended 30th June, 1995, and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of Kenyatta University (USAB) for the year ended 30th June, 1989, and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of Teachers Service Commission for the year ended June 30th, 1997, and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of the Higher Education Loans Board for the year ended 30th June, 1996, and the Certificate thereon by the Auditor-General (Corporations)

*(By the Assistant Minister for Education and
Human Resource Development (Mr. Awori) on behalf
of the Minister for Education and
Human Resource Development)*

Mr. Musila: Mr. Speaker, Sir, I wish to give Notice of the following Motion---

Mr. Speaker: Do you have papers to table or not?

Mr. Musila: I want to give Notice of a Motion, Mr. Speaker, Sir.

Mr. Speaker: Sorry. Maybe you can see the Clerk later. We will skip that. We will proceed to the next order.

NOTICES OF MOTIONS

REPEAL OF THE NATIONAL YOUTH SERVICE ACT

Mr. Kombe: Mr. Speaker, Sir, I beg to give Notice of the following Motion:-

THAT, in view of the excessive and unjustifiably high amounts the Government spends to run the National Youth Service, aware that the free service offered by the personnel is not commensurate to the expenditure, noting that a large number of the youth trained by the service will not get adequate

employment opportunities, noting further that the facilities could be put into better use, this House urges the Government to introduce a Bill to repeal the National Youth Service Act (Cap. 208) of the Laws of Kenya and relocate the facilities and personnel to the country's military units.

ESTABLISHMENT OF NATIONAL
LANGUAGES COUNCIL

Mr. Kathangu: Bw. Spika, naomba kutoa arifa ya Hoja ifuatayo:-
KWAMBA, huku tukisherehekea uchaguzi wa Kiswahili kuwa lugha ya taifa la Kenya, na tukitambua nafasi iliyopewa, pamoja na Kiingereza, kama lugha ya Bunge, na uteuzi wake kama lugha ya lazima na ya kutahiniwa katika shule za msingi na za upili nchini; na tukitambua umuhimu wa lugha ya taifa katika ujengaji, ukuzaji na uimarishaji wa mawasiliano, uelewano, utamaduni na utambuzi wa kitaifa; na tukitambua sera ya elimu nchini ambapo lugha za mama hufundishwa katika madarasa ya kwanza ya shule za msingi; Bunge hili linapendekeza uundaji wa Baraza La Lugha Za Taifa (BALUTA), ambalo litafanya kazi na Wizara mbalimbali zinazohusika ili kujenga uzalendo, utamaduni, fasihi na utambuzi wa kitaifa kupitia lugha zetu.

ORAL ANSWERS TO QUESTIONS

Question No.074

PAYMENT OF HARDSHIP ALLOWANCE
TO GOVERNMENT OFFICERS IN YATTA

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

- (a) whether he is aware that Yatta and Masinga have been declared hardship areas;
- (b) if the answer to "a" is in the affirmative, why there are discrepancies in the payment of hardship allowance for Government officers working in these areas; and,
- (c) what action he is taking to make sure that all Government officers are paid hardship allowances in the said areas.

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

(a) I am aware that under Legal Notice No.534 of 1977, Yatta and Masinga have been declared hardship areas for teachers.

(b) Discrepancies in payments of hardship allowance to Government officers working in these areas arise from the fact that the Teachers Service Commission Remuneration Order of 1997 designated Yatta and Masinga as hardship areas for the purposes of teachers remuneration. The areas are not designated as hardship areas for the purposes of civil servants in accordance with the Civil Service Code of Regulations.

(c) The issue of discrepancies and disparities in the remuneration of civil servants is being addressed by the on-going Kipkulei Commission which was appointed to harmonise the salaries and benefits across the Public Service. Action will be taken after obtaining the policy guidelines from the Kipkulei Commission's Report.

Mr. Wambua: Mr. Speaker, Sir, the Minister has agreed that this area has been declared a hardship area. If the teachers are being paid hardship allowance and most of them are residents of the area, why are civil servants not beneficiaries of the same allowance? This is discrimination against Government officers because most of them do not come from that area and they are the people who should have been considered for hardship allowance instead of teachers.

Mr. Sunkuli: Mr. Speaker, Sir, that is absolutely correct. I agree with the hon. Member that, that disparity should not exist. The truth is that, it does exist because the Teachers Service Commission can make its own regulations without regard to regulations of the Civil Service. I intend to pay attention to the recommendations which fall under terms of reference of the Kipkulei Commission. I hope that the Kipkulei Commission will address this issue so that we do not have different systems of treating Government workers, be it teachers or civil servants.

Mr. Wambua: Mr. Speaker, Sir, I do appreciate the answer from the Minister, that he understands that the civil servants also need to be given hardship allowance. Could the Minister assure this House that he is going to take up the matter immediately, because if he leaves it for a longer period, Government officers who are in this area will feel that they have been abandoned by the Government?

Mr. Sunkuli: Mr. Speaker, Sir, I am informed by the Chairman of the Kipkulei Commission that they will be handing in their report pretty soon, and I intend to take action on that report as soon as it is handed over to us.

Mr. Speaker: Very well. Next Question, Mr. Njeru Kathangu?

Mr. Kathangu: Mr. Speaker, Sir, I expect a written answer from the Minister.

Question No.208

SURRENDER OF GK VEHICLES BY MINISTRIES

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

(a) how many Government vehicles have been surrendered by the respective Ministries since the directive to do so, after 1998/99 Budget; and,

(b) if he could give details on which Ministries adhered to the directive and which vehicles they surrendered.

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I beg the indulgence of the House because I did not come with the answer; it was not ready by the time I left my office. If the Chair will be kind enough to defer the Question to next week on Tuesday, the answer will be ready.

Mr. Speaker: Mr. Kathangu, I think we can defer it to Tuesday next week.

Mr. Kathangu: It is okay, Mr. Speaker, Sir.

Mr. Speaker: Very well. The Question is deferred to next week.

(Question deferred)

Question No.202

RADIO CALL SET FOR BENANE DIVISION

Mr. Twaha, on behalf of **Mr. Shidie**, asked the Minister of State, Office of the President, when the Government will provide radio Call Set to Shanta-Abak and Benane Divisions to ease communication.

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, my colleague in charge of Internal Security is not around to answer the Question. If I will---

Mr. Speaker: I will wait for a while. We will go to the next Question, Mr. David Mwiraria?

(Question stood over)

Question No.236

LOWERING OF UNIVERSITY ENTRY QUALIFICATIONS

Mr. Mwiraria asked the Minister for Education and Human Resource Development:-

(a) whether the Ministry has approved the lowering of the entry qualifications into Health Sciences Faculties of the University of Nairobi to grade C+ of the Kenya Certificate of Secondary Education; and,

(b) what is the justification for the change.

The Assistant Minister for Education and Human Resource Development (Mr. Awori): Mr. Speaker, Sir, I beg to reply.

(a) The statutory powers of our public universities do not provide for my Ministry to approve or disapprove any entry qualifications set by the Universities' Joint Admissions Board.

Mr. Mwiraria: Thank you, Mr. Speaker, Sir. I must confess that, I am amused by the Assistant Minister's reply. As the Ministry responsible for education in this country, does the Assistant Minister agree with the Universities' Joint Admission Board that, on the one hand they should insist that students who want to enter into the faculty of medicine must be competitive at grade "A" and "A-" aggregates and others at "C+"? Is he satisfied that this is fair from the Ministry's point of view?

Mr. Awori: Mr. Speaker, Sir, I personally have no opinion, one way or the other. We have given the responsibilities to the academicians who are the deans of all these colleges; to set the entry level and we have got confidence in them. So, I cannot expression opinion, one way or the other.

Mr. Speaker: Order! Legally, you cannot ask a Minister to express an opinion, he has to state facts, according to Standing Order No.35.

Mr. Wamae: Mr. Speaker, Sir, could the hon. Assistant Minister explain to us why those students, with direct entry to Medical Training School, must have a minimum of a "B+" and those students who go in for a parallel programme must have a minimum of a "C+"? Why this differential?

Mr. Awori: Mr. Speaker, Sir, I think I will have to hide behind the shield of the Chair by simply stating that, I cannot answer that question and it should be left to the Universities' Joint Admissions Board.

Mr. Kikuyu: Mr. Speaker, Sir, when we allow this country to have an education system whose direction cannot be determined, then we cannot be credible outside. Why should we have an entry requirement to some degree programmes being a "B+" aggregate and then admit students with a "C+" aggregate? Could the Assistant Minister explain whether students with "B+" aggregate will be paid more or they will be getting better degrees than those with a "C+" aggregate? Will those with "C+" aggregate be paid less or will they be getting lower grade degrees? Let the Assistant Minister explain whether these degrees will be acceptable internationally.

Mr. Awori: Mr. Speaker, Sir, that question is still a repetition of hon. Wamae's question.

(Several hon. Members stood up in their places)

Mr. Speaker: Order! Order! Certainly, it is not. The Member is asking you the reason for the differential.

Mr. Awori: Mr. Speaker, Sir, I have no reply to that question.

Mr. Wamae: On a point of order, Mr. Speaker, Sir. We cannot allow the hon. Assistant Minister to hide behind the Universities' Joint Admissions Board; he is still the Minister responsible to this House for all matters in the universities. So, he should go and get a proper answer.

Mr. Speaker: Mr. Assistant Minister, if this House knows the reason for it, are you suggesting that you will bring the Chairman of the Joint Admissions Board to the House?

Mr. Awori: Mr. Speaker, Sir, since it will be physically impossible for me to lay on the Table of the House the Chairman of the Joint Admissions Board, I will have to go and get the correct answer.

(Applause)

Mr. Speaker: Very well. That is better. I will defer the Question.

(Question deferred)

Question No.012

REPAIR OF MYANGA/BUMULA BRIDGE

Mr. Sifuna asked the Minister for Public Works and Housing:-

(a) whether he is aware that the bridge connecting Myanga Market and Bumula Divisional Centre is damaged and impassable; and,

(b) what urgent steps he is taking to make sure that the bridge and the road are repaired.

The Assistant Minister for Public Works and Housing (Eng. Rotich): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) The Ministry shall repair the road in the 1999/2000 Financial Year and this will be done as soon as the work plans for the Ministry are approved by the Ministry of Finance.

Mr. Sifuna: Mr. Speaker, Sir, this Question was raised last year and the Minister promised that the road and the bridges on this particular road would be repaired. Todate, they have not repaired this particular bridge. Could the Assistant Minister tell this House how much money has been set aside specifically for this particular road and the bridge?

Eng. Rotich: Mr. Speaker, Sir, the project will cost Kshs200,000.

Mr. Sifuna: Mr. Speaker, Sir, is the Assistant Minister serious when he says only Kshs200,000 will be spent to repair the road and the bridge? Does this cost include repairing the road also or only the bridge?

An hon. Member: Even the bridge is very costly!

Eng. Rotich: Mr. Speaker, Sir, I am serious that the estimated cost is Kshs200,000.

Mr. Sifuna: Mr. Speaker, Sir, could the Assistant Minister tell this House whether the Kshs200,000 is meant

for repairing the bridge only or even the road? When will it be done?

Eng. Rotich: Mr. Speaker, Sir, I stated that it will be done as soon as our work plans are approved by the Treasury. The money will cover the cost of repairing the bridge and the re-shaping of the road, excluding gravelling.

Mr. Speaker: Next Question!

Question No.165

REGISTRATION OF TEA/COFFEE
GROWERS ORGANIZATIONS

Mr. Gatabaki asked the Attorney-General:-

(a) why the Registrar of Societies has delayed in registering the Kenya Union of Small-Scale Tea Growers (KUSSTO) which is recognized and approved by the smallholder tea owners nationally as their legitimate representatives; and,

(b) why the Registrar of Societies further delayed in registering the Coffee and Tea Parliamentary Association (COTEPA) which was launched in 1995 by Members of Parliament from the tea-growing areas of Kenya.

Mr. Speaker: Mr. Gatabaki, I got a letter from the Attorney-General indicating that he cannot, possibly for reasons beyond his control, answer this Question. May I defer it to Tuesday next week?

Mr. Gatabaki: As you wish, Mr. Speaker, Sir.

Mr. Speaker: Very well. It is my duty to defer. It is deferred to Tuesday next week.

(Question deferred)

Question No.202

RADIO CALL SET FOR BENANE DIVISION

Mr. Twaha, on behalf of **Mr. Shidiye**, asked the Minister of State, Office of the President, when the Government will provide a radio call set to Shanta Abak and Benane divisions to ease communication.

Mr. Speaker: Anybody from the Office of the President? Well, I am afraid, Mr. Twaha, I have to defer this Question to next week.

(Question deferred)

QUESTION BY PRIVATE NOTICE

CONTEMPT OF COURT BY COMMISSIONER OF CUSTOMS

Mr. Twaha: Mr. Speaker, Sir, I beg to ask the Minister for Finance the following Question by Private Notice:-

(a) Is the Minister aware that the Commissioner of Customs and Excise was cited on the 19th May, 1999, for contempt of court and fined for defying court orders issued by the High Court of Kenya?

(b) If the answer to "a" above is in the affirmative, what measures is the Minister taking as a matter of urgency, to replace the Commissioner of Customs and Excise with a law abiding person?

Mr. Wamae: On a point of order, Mr. Speaker, Sir. Could the hon. Member declare his interest in this Question? This is because, I thought he is involved in this matter.

Mr. Speaker: Indeed, Mr. Twaha, what is your response?

Mr. Twaha: Mr. Speaker, Sir, you want me to declare my interest?

Mr. Speaker: Yes!

Mr. Twaha: Mr. Speaker, Sir, this is a very powerful office and I am not happy about the abuse of the Commissioner's powers. I think other Kenyans also need to be protected from misuse of power by his officers.

Mr. Speaker: That is an accusation now. What the hon. Member is asking is whether you have any special interest in this Question?

Mr. Twaha: No, Mr. Speaker, Sir.

Mr. Speaker: You are being asked by Mr. Wamae: Are you motivated by any self-interest in asking this Question or are you doing it totally impartially as an hon. Member?

Mr. Twaha: Mr. Speaker, Sir, I am asking this Question as an hon. Member of Parliament and I have no personal interest in it.

Mr. Speaker: Mr. Wamae, do you have any reason to doubt?

Mr. Wamae: Mr. Speaker, Sir, we read in the newspapers that Mr. Twaha had an interest in the sugar issue on which this matter arose. Therefore, it is only fair that he declares his interest.

(Loud consultations)

Mr. Speaker: Order! Order! I think the hon. Member must know the relevant Standing Order upon which Mr. Wamae rose. And the relevant Standing Order is No.75 which reads as follows:-

"A Member who wishes to speak on any matter in which he has a personal interest, shall first declare that interest, unless it is obvious".

Is it not obvious? Mr. Twaha, are you now telling me to go on to the last provision of that Standing Order; that it is obvious you have an interest?

Mr. Twaha: Mr. Speaker, Sir, I think the Standing Order refers to somebody speaking about something. I am asking a Question.

Mr. Speaker: Yes, that is part of speaking! You cannot ask a Question without speaking. Can you?

Mr. Twaha: Mr. Speaker, Sir, I have spoken.

Mr. Speaker: Mr. Twaha, you must help me out of this. You see, it is not my making. An hon. Member of the House has invoked a Standing Order, I am obligated to have the hon. Member satisfied that I have followed the Standing Order. So, have you got a special interest?

Mr. Ojode: On a point of order, Mr. Speaker, Sir. I do agree with the ruling of the Chair. The hon. Member who has asked this Question should withdraw it because the Commissioner acted in accordance with to the regulations, and Mr. Twaha was involved in the importation of sugar for which he never paid duty. He knows it!

Mr. Ojode: Alivunja ghala, Bw. Spika!

Mr. Speaker: Order! Order! I have come to have some experiences as I sit here, and certain issues that make their way into this House have their own way of generating very, very interesting behaviour and conduct. Among them is sugar. Anytime you talk about sugar in this House there is a problem. Now, this is just among them. The other one, I am completely afraid to mention because it might engulf me, and I want to get out of it.

Hon. Members: Goldenberg!

Mr. Speaker: Order! Mr. Twaha, this is not a laughing matter, it is a very serious matter, and [Mr. Speaker] hon. Members have raised an issue and you have made a response to Mr. Ojode; that you have nothing to do with this. Now, if I am unable to make headway, then I will do what I am obligated to do; I will defer the Question and look at it. If I find, indeed, that you have not been truthful to the House, you know you will be dealt with by this House. But I want to give you the last chance. You can say it is obvious, and then we proceed.

Mr. Twaha: Mr. Speaker, Sir, I am referring to a ruling by the High Court of Kenya which found this officer of Government---

(Loud Consultations)

Mr. Speaker: Order! Can we hear him?

Mr. Twaha: Mr. Speaker, Sir, it is obvious.

Mr. Speaker: The hon. Member says, that the interest is obvious. So, taking that into mind, does it not comply with Standing Order No.75?

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

Mr. Speaker: Order! Mr. Shill, this is a sugary issue, I may send you out to tea. So, will you please sit down? That is not how hon. Members behave. So, please, behave like an hon. Member. In the first place, you are in the wrong side of the House. So, the Minister having that in mind; that the hon. Member has admitted that the interest is obvious and it is common knowledge, will he, therefore, answer the Question?

The Assistant Minister for Finance (Mr. Arap-Kirui): Mr. Speaker, Sir, I beg to reply. But before going into---

Mr. Ojode: On a point of order, Mr. Speaker, Sir. We need guidance from the Chair about this matter

because you have just read to us the relevant Standing Order. There is no way that Question can be answered. It is obvious that he has an interest in this matter. So, why should you allow it to be answered? Let him declare his interest first!

Mr. Speaker: Order! Order! I think hon. Ojode has not understood the import of Standing Order No.75. I think it is my duty to let him understand because it is better when you understand rather than me telling you not to participate in the debate without understanding. What the Standing Order, Mr. Ojode, orders is that a Member who has a personal interest in any matter before the House shall declare that interest to the House so that the House knows that, although the Member is putting a question, he has a personal interest in it. The second part of that Standing Order states that, if it is obvious to the whole House that the Member has a special interest, then he can go ahead and ask that Question while we note that he has a special interest. Proceed.

(Applause)

The Assistant Minister for Finance (Mr. Arap-Kirui): Mr. Speaker, Sir, before I answer the Question, maybe I can enlighten the House. According to the information we have, the Questioner is an interested party in the subject matter since the civil suit from which this issue arose involved a company called Ariazen(?) Trading Company which imported the sugar and the Questioner is a director. So to that extent, according to our information, the Questioner has a personal interest in this matter.

Be that as it may, Mr. Speaker, Sir, I beg to reply.

(a) I am aware that an officer in the Office of the Commissioner of Customs and Excise Department was cited on 19th May, 1999 for contempt of court and was fined and the fine was paid.

(b) In accordance with Section 13(1) of the Kenya Revenue Authority Act (Cap.469), Laws of Kenya, the Commissioner of Customs and Excise Department is appointed by the Kenya Revenue Authority Board of Directors. Consequently, it is only the KRA Board that can replace him, if the need arises.

Mr. Twaha: Mr. Speaker, Sir, is the Assistant Minister suggesting that the KRA is no longer answerable to this House?

Mr. Arap-Kirui: Mr. Speaker, Sir, I did not make such a suggestion.

Mr. Muchiri: Thank you very much, Mr. Speaker, Sir. If that officer was convicted by a court of law for contempt of court, why has he not been sacked?

Mr. Arap-Kirui: Mr. Speaker, Sir, it should be noted by this House that a contempt of court arose more out of enthusiasm by the Commissioner to protect Government revenue. If we can accuse him of any wrong-doing at all, he was over-enthusiastic in the performance of his duties.

Mr. Kajwang': Mr. Speaker, Sir, is it in order for the Assistant Minister to reply to this Question without first giving us the background as to why the Commissioner refused to release the sugar? We are sure the Commissioner wanted to protect the sugar industry in this country. Why does he not tell us why Mr. Twaha wanted to take out the sugar without paying duty?

(Applause)

Mr. Speaker: Order! Order! Mr. Kajwang', you have to address the Chair and leave Mr. Twaha out of it. There is no quarrel between you and Mr. Twaha.

Mr. Kajwang: He has killed us! Our sugar [Mr. Kajwang] industries are dying and Mr. Twaha is the agent. He should be sacked!

Mr. Speaker: Order!

Mr. Odoyo: On a point of order, Mr. Speaker, Sir. Has the hon. Questioner declared his interest in this matter?

Mr. Speaker: Order! Order! The interest has been declared as obvious and the Assistant Minister has even further expounded.

Mr. Raila: Mr. Speaker, Sir, you are wondering why, when sugar issues come here Members are interested, it is because there are very, very many "sugar-daddies" in the House. The Judiciary---

Mr. Speaker: What did you say, Mr. Raila?

Mr. Raila: Mr. Speaker, Sir, I said that there are very, very many sugar-daddies in the House.

Mr. Speaker: Order! Order! Mr. Raila Odinga, sugar-daddies in the House? Are you one of them?

(Laughter)

Mr. Raila: Mr. Speaker, Sir, the Judiciary---

Mr. Anyona: On a point of order, Mr. Speaker, Sir. We are dealing with a serious issue and the expression of "sugar-daddies" in the House is equally serious in terms of the dignity of this House, if we consider the meaning of that term. Is it really in order to allow that kind of language?

Mr. Speaker: Order! Order! The Chair also lives in the world. So, the Chair does take cognisance of common usages and common parlance. So, I do understand what a "sugar daddy" is. I think that term applied to Members is very derogatory of the House and it is below the dignity of Members to become "sugar daddies". I think it is absolutely out of order for the hon. Member for Lang'ata to use such a derogatory term against the collective Membership of the House in the presence of their own children in the Galleries. So, would you withdraw that term and apologise to the House?

Mr. Raila: Mr. Speaker, Sir, I did not intend in any way to insult any Member of this House. But I know that there is a section of our society here who would equally feel offended if that term was applied to them. You have taken a very strong stand about "sugar daddies". Be that as it may, I withdraw the remark "sugar daddies", if the "sugar daddies" do not want to be referred to that way.

(Laughter)

Mr. Speaker: Mr. Raila, you have got now one chance to withdraw and apologise.

Mr. Raila: Mr. Speaker, Sir, I withdraw and apologise. The Judiciary in this country has admitted that there is corruption within itself. In fact, they have instituted internal investigations with a view to ending that corruption. Is it in order for an hon. Member to come before this House and present here a ruling as a reason which he knows himself how he acquired it in that Judiciary, which he corruptly acquired when he himself knows that he is guilty of corruption?

(Applause)

Mr. Speaker: Order! Order! Again, you are running into trouble, Mr. Raila. Although the Member has an interest in this matter, you are suggesting that it is activated by malice. It should not, of course, unless you comply with the provisions of Standing Order No.73. Thirdly, you alleged that for that order to have been obtained, the court must have been corrupted. It is a very grave allegation, Mr. Raila, a leader of your stature making a statement like that one unless you have substantiation to the fact.

Mr. Twaha: On a point of information, Mr. Speaker, Sir.

Mr. Speaker: Who do you want to inform?

Hon. Members: We do not want your information!

Mr. Speaker: Order! Mr. Twaha, you rose from your place to inform a Member speaking. If you want to inform the House generally, there must be an agenda. But the only way that you can have an agenda on a question, is to stand up to ask a supplementary question and wait for me to recognise you and then, you can ask the Minister. You do not even inform the Minister, but you ask him the question. But as it is, I do not know really, whether we are getting into the bottom of this issue. I think, we are straying out of the Question and I do not think we should stray further. Can we now get into the substance of the matter.

Mr. Shill: On a point of order, Mr. Speaker, Sir. Although I can see that many of the sugar farmers' representatives are very annoyed, they should first understand that the Member in question has not been proved guilty and it is good to follow that opinion. If I am going to ask---

Mr. Speaker: Which person are you referring to?

Hon. Members: He is a thief!

Mr. Shill: Mr. Speaker, Sir, it is very absurd that I am hearing very many people calling Mr. Fahim Twaha a "thief" which is unparliamentary.

Hon. Members: Yes, he is a thief!

Mr. Speaker: Order! I said in the past that we do not use the word "thief" in this House. Would you withdraw?

Mr. Shill: Mr. Speaker, Sir, but the word "thief" has been used by another Member.

Mr. Speaker: Order! You cannot say that by yourself and neither can you transport it through your mouth from another Member to the House and this is what you are doing. Will you withdraw?

Mr. Shill: Mr. Speaker, Sir, I withdraw the word.

Mr. Speaker: Very well.

Mr. Shill: Mr. Speaker, Sir, what I was saying was that the answer that we got from the Minister is that he is aware somebody has made a contempt of court and he says that he did it for the interest of the Government. Is it fair to say that the court itself is not part of the Government or the country?

Mr. Speaker: Order! Maybe I can help the House. I may be wrong, but I will attempt to the best of my ability, to help the House on matters of contempt. Contempt by itself only comes to arise when somebody defies a court order. So, you defy a court order and the court deems that you be charged for the crime of contempt. If you comply with the terms of the penalty set out by the court; then the contempt is vacated. This is how I understand it to mean. Therefore, if my understanding is right and there are several learned lawyers here who can assist me, if I am wrong; if the person in contempt has complied with the court order, then the contempt is vacated and, therefore, it is no longer there and it is discharged. The person in contempt is now free absolutely, to the best of my understanding. If that, therefore, be the position, if I were the Minister, I would, therefore, say: "There is nothing further left for this man to pay because he has already vacated the contempt and he is free". Yes, Mr. Munyasia!

Mr. Munyasia: On a point of order, Mr. Speaker, Sir. Hon. Raila made a serious allegation here, that hon. Twaha had received a court ruling corruptly and I thought you asked him to substantiate. I join you in demanding that we get a substantiation on this allegation. Mr. Speaker, Sir, would hon. Raila be called upon to substantiate that hon. Twaha got a court ruling corruptly?

(Applause)

Mr. Speaker: Raila, what do you say?

Mr. Raila: Mr. Speaker, Sir, hon. Twaha was at one time charged with bringing sugar into this country and evading paying tax and as a result of that, he was in fact, sacked as an Assistant Minister. Now, through manipulation, he now manages to become the complainant accusing the Commissioner of Customs and Excise.

(Applause)

Mr. Speaker: Order! I had warned you before, Mr. Raila Odinga, that you made a very serious allegation and you should be aware of your stature in the House and I think, you should take it seriously. There is no dispute that the hon. Twaha was at one time an Assistant Minister and he was relieved of those duties. I do not think it is also in contention that, at one time maybe, he was charged with an offence out there. What is in contention and this is what Mr. Munyasia is asking you, is the most serious allegation that as a matter of fact, the hon. Member here obtained a judgement from the court corruptly. Now, this is what you have to show to the House to the satisfaction of the House. Failure to do this, you withdraw the allegation that, indeed, hon. Twaha did, in fact, obtain an order from the court corruptly and it will not satisfy me that you believe that, that is the case. You have to satisfy the House actually. Can you do that?

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

Mr. Speaker: Order, Mr. Wambua! I will deal with Mr. Raila now.

Mr. Raila: Mr. Speaker, Sir, to the best of my knowledge, the case relating to that sugar itself is still pending in court. Therefore, there is no way he could have gotten a proper judgement releasing the sugar and commanding the Commissioner of Customs and Excise to release the sugar to him when the case itself has not been determined by the court of law.

(Applause)

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

Mr. Speaker: Order! Mr. Twaha, will you leave this for now? It is no longer yours. It is really now the question of the Chair, to enforce the Standing Orders. Mr. Raila Odinga, if this was not Parliament and supposing this was Jamhuri Park, would you make that statement without risking being charged for contempt of court yourself?

Mr. Raila: Mr. Speaker, Sir, I swore to respect and uphold the Constitution of this country. We are talking about: "For the Welfare of Society and the Just Government of Men". I will be prepared to stand up and say what I am saying outside this House because I think, the time has come for Kenyans to stand up and be counted on the question of corruption.

Dr. Ochuodho: Do you have evidence?

Mr. Speaker: Order! Order, Dr. Ochuodho!

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

Mr. Speaker: Dr. Ochuodho, you are behaving badly and taking into account the totality of your recent conduct, I think the Chair will now declare that you are behaving in a disorderly manner and you are now asked under Standing Order No.88 (i), to leave the Chamber for the balance of the day. Will you?

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

Mr. Speaker: Order! You are a stranger.

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

Mr. Speaker: Order! Until he leaves; for now he is a stranger in the House.

(Dr. Ochuodho withdrew from the Chamber)

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

Mr. Speaker: Order! Order, hon. Members! A grave matter has been raised by hon. Raila Odinga, generally accusing not just a Member who is present here, but also the judicial system as a whole, as acting corruptly and I have and will give the hon. Member the very last chance to convince the House and not me by the way. Can we get it right? You do not have to convince the Chair, but the House must be satisfied, that reasonable substantiation has been given. Mr. Raila Odinga, I would ask you to give to the satisfaction of the Chair, any reasonable grounds apart from suspicion, on which you based your allegation?

Mr. Raila: Mr. Speaker, Sir, my allegation is based on deductions after examining the facts that are available. Hon. Twaha was charged with importing the said sugar and evading paying tax for it. To the best of my knowledge, I have said that, that case has not been determined. Here, we are dealing with another case where a judge made a ruling that the Commissioner of Customs and Excise releases the same sugar which was the subject of a case which had not been determined! The ruling was contradictory.

(Applause)

An hon. Member: They have the evidence with them!

Mr. Twaha: On a point of order, Mr. Speaker, Sir. I am afraid to say that hon. Raila is speaking out of ignorance.

Mr. Speaker: Order, Mr. Twaha!

Mr. Twaha: Mr. Speaker, Sir, hon. Raila is misleading the House.

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

Mr. Speaker: Order! Order, all of you! I will look into this matter, come back to the House and make a ruling; whether in my view what hon. Raila has said satisfies the provisions of the relevant Standing Order. As I said much earlier, sugar problems can bring a lot of trouble. We are already running out of time. So, I have nothing to do with that matter until I make a ruling next week.

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

Mr. Speaker: Order! Order! Let us move to Mr. Shakombo's Question by Private Notice.

Mr. Wehliye: On a point of order, Mr. Speaker, Sir. We cannot use the rules of the House selectively!

Mr. Speaker: Order! Order! Mr. Wehliye, that is a direct assault on the Chair, unreasonably. You are being disorderly and contemptuous of the Chair. For that reason, you will, now, under Standing Order No.88(1), be removed from this House for the balance of the day.

(Mr. Wehliye withdrew from the Chamber)

Mr. Speaker: Mr. Shakombo's Question by Private Notice!

An hon. Member: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: I am sorry; not any more!

PRIVATISATION OF KENYA PORTS AUTHORITY

Mr. Shakombo: Mr. Speaker, Sir, I beg to ask the Minister for Transport and Communications the following Question by Private Notice.

(a) Could the Minister explain why the Government finds it necessary to privatise the Kenya Ports Authority (KPA) services against the wishes of Kenyans and the Coast people in particular?

(b) Could he assure the House that those container terminals/depots already advertised will not be privatised?

(c) What urgent steps will he take to ensure that the KPA services are not interfered with by the privatisation process?

The Assistant Minister for Transport and Communications (Mr. Mahmud): Mr. Speaker, Sir, I beg to reply.

(a) In 1992, the Government resolved to restructure the involvement in the operations and management of public corporations and companies. The KPA is one of the six declared strategic State corporations for restructuring. Essentially, therefore, it has to be restructured in line with Government policy. Principally, the restructuring will enable the KPA to operate more commercially. Anticipated benefits for the restructuring of the KPA will be an increase in efficiency and revenue collection, ease of congestion at the port, attraction of more cargo and, finally, removal of financial burden from the Government. The restructuring of the port will enable it to offer efficient services to the economy and further ensure that it remains in business.

(b) The Government does not intend to sell out any of the inland container depots, or terminals. It, instead, intends to concession them out, starting with that of Eldoret, which is non-operational.

(c) The Government is more concerned to ensure that the KPA transition is programmed to proceed step by step. This progress will only be advanced once the Government is fully satisfied about the success of the initial step, which will provide the necessary practical bedrock on which future actions will be founded.

Mr. Shakombo: Mr. Speaker, Sir, I think the Assistant Minister is misleading the House. When he talks of efficiency in revenue collection and operation of the port, he is--- He is now telling us that the Government has to privatise the port, so that it can get optimum results from the services being rendered by the port. It is the Government which has created the inefficiency the Assistant Minister is talking about, because before the---

Mr. Speaker: Mr. Shakombo, you are debating. There are very many hon. Members behind you, who want to participate in this Question. So, put your question to the Assistant Minister.

Mr. Shakombo: Mr. Speaker, Sir, is the Assistant Minister aware that because of creating a lot of departments, a long line of bureaucracy has resulted in the inefficiency that he is talking about? One of the created bodies is, for instance, M/S SWIPCO.

Mr. Mahmud: Mr. Speaker, Sir, I think I have already answered that question. One of the reasons why we are restructuring the KPA is to improve revenue collection and efficiency in the provision of services, which this House has always been asking for.

Mr. Mwakiringo: Mr. Speaker, Sir, the Assistant Minister is misleading this House. We initially had the Kenya Cargo Handling Services (KCHS), which the Government disbanded and handed its operations to the KPA for efficiency. Now, the Assistant Minister is telling the House that the KPA is being privatised for efficiency, *et cetera*. We cannot accept that simply because---

Mr. Speaker: Put your question!

Mr. Mwakiringo: Mr. Speaker, Sir, then, why does the Government not form the Kenya Cargo Handling Services for better services rather than give the container depot to M/S Signon? We know to whom the Government is giving the inland container depot at Eldoret.

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. I wish to crave the indulgence of the House. The matter being discussed is of grave importance to the whole country and this House. If the Speaker could so wish I pray that this matter be deferred until we have a little more time than we have now.

Mr. Speaker: I think I agree with you, Dr. Kituyi. I will defer the Question.

(Question deferred)

Mr. Speaker: Let us go to the next Order!

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

Mr. Speaker: You are too late.

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

Mr. Speaker: Order! Order, Mr. Munyao! We are in the Committee of Supply; we shall not interrupt it. Proceed, Mr. Minister!

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

Mr. Speaker: Order! Order! Mr. Munyao, look at Standing Order No.137(5). It says that the Committee of Supply shall not be interrupted under any Standing Order. Proceed, Mr. Minister!

Mr. Munyao: Mr. Speaker, Sir, we cannot hear here!

Mr. Speaker: Order! Order! In that case, you should have risen on a question of privilege. If you had stood

there and shouted: "On a question of privilege, Mr. Speaker, Sir", I would have told you to proceed because I have to listen to all questions of privilege. That is the correct procedure. So, will you, now, address me according to the correct procedure?

(Laughter)

POINT OF ORDER

FAULTY MICROPHONES

Mr. Munyao: I rise on a point of order to raise a point of privilege, Mr. Speaker, Sir. When I came I had a problem of hearing from here. I went and sat on a seat on the KANU side and noticed that the microphones there are clear. Then I came back to the Opposition side and the noise is baffling. There is a small problem on this side, the microphones do not work. It is like we are not in the same House and, particularly now when we are talking about the Budget which we use to maintain this House with, but this side is not being maintained. We do not hear. Is it not true, hon. Members?

(Applause)

Mr. Speaker: Order! Order! Thank you, Mr. Munyao, for rising on a point of privilege; you are right. The issue you have raised is a very important one. The ability of hon. Members to follow the proceedings of this House is crucial and important and it is my duty to ensure that Members do follow the proceedings of this House. I am handicapped, however, by the fact that I have not sat there, but I sit here. Therefore, I cannot verify what you have said, but being an hon. Member, I will take what you have said and I will make sure that we will look into that issue and ensure that the whole House - since the Speaker is for the whole House and not for one side of the House - is properly served. I believe that has been the position and I will ask the Clerk at the Table to ensure that that be the position because that has always been the position. You understand we also deal with mechanical things, I hope it is a mechanical problem and nothing beyond that. I will assure the House that we will make sure that Members will be able to participate in debates and hear what is going on. That is adequate, I think---. Are we going to debate the whole thing?

The Assistant Minister, Office of the President (Mr. Haji): Mr. Speaker, Sir, while I concur with you that you are going to check whether these facilities are working, he should also go for a medical check-up for his ears.

Mr. Speaker: Order! Order! Mr. Haji, you are aggravating the matter and I think you must apologise!

The Assistant Minister, Office of the President (Mr. Haji): Mr. Speaker, Sir, I do apologise.

Mr. Anyona: On a point of order, Mr. Speaker, Sir. There was an important reference in hon. Munyao's remarks which gave the impression that what is apparently happening is deliberate and it amounts to sabotage of the House. I think it will be important in your investigations to ensure and assure the House that whatever fault may have taken place was not deliberate sabotage of the House.

Mr. Speaker: May I say this straight from my heart, I am the Speaker! Can I assure this House that to the best of my knowledge, there has never been, and will never be a deliberate sabotage of this House. If anybody attempted to do that, it would be a sabotage on the Chair itself and a direct affront to the Chair and the authority of the House. I will never allow that! So, let us proceed on that note. Proceed, Mr. Minister!

COMMITTEE OF SUPPLY

(Order for Committee read)

MOTION

VOTE ON ACCOUNT

The Minister for Finance (Dr. Masakhalia): Mr. Speaker, Sir, I would like to move the following Motion. THAT, in accordance with Section 101 of the Constitution of Kenya, the withdrawal from the Consolidated Fund of the sum of K£3,177,062,741, representing one-half of the total net estimates

of Recurrent and Development Expenditure made up in the manner set out in the Vote on Account laid before the House, be authorised for the purpose of meeting expenditure necessary to carry on the services of the Government of Kenya during the year ending 30th June, 2000, until the such time as the Appropriation Act for the year comes into operation.

*(His Excellency the President has Signified
his Consent to this Motion)*

ESTIMATES showing the several services for which a Vote on Account is required for the year ending 30th June, 2000

Vote No.	Service	Total Net Estimates	Vote on Account
		K£	K£
R01	Office of the President	644,925,080	322,462,540
R02	The State House	18,768,150	9,384,075
R03	Directorate of Personnel Management	65,888,350	32,944,175
R04	Ministry of Foreign Affairs	94,283,470	47,141,735
R05	Ministry of Home Affairs, National Heritage, Culture and Social Services	177,081,680	88,540,840
R06	Office of the Vice-President and Ministry of Planning and National Development	59,685,060	29,842,530
R07	Ministry of Finance	308,574,100	154,287,050
R08	Department of Defence	524,500,000	262,250,000
R09	Ministry of East African and Regional Co-operation	11,192,470	5,596,235
R10	Ministry of Agriculture	172,613,270	86,306,635
R11	Ministry of Health	463,251,190	231,625,595
R12	Ministry of Local Authorities	14,719,630	7,359,815
R13	Ministry of Public Works and Housing	135,483,430	67,741,715
R14	Ministry of Transport and Communications	35,212,830	17,606,415
R15	Ministry of Labour	18,307,190	9,153,595
R16	Ministry of Tourism	16,781,190	8,390,595
R17	Ministry of Environmental Conservation	3,432,400	1,716,200
R19	Ministry of Information and Broadcasting	16,183,210	8,091,605
R20	Ministry of Water Resources	55,542,180	27,771,090
R21	Ministry of Natural Resources	48,317,370	24,158,685
R22	Ministry of Co-operative Development	17,101,280	8,550,640
R24	Ministry of Trade	28,698,450	14,349,225
R25	Office of the Attorney-General	32,456,960	16,228,480
R26	Judicial Department	18,125,140	9,062,570
R27	Public Service Commission	2,166,340	1,083,170
R28	Office of the Controller and Auditor-General	7,255,030	3,627,515
R29	National Assembly	46,803,620	23,401,810
R30	Ministry of Energy	2,511,410	1,255,705
R31	Ministry of Education and Human Resource Development	2,216,545,480	1,108,272,740
R32	Ministry of Industrial Development	10,422,550	5,211,275
R33	Electoral Commission	21,451,690	10,725,845
R34	Ministry of Rural Development	17,267,040	8,633,520
R35	Ministry of Research and Technology	141,481,650	70,740,825
R36	Ministry of Lands and Settlement	43,377,160	21,688,580
R39	National Security Intelligence Service	90,000,000	45,000,000
	TOTAL	K£ 5,580,406,050	2,790,203,025

ESTIMATES showing the several services for which a Vote on Account is required for the year ending 30th June, 2000

Vote No.	Service	Total Net Estimates	Vote on Account
		K£	K£
D01	Office of the President	220,249,550	110,124,775
D02	The State House	950,000	475,000
D03	Directorate of Personnel Management	11,032,320	5,516,160
D04	Ministry of Foreign Affairs	5,039,000	2,519,500
D05	Ministry of Home Affairs, National Heritage, Culture and Social Services	9,351,202	4,675,601
D06	Office of the Vice-President and Ministry of Planning and National Development	43,350,700	21,675,350
D07	Ministry of Finance	42,559,440	21,279,720
D08	Department of Defence	12,045,700	6,022,850
D10	Ministry of Agriculture	62,226,920	31,113,460
D11	Ministry of Health	48,973,850	24,486,925
D12	Ministry of Local Authorities	20,774,870	10,387,435
D13	Ministry of Public Works and Housing	62,068,440	31,034,220
D14	Ministry of Transport and Communications	15,941,830	7,970,915
D15	Ministry of Labour	1,635,000	817,500
D16	Ministry of Tourism	681,500	340,750
D17	Ministry of Environmental Conservation	3,388,790	1,694,395
D19	Ministry of Information and Broadcasting	1,840,000	920,000
D20	Ministry of Water Resources	23,145,830	11,572,915
D21	Ministry of Natural Resources	24,098,440	12,049,220
D22	Ministry of Co-operative Development	504,100	252,050
D24	Ministry of Trade	2,224,000	1,112,000
D25	Office of the Attorney-General	479,000	239,500
D26	Judicial Department	820,000	410,000
D30	Ministry of Energy	71,408,690	35,704,345
D31	Ministry of Education and Human Resource Development	39,615,420	19,807,710
D32	Ministry of Industrial Development	1,565,900	782,950
D34	Ministry of Rural Development	13,470,190	6,735,095
D35	Ministry of Research and Technology	33,065,480	16,532,740
D36	Ministry of Lands and Settlement	1,213,270	606,635
	TOTAL	K£ 773,719,432	386,859,716
	GRAND TOTAL	K£ 6,354,125,482	3,177,062,741

Mr. Speaker, Sir, hon. Members have already received their copies of the Vote of Account for Fiscal Year 1999/2000. The Estimates of Recurrent and Development Expenditure for the Fiscal Year 1999/2000 will be discussed and scrutinised thoroughly in this House during the Committee of Supply debate. I do not, therefore, wish to go into details at this stage.

The Net Recurrent Estimates amount to K£5,580,406,050 for which I am seeking an approval of the K£2,790,203,025, while the next Development Estimates amount to K£773,719,432 for which I am seeking an approval of K£386,859,716, to be able to continue Government services uninterrupted until such time the Appropriation Act for the year is passed by Parliament and becomes operational.

Mr. Speaker, Sir, these funds are mainly for payments of salaries, operations and maintenance under the Recurrent Votes and for continuation of the implementation of development projects and programmes under the Development Vote. Therefore, I urge hon. Members to pass this Motion to enable me release funds for the Ministries and Departments to continue Government services, and implement projects and programmes with effect from 1st July, 1999.

With these remarks, I beg to move.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Thank you, Mr. Speaker, Sir. I do rise to second this Motion.

This is an extremely important Motion because it is asking the House to vote 50 per cent of the outlay of the Recurrent Expenditure as well as those contained in the Development Expenditure.

This is supposed to take us up to the 31st, December. The reason here is that by the time we come to deliberate on the Vote of the various Ministries, that will well be after the 1st, July, 1999. But from the 1st, July, which is going to be next week, we require finances for the Government to be able to provide services to the people of this country. I should even say here that if this Motion will not go through, we will not even be able to stay here.

So, it is a very important Motion and its passage or provision is well provided for in the Constitution.

Mr. Speaker, Sir, there are two things I want to say here. To be able to fund this expenditure, the Minister for Finance informed this House the manner in which revenues will be obtained. One thing we should take into account in spite of difficulties we have, at least, the revenue, as a percentage of the GDP in Kenya, stands at about 23 per cent of the GDP. That must be contrasted against the average of 12 per cent within the region, with only 16 per cent. So, to that extent, in spite of all the difficulties that we have, at least, we are able to fund our projects and programmes from our revenue.

Mr. Speaker, Sir, however, in order to continue to get revenue, the economy must move forward. We all know that we are in difficulties; we have problems related to poverty and unemployment. For that reason, the hon. Minister for Finance predicated his own Budget on the topic: Recovery Budget, to make the economy recover. But we do require three fundamental things to take place. The first one is security. Without security, we will not get tourists and investors. The local investors are running away. I do commend the Minister for Finance for outlining substantial resources to the area of security. I hope that, on the passing of this Motion, the Minister for Finance will release funds, so that tourists come to Kenya and, at least, ensure that the private sector works.

Mr. Speaker, Sir, the next thing needed for the recovery of the economy is a good infrastructure. We know that roads are in a bad state. I, too, commend the Minister for Finance for ensuring that substantial resources are being outlaid to the area of the infrastructure and the roads. That too, will help us. The third one, which is substantial, is the efficient implementation of the resources; an area that has been discussed so often in this House. It is about the question of governance. There too, the Minister is providing substantial resources to the Kenya Anti-Corruption Authority. That should help the body deal firmly with the haemorrhage of any resources.

Let me add by saying that we have been spending a substantial portion of our time on the area of politics. The whole of the national debate has now become completely tilted to one way. We do not seem to have a balanced national debate. We are spending far too much time politicking. I am afraid that time has come, that we should have a balanced national debate. We must now start talking about the economic development of the country. We must now talk on how we will create jobs in order to eradicate poverty. The debate of abuse and politics, I think, to a certain extent, however important it is, should be balanced. There should be two important pillars of the national debate; politics and economic development. That is the only way we can be sure of having stability in this country. We, hon. Members, do have a responsibility to the people who brought us here. We have been brought here not to breach the Standing Orders, or to trade abuse. We have been brought here to ensure that we put a frame-work that will ensure that this country moves forward.

Mr. Speaker, Sir, with those few remarks, I beg to second this very important Motion.

(Question proposed)

Mr. Mwiraria: Thank you, Mr. Speaker, Sir. I rise to support the Motion. But, I would like to make a few observations on what I believe has been lacking in the financial management of this country during the recent past. The Minister for Finance, in his long Budget Speech, spoke at length about what he intended to do to make our economy recover and assist in the poverty eradication plans.

Unfortunately, the Minister for Finance did not address the issues which have been crippling the Kenyan economy. I want to start with a few comments on the Treasury itself. We have the Treasury Act, which appoints the PS of the Treasury as the custodian of all the finances of this Republic. Unfortunately, in the recent past, some of the Permanent Secretaries who have been in the Treasury have not been custodians of the finances of the Republic of Kenya. They have, in fact, been abetting mismanagement and in some cases, aiding corruption. When we approve monies, as we are likely to do now, the question which we must all ask ourselves is: Are we approving more funds to be mismanaged and to be used for overt and covert corruption?

Since the Minister for Finance is new in the portfolio, let me give him an instance where the Tana and Athi River Development Authority (TARDA) borrowed money from some international donors. It developed its facility and started selling electrical power to the Kenya Power and Lighting Company (KPLC). The Permanent Secretary of the Treasury instructed the KPLC not to pay TARDA, which had an agreement to repay the loan, but instead, to pay the money to the Treasury. Last week, when I spoke on the Budget, I made the point that the Treasury has been circumventing the provisions of the Constitution by authorising Permanent Secretaries, or allowing the Permanent Secretaries, to the overdrawing from the Pay Master-General (PMG) Accounts. Overdrawing of the PMG Accounts has been done to avoid going through the Controller and Auditor-General to obtain funds, because the Controller and Auditor-General will ensure that the funds would be used for the purposes for which they were voted for.

Mr. Speaker, Sir, we have had so many instances some of which have been discussed here, for example, the payments to Goldenberg International Limited which were paid with the full knowledge - in fact, with the

blessings - of the Permanent Secretary to the Treasury. The question that we must put to the Minister is this: "What are you doing to make sure that these malpractices come to an end?"

Mr. Speaker, Sir, last week, when I contributed during the Budget debate, I seriously suggested that because of interferences by the Government with the work of the Controller and Auditor-General, he should be moved to Parliament which is the watchdog of the funds for this Republic. I thought that by bringing him to Parliament, he can be independent and he can have staff who cannot be moved. By so doing, he can also assist in making sure that where problems had been noticed before, they are brought under control.

Mr. Speaker, Sir, let me now address the question of poverty eradication. It is regrettable that what the Government proposes to do is not intended to assist in any way, in the eradication of poverty. Once again, the Budget does not in any way assist the poor farmers of this nation who employ by far, the largest number of people. One of the weaknesses which one notices is that as we sit here today, Kenya is importing eggs from a neighbouring country at a price which the Kenyan farmers cannot match. How does this happen when we have a Ministry of Agriculture? How can we get agricultural goods from other countries which are cheaper in Kenya than they are in their country of origin, like the juices we get from South Africa? What is the Government doing to stop these subsidised goods from getting into the country; for instance subsidised eggs, chicken and other agricultural commodities like those juices?

Mr. Speaker, Sir, last weekend, I was appalled. I was in Meru Town and I was walking along the street and somebody had shoes which he was selling for Kshs5 per pair. How does this happen? There must be something wrong with the *mitumba* industry! This is happening when we are closing down our leather industries. The Bata Shoe Company has been closed and many of our tanneries are closing because we have thrown open the floodgates and people are bringing in whatever they want from wherever they want. As we were informed by the Commissioner-General of the Kenya Revenue Authority, a lot of revenue is still going uncollected. In fact, he mentioned a figure of Kshs130 billion. Since the Minister knows that this is happening and since he knows that he does not pay the staff of the Kenya Revenue Authority equal salaries; the ones who come from the old department still get a pittance, what is he doing to harmonise the salaries of the staff of the Kenya Revenue Authority? Is it impossible for him to harmonise their salaries and make sure that all the staff of the Kenya Revenue Authority are paid equal salaries? Surely, this is an administrative decision which does not require a lot of work.

Mr. Speaker, Sir, I notice that under Poverty Eradication Plan, the Government proposes to target three sectors: education, health and water. To do this work, they have appointed a Commission which has been placed under the Office of the President as usual, to confuse the situation even more. We have been talking about the organisation of the Government, but by putting water, health and education projects under the Office of the President, we are not in any way, assisting this country. In fact, we are causing more confusion! If you look at it, we have got the Department of Development Co-ordination under the Office of the President and yet we have got the Ministries which should have handled those matters. Where do we stop?

Mr. Speaker: Order, Mr. Mwiraria, your time is up!

Mr. Mwiraria: Mr. Speaker, Sir, I thought I had 30 minutes?

Mr. Speaker: No. Just look at No.3 of the Resolutions we passed. Indeed, I am duty bound to inform the House that we did pass some three resolutions on 15th June, 1999 and the relevant one at this point is No.3. Each speech in the Committee of Ways and Means and the Committee of Supply shall be limited to 10 minutes; and today, we are in the Committee of Supply. So, everybody, including the Mover, had 10 minutes. I am sorry that you should have looked at this.

Mr. Mwiraria: With those few remarks, I beg to support.

Mr. Speaker: Is there no further interest in the debate? Yes, Ms. Karua!

Ms. Karua: Thank you very much, Mr. Speaker, Sir. I rise to support this Motion because the Government needs money to operate. But I have this to say: For a long time, this Parliament has been taken for granted and used as a rubber-stamp in approving budgetary estimates year after year. It is time that this practice stopped and the only way it can stop is that each Ministry should liaise with the relevant House Departmental Committee in developing their budgets. By so doing, this Parliament will be able to take its responsibility as a watchdog to see how the Budget proposals are organised and to see to it that there is fair distribution of resources in the country. It will also be able to scrutinise and see how the previous funding has been utilised.

Mr. Speaker, Sir, it is necessary that budgetary proposals are disclosed to Parliament well in advance for us to be able to make any meaningful inputs. But as matters stand, these proposals are brought when the financial year is almost over and when it is not possible for Members of Parliament to make any meaningful inputs and we end up rubber-stamping Budgets that we are not a party to. Even in the development of taxation measures, this Parliament has a role and it is time the Ministry of Finance liaises with the relevant House Departmental Committee in the development of budgetary proposals.

Today, we are voting money to be able to enjoy services. One of the critical areas which should be addressed is that of security. I do not know what justification the Government can give to convince this House to continue voting money for security when there is so much insecurity and when the Government appears to be unable to do anything about it.

The cause of insecurity in this country is outright corruption in the Police Force. In other instances, it is lack of the necessary tools of trade; where the police lack vehicles, fuel and other equipment, to enable them to perform their duties. The question is: Where does the money we vote in year after year go? Is it diverted when it reaches the district treasuries? Is it necessary to allow all the money to be used in a particular district to go to the district treasury under the District Commissioner? Can we re-organise and give the various departmental heads in the districts the authority to manage their Votes independent of the office of the District Commissioner (DC)? Perhaps, that is why there is insecurity. The police need fuel and the DC fails to release the money on time. The police need to repair their vehicles and the DC fails to repay the money on time. Money is budgeted for a water project, but it is diverted to other uses by the DC. Why are we maintaining a system that is not working? These are questions that are becoming very crucial. I would appeal to Members of this House to agree to refuse to authorise the budgetary proposals when we come to discuss the Votes, if we find that the Government has not responded to suggestions by Members of this House.

Mr. Speaker, Sir, year after year, Committees of this House, notably the Public Investments Committee (PIC) and the Public Accounts Committee (PAC), have made recommendations. They have also pointed out inefficient and corrupt public officers. What is the Government doing about it? It sometimes promotes such officers, or retains them in the same position, waiting for us to vote money to be diverted by the same officers. This year, I am appealing to the Members of this House that, as we pass each Vote, we must be ready to scrutinise whether the Government has responded to the issues raised by the Members. If the Government is maintaining an inherently corrupt bureaucracy in the Ministries, we must refuse to pass those Votes. We are not toothless bulldogs, as has been suggested! We can also make the Government respond to the issues that we raise by refusing to pass the budgetary measures. Therefore, the relevant Ministries should take notice that when we come to discuss the substantive Votes, we shall be checking the track record of each Ministry and its officers with regard to public expenditure. Otherwise, we shall continue facilitating waste of public funds.

Mr. Speaker, Sir, once again on security, we have insecurity in some areas, especially in the arid and semi-arid areas, which is worrying. We have one community having skirmishes with neighbouring communities. Recently, we heard about the skirmishes between the Turkana and the Pokots. There has also been skirmishes between the Marakwets and the same Pokots. In North-Eastern Province, there are skirmishes between the clans. What is the Government doing about this? Have we seen any proposals in this Budget to arrest the situation? I am suggesting that one of the ways the Government can improve security in those areas, is to open up the areas by providing infrastructure. We need good roads, telephones and electricity in all those areas so that when the security forces pursue the offenders, they are able to do their work because of good infrastructure. Currently, one of the setbacks for the security forces is lack of infrastructure.

We also need an education system that allows all children in the country, irrespective of the areas that they come from, to access education. Education will change the way people view things. It will also change the people's way of life. If a community believes that cattle is inherently theirs and, therefore, their way of life encourages cattle rustling, education and opportunities will help such communities to change their ways of life. The insecurity will then cease. But currently, the way things are, there is no hope of changing the way of life of those communities. We will continue having insecurity in perpetuity, unless some planning is done. That is why I emphasise that, it is necessary that budgetary proposals should be developed by the Ministry in conjunction with the Members of the House, so that we can have serious input. If it is in matters of health, Members of this House would have many suggestions on how to improve the health facilities throughout the country. But now, we will be asked to once again rubber stamp what the Ministry has proposed. That has proved ineffective over the years.

Mr. Speaker, Sir, I would also like to say that we need to see the Government upholding the rule of law. That is one area that is bringing insecurity in this country. If junior officers see that their seniors are escaping when they commit economic crimes and criminal offenses, they will also continue doing things that are hurtful to the nation and, thus, perpetuate insecurity. What is bringing a lot of insecurity in this country is the fact that, people know that they can get away with anything; from crimes of murder, crimes of economic sabotage to all manner of offenses. If the Government does not change its stand with regard to the rule of law, and stop applying double-standards, we are not going to get very far, irrespective of how many billions we vote in every year. I would like to mention that the amount we are being asked to vote in is a small amount, compared to the amount we are losing every year through plunder. What is the Government doing to ensure that we safeguard public funds in this country? It means that this country would be in a position to spend more money to improve public services if we

curbed extravagance and outright theft in the management of public expenditure. If the Ministry agrees to develop budgetary proposals with the relevant Departments and the Departmental Committees of this House, suggestions will come from Members on the manner in which these expenses can be curbed.

Mr. Speaker, Sir, we should be able to improve the management, not only of resources, but also of issues of governance, if we take the contribution of Members of this House seriously. On the constitutional review process, we see no budgetary estimates for this important exercise and yet, leaders have been talking about Kshs4.5 billion. Perhaps, the Ministry should tell us where this is indicated in the Votes?

Mr. Kaindi: Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. Year after year, Kenyans are treated to a saga where estimates are passed by this House and yet, they do not get commensurate services. Kenyans out there are asking: "What is happening to our tax?" Every Kenyan who is a contributor of tax in this country wants to see proper accountability of his tax. It is important that the Ministry of Finance becomes serious about the appropriation of the funds that have been brought to this House.

When I look at the amounts that have been suggested as estimates to be passed and approved by this House, it is alarming to note that some Ministries, like the Ministry of Health, have continually received a lot of money. Today, the Ministry has not been able to address the real needs of Kenyans.

As I speak here today, I speak with a heavy heart. Why? It is because my very own sister lies in the mortuary. She died in Naivasha because she could not get medical treatment. For six hours the young girl sat there and there was no medicine for her. I had to wrestle to find how best she could be saved. We had to rely on the services of an external surgeon from a private institution. This is because there was no surgeon at Naivasha Hospital.

If you look at the Ministry of Public Works and Housing, we always talk about roads which contribute immensely to loss of lives of Kenyans.

Mr. Speaker, Sir, if you go to the district treasuries you will find that there are pending bills which have not been paid. The Paymaster-General has refused to reimburse bills or expenditure that have been incurred in districts. For example, if Kshs10 million has been voted to Machakos District, you will find pending bills to the tune of Kshs30 million. How are these citizens supposed to believe this Government?

Mr. Speaker, Sir, today it is like a ritual that this House sits here to deliberate on matters of great importance to this nation. Kenyans outside there are losing faith in this House. They are asking: Why can this House not be serious for once? Why can the various Ministries not respect the wishes of Kenyans? Why is money voted to the Ministry of Health not going to various respective health centres? Where are the water projects in this country? Where I come from in Kathiani, I do not see a single water project that is being funded in this year or was funded last year. It appears as if, deliberately, this Government has decided to sideline certain parts of this country. It is high time that this Government decided to distribute equitably all the resources because Kenyans who pay taxes do so irrespective of the region that they come from.

Mr. Speaker, Sir, when we are here we are talking about the Ministry of Lands and Settlement. There is a lot of money here. The Minister for Finance has allocated a colossal sum of money to the Ministry of Lands and Settlement. But if you go to the land adjudication offices all over the country, they say that they do not have money to go and listen to the appeal cases. There is no money, even as little as Kshs30,000 for the officers to go to the field. If we were to analyze what the Minister has given here, it beats logic because no commensurate services are being given.

Mr. Speaker, Sir, the Minister for Finance sits here and knows too well that, in this era of liberalisation, you do not need the services of companies like SWIPCO. SWIPCO is basically a money guzzler for this country. We do not pay taxes so that SWIPCO, which we do not need at this point in time, can consume money from Kenyans. Why should an American company called SWIPCO in this country be licensed for pre-inspection? What pre-inspection is being done by SWIPCO on all imports into this country to make it earn ten per cent? Ten per cent is very high. The contract was signed last year and the Minister knows very well that the contract which was given to SWIPCO has not expired. But SWIPCO is no different from Goldenberg. SWIPCO is consuming ten per cent of all the money received by way of imports to this country. At the Kenya Ports Authority (KPA), for every consignment that comes to this country, SWIPCO must get ten per cent. Why should this happen in this era of liberalisation? Why do we allow an American to guzzle Kenya's money? Why do we leave pre-inspection of consignments to SWIPCO when we have the Customs and Excise Department, the tariffs and the police officers at the Port in Mombasa? Why do we need SWIPCO in this country? This is a group of Americans masquerading as businessmen. They have been licensed by the Minister for Finance to swindle Kenyans of their money. If I bring a consignment of rice to this country, SWIPCO must inspect it. But we have the police and the Customs and Excise Department who can inspect it. Why should an American company get ten per cent of money that is the rightful entitlement to Kenya? The Goldenberg scam will be just child's play, compared to what SWIPCO is doing to this

country. I know as I talk here, not many hon. Members of this House, know what SWIPCO is doing to this country. We keep on talking about the Goldenberg scam--- Can the Minister for Finance tell us the role of SWIPCO in this country because it is a money guzzler? If we are collecting revenue from the KPA to the tune of Kshs100 million, then SWIPCO will get ten per cent of that. Why do we need SWIPCO in this country when we cannot even finance services like health, infrastructure and the agricultural sector? We cannot even purchase text books for our schools. The Minister must tell us the role of SWIPCO in this country because there is no other Government.

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

[Mr. Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Musila) took the Chair]*

Mr. Muchiri: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support the Motion, but there are several issues to be looked into. First, this Parliament has been used on several occasions as a rubber-stamp. I believe that this is one of those several occasions. Recently, the Government withdrew Kshs4 billion from the Consolidated Fund without the authority of this Parliament. Last year but one, the Government withdrew another Kshs2.5 billion from the same Fund to buy a Presidential jet without the authority of this House. It also withdrew Kshs4 billion to build Eldoret International Airport. Why did the Government not come here and obtain authority to withdraw that money from the Consolidated Fund? If you did not come for that authority, why come now? Why should you treat this Parliament as a rubber-stamp? It is high time the Government realised that hon. Members of Parliament are here to protect the public money. When you withdraw money from the Consolidated Fund to bail out National Bank of Kenya, actually you are giving it out to a bank to lend their to own customers. When they lend it to their customers, there is no assurance that, that money will come back to the Consolidated Fund. In other words, what I am saying is: Do not come to seek authority here when you know very well that you can get money out of the Consolidated Fund without the authority of this Parliament.

The other issue is that we are being asked to approve the withdrawal of this money from the Consolidated Fund in order to support the expenditure of Government Ministries. It is a pity that the majority of civil servants in those Ministries do no work. For example, the Judicial Department is demanding a lot of money. All courts in the Republic of Kenya sit at around 10.00 a.m. I have attended several magistrates courts and also the High Court and that is the trend. Surely, why should we pay officers who are not serious with their work? Thousands of accused persons are still in custody. It is sad that when lawyers, witnesses and police with their exhibits assemble in courts, they do not find magistrates. When somebody is in remand, he does not even know whether he will be convicted or acquitted. Sometimes, the suspects stay in remand for more than one year before they are acquitted. And when they are acquitted, they are not compensated by these Government. The Judicial Department must wake up and start the court proceedings at 9.00 a.m. If need be, the office of the Chief Justice should set up a special court in order to reduce the number of suspects in custody.

Look at the amount of money allocated to the Office of the President. It is a lot of money. Look at the Directorate of Security Intelligence and the State House, both of which fall under the Office of the President. A substantial amount of money has been allocated to them, and yet they fall under the same office. Surely, if you look at this figures, you will see that half of this money will go to the Office of the President. Why? For example, the Police Department, which falls under the same Ministry, is not functioning. As I am speaking to you, I left thugs outside my office fighting with the police officers. In my constituency, there are no police officers because they do not have petrol for their vehicles.

Why should we vote money to a Ministry which does not give quality services to the public? In other words, I am saying that there is a lot of insecurity in this country. What explanation does the Office of the President (OP) have on this? We have had several people who have been murdered in this country, and yet, the murderers are not being arrested and taken to court! There is even an accusation, which I think we can substantiate, that when people are murdered, fake postmortems are carried out by the police surgeons. We had two postmortems carried out on the late Julie Ward and Dr. Robert Ouko.

These postmortems were fake. These people were on the payroll of the Government. It is high time that the OP woke up and told the police and the National Security Intelligence Service that their personnel are not working properly. We have had information being taken by the politicians to their offices. Why should this House Vote money for officers who are not doing their work? Go to the Ministry of Local Authorities; the Nairobi City Council (NCC) is here, but there are no good roads in this City. What used to be tarmac roads are now being used

as garages. Usually, there are big jams in this City because of poor roads.

Mr. Temporary Deputy Speaker, Sir, there is no water in my constituency. Water pipes are being vandalised by young people who use the water to wash cars, and yet, there is a Ministry which is supposed to take stern measures against the culprits. In fact, I reported the matter to the relevant Ministry a year ago but it has done nothing. The other day, a house was burnt down because there was not enough water to put the fire out. If you go to City Hall today, you will only find coats hanging on seats in the offices and no officers. Surely, we cannot keep on paying officers who do not work!

Mr. Temporary Deputy Speaker, Sir, it is high time that Parliamentarians came to this House and said that they will not Vote a single cent to any Ministry which does not render quality services to Kenyans. I would like to request the Minister for Finance to bring the Budget to this House in advance so that we can go through it and refuse to Vote some money to any Ministry that does not work.

Today, the Ministry of Education and Human Resource Development is the worst Ministry which oppresses members of the public. Today, teachers send away children from schools on very flimsy grounds. One of them is that the young boys and girls have not paid tuition fee. First of all, this is an illegal collection. If you carry out some investigations, you will find that the amount of money which is being collected in a single school here in Nairobi is Kshs240,000. This money is not receipted, and it is shared out among the teachers. The other amount of money which the parents are asked to pay is development fee. We are also told that the parents have to pay some money for their children to be supplied with text books. Surely, if the Ministry is demanding a lot of money from this Parliament, and the KANU Government has promised free education to primary school children, why are our children being sent away from schools? Somebody should answer this question.

If you go to the Ministry of Health, you will find that our people do not receive medical services. People are dying in their houses in my constituency. Last month alone, I buried about 30 people. People are dying in my constituency because they cannot afford the amount of money which is being charged in Nairobi, M.P. Shah and Mater Misericordiae Hospitals. This is happening despite the fact that the KANU Government promised Kenyans free medical services. Where are the free medical services? The Government is now talking about cost sharing. Surely, cost sharing does not mean offering free medical services. It is high time that this Government came up and told us what it is doing to alleviate the problem.

When you go to other Ministries, for example the Ministry of Tourism--- This is where the Government is earning a lot of money from. The tourism sector is one of the sources of income for the Government. What is happening in this sector today? All the hotels are closing down. Why is this happening? It is because the Government has failed to protect its visitors. The hotels are also closing down because the Government is charging exorbitant money on domestic tourists.

The Temporary Deputy Speaker (Mr. Musila): Order! Mr. Muchiri, you have had enough.

Mr. Odoyo: Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to contribute in support of this Motion. If one looked at the figures that the Minister has tabled in this House, he or she will find that 85 per cent of the money we will Vote in this House will be spent on the Recurrent Vote, while only 15 per cent will go to the Development Vote. This means that almost all the money we get will be spent on salaries and very little will be spent on the development of this country. In fact, this is only 15 per cent or less. If one looks at the Recurrent Expenditure, he or she will find that 25 per cent of it will be on security. That is on the Votes of the OP, State House, Department of Defence and the National Security Intelligence Service. We are increasing this amount of money year after year, and yet, in my constituency, which is called "Nyakach", cattle rustling goes on unabated despite the presence of security men. Why do we spend so much money on security, and yet, there is so much insecurity in this country?

In those areas which every hon. Member has pointed out, for example roads and agriculture, only 8 per cent will be spent on agriculture, and a further 8 per cent will be spent by the Ministry of Public Works and Housing. This is being done although every hon. Member who has stood here for the last one and half years has complained about the state of our roads. The Budget Speech and the figures that are reflected today do not match. There is a difference on the policy statement and what the figures reflect. It is time we realised that the donors will not come to help us. If we do not want to budget anything for development, nothing will move in this country. There will be no good roads, clean water and tourists. All the other aspects that are required for the development of this country will also not be in place.

A further examination of the figures reveals that agriculture has less than 8 per cent of the Budget for both Development and Recurrent Expenditures, and yet this is the backbone of the economy of this country. One of the areas that have been ignored by the Ministry of Agriculture is the people who own thousands of acres of land which they do not cultivate. These people sit on land for 20 years and no tax accrues from them even though no crops are

grown on the land. In fact, the land is fallow. It is held purely for speculative purposes.

There is no capital gains or tax on the land. It is surprising to see that somebody owns land for more than 20 years, and yet, he does not cultivate a single acre of it. During the 20 years, he does not employ anybody on the farm and he does not grow maize, tea, sugar-cane or cotton although the land is very productive. This is so, especially in the irrigation schemes such as those in Nyandarua, Muhoroni, Kitale and Magarini. Why does the Minister for Finance allow these people to keep these farms without cultivating them so that we can create employment opportunities?

Mr. Temporary Deputy Speaker, Sir, the Minister has ignored the issue of land. The single most important resource in this country and yet, no policy statement on land has been addressed, especially land that is productive but is lying fallow.

Mr. Temporary Deputy Speaker, Sir, the *El Nino* funds have been centralised. By the time these people do the tendering for 199 roads that need repair in this country, further damage will have occurred. Why is the *El Nino fund* centralised? Why is it not decentralised in the districts, so that we can address the *El Nino* in a much faster way than what is happening now, where we have a big bureaucratic body in Nairobi advertising tenders for small roads and health centres all over the country? The tendering process is taking not less than four months. By the time that is awarded, it is again back to square one. It is time the *El Nino* funds are decentralised to the district offices, so that the DDCs can deal with the problem on time and not waste more additional time. There is a bureaucratic body here in Nairobi doing nothing, but sitting on millions of funds.

Mr. Temporary Deputy Speaker, Sir, upon the re-examination of the Development Budget, it reconfirms that almost 40 per cent of it will be spent on security again. Almost 40 per cent of all the money will be spent in what we call security ministries; Office of the President and the State House, compared to what will be spent on health, in terms of development, which is less than one per cent. Do we have our priorities right? We need to produce, build our roads, get our ports working. This is how money comes in. Agriculture is invisible. Yet, the figures in no way, have addressed the problem of tourism. In fact, the amount of money the Government has budgeted for tourism is K£340,000. That is less than Kshs7 million and for the whole year, less than Kshs14 million for development. Are we really serious, it is when we say we want to bring tourists back to this country? I note that National Housing Corporation has got some money. Sondu Miriu Hydro-electric project is being done in my constituency. Yet, the farmers are being paid without a statement! We have farmers being paid with no statement as to how they paid that money or how much money is left. This is an avenue where all this money is being eaten up by unscrupulous officials in the parastatal called Kenya Electricity Generating Company. My peasant farmers are being paid Kshs100,000, a lot of money in relative terms, but no statement.

Mr. Temporary Deputy Speaker, Sir, the Kenya Anti-Corruption Authority is now an agency on its own. As much as it borders the Ministry of Finance or Office of the President, we should at this time have its own Vote, so that we can vet and Parliament can it question how it is going to use that money and how it intends to implement its policies.

Mr. Temporary Deputy Speaker, Sir, I have not finished because I have not yet complained about the bad roads in Nyakach which are in a poor state. The roads coming from Kanyamlori to Pamba, from Paponditi to Onyuongo, Sondu to Kusa were badly damaged by the *El Nino*. Paponditi District Hospital is not getting any district hospital kit. We have the DC, Nyando, not getting to the farms on time, he does not even have Land Rovers; we have the District Education Officer, Nyando, who has got no facilities.

With those few remarks, I beg to support.

Mr. Wafula: Thank you, Mr. Temporary Deputy Speaker, Sir. As this House approves the Vote on Account for the Ministries, I am worried, and I am sure the people of Kanduyi are also worried because Kibabii Teachers' Training College has been omitted. It does not appear anywhere as an on-going project and the Minister has not said anything about it in his proposals. Of course, this is a project that has been going on and it stalled due to officers of the Government embezzling money intended to be used for that project. About Kshs40 million has been spent on that project. But despite having spent that much, it does not appear anywhere as an on-going project. How do you expect the people of Kanduyi or Bungoma to view this Government? What do we tell our people about a Government which forgets about projects that have been initiated and are half-way done?

Mr. Temporary Deputy Speaker, Sir, similarly, the recent project of Bungoma Sewage Construction started this year and as I am talking now, I understand that the contractor has pulled out of the site. This is now the second time a contractor has pulled out of site for Bungoma Sewage Construction. What does the Government intend to do with projects that are half-way done and all the time contractors complain that the Government does not pay? It is due to non-payment that they are pulling out. I was talking to Kirinyaga Construction Company and they said they have pulled out of Bungoma Sewage Construction because of non-payment. Where does the Government take the money that is intended for these projects? This project started in 1982 and this is 1999, and we are still talking about the same project. This is very disturbing and I am calling on the Minister to release the

money, so that this project goes on.

Mr. Temporary Deputy Speaker, Sir, the other issue I would like to talk about is rural electrification. This has come up before in the House. The Minister has promised before that the Government was taking steps under the Rural Electrification Programme to distribute electricity to various rural areas in Kanduyi. But to date, there is no sign of anything taking place. Only, selectively in certain areas is the Ministry of Energy distributing electricity. I am calling on the Ministry also to consider having rural electrification in my constituency.

One issue which has generated a lot of hatred and every other Member has talked about it, is the Goldenberg issue. We have heard Ministers exonerate themselves from those payments. We have heard the Vice-President and Minister for Planning and National Development exonerate himself from authorising payments while he was the Minister for Finance. Yesterday we heard hon. Musalia Mudavadi explaining very clearly--- Hata mtu mjinga lazima aelewe kwamba Mudavadi hakuhusika na mambo hayo.

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Wafula! You were contributing in English. You must withdraw that statement that you made in Kiswahili.

Mr. Wafula: I withdraw and apologise, Mr. Temporary Deputy Speaker, Sir. I will not repeat it again. Now, that even hon. Mudavadi made it very clear---

Mrs. Ngilu: On a point of order, Mr. Temporary Deputy Speaker, Sir. Why is he withdrawing and apologising and yet he did not call anybody "mjinga"? He did not call anybody a fool.

The Temporary Deputy Speaker (Mr. Musila): That is unparliamentary language. In any case, hon. Ngilu, Mr. Wafula realised his mistake and promptly withdrew and apologised.

Mr. Wafula: Thank you for your protection, Mr. Temporary Deputy Speaker, Sir. In view of the magnitude of the amount involved, this being a very serious issue and having heard the explanation from both Ministers who have been in the Ministry of Finance, it is very clear that if they never authorised the payments. We are only the ones to judge as to who is he saying the truth. If it was theft, some people would have been taken to court and would have been punished. I seriously believe that it is the President of Kenya, hon. Daniel arap Moi, who authorised this payment.

The Minister for Agriculture (Mr. Mudavadi): On a point of order, Mr. Temporary Deputy Speaker, Sir.

Mr. Wafula: If it was an ordinary---

The Temporary Deputy Speaker (Mr. Musila): Mr. Wafula, when a Member is on his feet on a point of order, you should sit down. Hon. Mudavadi is on a point of order.

The Minister for Agriculture (Mr. Mudavadi): Mr. Temporary Deputy Speaker, Sir, I think it is important that the hon. Member be asked to withdraw his remarks. First of all, this matter is *sub-judice* and I think it is wrong to impute improper motives on the President of this Republic. Can he be asked to withdraw that remark?

Mr. Wafula: Mr. Temporary Deputy Speaker, Sir, I will not withdraw that remark because this is an issue that has been debated in Kenya since it started. It has been talked about in this Parliament even today. Considering the seriousness of the Goldenberg issue, if it was a simple and ordinary mwananchi or any other Minister who was responsible, he would have been taken to court. These Ministers did not authorise that payment. These Ministers have explained that they never authorised payment.

The Minister for Agriculture (Mr. Mudavadi): On a point of order, Mr. Temporary Deputy Speaker, Sir. The matter is before the court and the President of this Republic is nowhere in that court. Could the hon. Member be made to withdraw the remark because he has no evidence on that matter?

The Temporary Deputy Speaker (Mr. Musila): Mr. Wafula, I think you are very familiar with the Standing Orders of the House. I do not think we need to labour on this. If you wish to continue with this debate, you will have to withdraw those remarks because this matter is in court. In any case, you should not involve people who are not mentioned in that report in your presentation.

Mr. Wafula: Mr. Temporary Deputy Speaker, Sir, I hope I am not going to be forced to withdraw this remark because many other Members have talked about this Goldenberg issue. Even hon. Mudavadi talked about it yesterday.

The Temporary Deputy Speaker (Mr. Musila): I am not going to force you, but certainly if you do not heed my advice, I will have to make you see the door. Will you please withdraw?

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

The Temporary Deputy Speaker (Mr. Musila): There is already a point of order. I have already talked to Mr. Wafula. Let him respond to my order. Mr. Ngure, I will deal with one point of order at a time.

Mr. Wafula: Mr. Temporary Deputy Speaker, Sir, I am not withdrawing that remark. That is not part of the Goldenberg issue. I have not said anything that is *sub-judice*. I am talking about authorization of payment.

The Temporary Deputy Speaker (Mr. Musila): In that case, I will order you to leave this Chamber for

the rest of the day.

(Mr. Wafula withdrew from the Chamber)

Mr. Angwenyi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute on the Vote on Account. Our country is in an economic quagmire whereby we cannot give hope to our youngsters as to when they will get employment. It is in a quagmire because you cannot give hope to the people of Kenya as to when we will repair those potholes in our roads. We cannot reassure the people of Gusii, Kericho, Nandi or Uasin Gishu as to when we are going to provide medicine for the Highland Malaria. Since we are in that condition, I would have expected that most of the money would be used in those sectors that form the mainstay of this country. One of those is the agricultural sector. Last year we had a bumper crop and our farmers were not able to get a market for their maize. They had to sell their maize produce at less than a half the cost of production. I would have thought that this Budget would give a clear way out to our farmers, to tell them what price they will get for their maize when they harvest it at the end of the year. This will encourage them to produce maize so that we will not have to depend on foreign imports of maize.

As we are now, our farmers do not know what to do. They do not know whether to plant more or less. They do not know where they will get a market for their maize and, therefore, they do not know what to do. We do have the National Cereals and Produce Board (NCPB) which is supposed to provide a market for our farmers, but we must do that at a level which ensures that our farmers do not lose their investments.

Our people need roads. The maximum amount of funds in the Budget should have gone to the Ministry of Public Works and Housing so that we can have better roads in our rural areas and even in towns. Instead, as you realised from the tabulation, the Ministry of Public Works and Housing has only been given K£67 million as compared to K£262 million for the Department of Defence and yet we are not at war with anybody. What would happen if we were at war? Where would we get the money, if we are going to Vote them four times what we give to our road infrastructure? Why do we have to give so much to one department? I know that we need our defence, but we are not at war. Instead that amount should have been voted for the Ministry of Public Works and Housing and vice versa.

You can see that we have got a problem in our Judiciary. They have admitted that there is corruption because they are not well compensated and they are not well maintained.

Mr. Temporary Deputy Speaker, Sir, we have only allocated K£9 million to the Judicial Department, much less than what we have allocated to the National Security Intelligence Service. I do not know what this intelligence is for. We have allocated this service K£45 million, about five times what we have allocated to the Judicial Department. If you do not have a proper judicial system, security intelligence services will be useless. This is because you can get intelligence information that somebody is going to do something wrong to this country; you will take him to court and the court will set him free. So, the intelligence service in that case will be useless. I thought that we should have allocated more money to our Judicial Department instead of the National Security Intelligence Service.

Mr. Temporary Deputy Speaker, Sir, we have allocated more money for National Security Intelligence Service than the National Assembly, which is voting for this money. It looks like we should all start being intelligence officers so that we can get more money. If you look at those figures, the Ministry of Energy, which needs to carry out rural electrification in order to prevent destruction of forests and facilitate *Jua Kali* activities, has been allocated K£1 million only, compared to K£45 million allocated to the National Security Intelligence Service. This is not a police state; it is a democratic state and we know that Kenyans are peaceful people; they love and support their Head of State. This shows that they are not going to have a lot of manoeuvres against him. So, I would suggest that the amount voted for National Security Intelligence Service should be voted for Energy and the Judicial Department.

Mr. Temporary Deputy Speaker, Sir, the National Assembly has been allocated K£23 million. This is to impoverish Members of Parliament so that they can be asking for financial hand-outs from time to time. Therefore, they will not be voting with their conscience; instead, they will vote with their stomachs. If you know that you have a major function in your constituency and you cannot make it to your home today simply because you do not have Kshs10,000, and somebody offers you Kshs10,000, you will vote the way he wants you to vote because he will enable you go to your constituency. So, these votes have been allocated on an upside-down basis.

Mr. Temporary Deputy Speaker, Sir, tourism is a major earner of foreign exchange for this country. Instead of voting a lot of money to promote tourism in this country so that we can earn more foreign exchange for--

(Hon. Haji crossed the Floor to the Opposition side without bowing to the Chair)

The Assistant Minister for Planning and National Development (Mr. Sumbeiywo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you notice hon. Haji crossing the Floor to the Opposition side, without going to the right place to bow to the Chair?

The Temporary Deputy Speaker (Mr. Musila): Order! Mr. Haji, you should go to the Bar and bow to the Chair.

(Mr. Haji went to the Bar and bowed to the Chair)

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

The Temporary Deputy Speaker (Mr. Musila): Order! I have not finished. I still expect an apology from hon. Haji. Could you go to your place now and apologize?

Mr. Angwenyi: You should add me some more time, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Angwenyi!

The Assistant Minister, Office of the President (Mr. Haji): Mr. Temporary Deputy Speaker, Sir, I would like to apologize very sincerely.

The Temporary Deputy Speaker (Mr. Musila): Very well, Mr. Haji.

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, I was saying that tourism is a major activity for this country and I would have expected that, we would vote a lot of money for the Ministry. The Ministry of Tourism has been given K£8 million. When you compare K£8 million voted for a department that earns 40 per cent of our foreign exchange against the National Security Intelligence Service which has been allocated K£45 million, you get surprised. I do not know who was preparing this Budget. I do not know what he was thinking about and whether he was setting us to go to war or what. If that person's intention was to improve the state of our economy, he should have allocated more money to the Ministry of Tourism.

Mr. Temporary Deputy Speaker, Sir, concerning the Ministry of Health; health services in this country are in shambles and people are dying like flies. People are dying as if they are in a primitive state and yet we are not making efforts to improve our health services. Yesterday, I heard an Assistant Minister saying here that, we cannot give that facility to the health centre simply because you must go and have an harambee for it. Do you know that our people are so impoverished that they cannot raise Kshs10,000 in any harambee? That is why we collect taxes in order to get money from those who have and provide services to other Kenyans. Whoever prepared this Budget did it on an upside-down basis.

Another important aspect of this country is the provision of water. I thought that in the Budget we should have a special provision for water to irrigate Ukambani. There is very good soil in Ukambani and the Kamba people are very hardworking, yet they have never been given money to irrigate their farms so that we can have many Yattas and Matungulus. They do not have to depend on the system; they do not have to depend on the State for hand-outs. We have made our Kamba people look like slaves in their own country.

(Applause)

I saw a picture on the TV, where an able lady was saying that she was so thankful that she got Kshs500 which could enable her survive for another three days. I really wondered what will happen after those three days. Why can we not provide water to Ukambani people? Let us have about Kshs1 billion for Ukambani this year and Kshs1 billion next year. If we do that, Ukambani will become a grain-producing area for this country.

Mr. Temporary Deputy Speaker, Sir, we have allocated K£10 million to the Electoral Commission and I do not know what those people do. They only create defections so that they can have a job.

With those few remarks, I beg to support.

Mr. Munyao: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to say a few words. I would like to support this Motion on the Vote on Account. I am sure the Minister for Finance did not know what I am likely to say because normally, I support very few things. This time round, I am supporting this Motion because we are only giving you 50 per cent.

As I support this Motion, I will ask the House, this time round, to try and list all the Ministries for discussion. I have got a reason for saying so because this House has got a tendency of dilly-dallying and we end up covering eight Ministries only. There are particular Ministries which have been discussed and there are other

Ministries which have never been discussed here and, therefore, they all go under the table.

Mr. Temporary Deputy Speaker, Sir, whether the Ministry is noble or not, let us make sure that all Ministries are allocated time. I know that, as from Tuesday, if we are going to take two days per Ministry and we have 26 Ministries, it means that, we will take 52 days, and we can do that within this Session. Even if it means going up to 31st December or 1st of January, we need to discuss the Votes of all these Ministries. It is very fundamental. There are some departments like the Department of Defence which has been allocated K£262 million.

You wonder what they will purchase with all this money. Are they going to buy tankers which they will use to unleash terror on hon. Members of Parliament, Rev. Njoya and in churches? We must be told categorically what the money will be used for. There should be no hiding of items through Guillotine. I know by October, we shall get to the guillotine procedure and there will be no more debate on the other Ministries' votes. This is crucial because we are the taxpayers. Kenyans want to know what the Ministries are going to do with this money. Mr.

Temporary Deputy Speaker, Sir, it is most embarrassing, because these problems have been recurring for the last 36 years. We should debate the Vote of the Ministry of Education and Human Resource Development, the Ministry of Water Resources and all other Ministries. As we debate these votes, we thumb and applaud the Ministries. It is important to note that as we do this, Kenyans know that money has been voted for, because this is the tradition. It is, therefore, very sad that the following day, for example, after the Ministry of Health has been given so much money, wananchi go to hospital and do not get drugs. This leaves a totally different picture of the whole situation. That is a general view about all the Ministries and it is very crucial.

Mr. Temporary Deputy Speaker, Sir, I would like to plead with the Minister for Finance and the entire Government not to succumb to some of the advice of IMF and World Bank, this time round. Kenya must stand on its own feet and embrace what is right and refuse to agree to do what is not right for the country. We will need assistance from good friends, but we should not accept every advice we are given. In 1978, Kenya was just about to become a developing world, but we have now gone behind because of taking a lot of this advice which is selfish. We have been impoverished because of heeding some of this advice. We have a lot of unemployment because of taking this advice. Kenya, with 30 million people among them Ministers and hon. Members, like me, should not import tooth-picks and other small little items. This is a terrible situation. Our policy on industrialization must be completely explored and supported by all. I do not see why for the last 10 years or so, this country has not had a new industry which can absorb our own children, and yet every year our birth rate increases. Where are we going to put these children?

Mr. Temporary Deputy Speaker, Sir, more money should also be spent on planning. At the moment, there seems not to be any planning. In 1960s when we left school, we knew that our education would automatically lead us to employment in any Ministry. This no-longer happens and that is why we have so many educated people being sent to a job-market which is too narrow to absorb everybody. We must have planners to plan ahead and anticipate situations. If we do not do that, we are going to develop in other matters and forget about others. This is critical and very serious.

Mr. Temporary Deputy Speaker, Sir, as I congratulate the Minister, I would like to say that from now on, although we are going to vote about K£62 million to the Ministry of Public Works and Housing, until our roads are completely made passable, I would propose that the Minister for Finance suspends collection of revenue through Road Licences. I am saying so because - the Minister will bear me witness - the meaning of a road licence is a permit to use a road. This country called Kenya has got no roads at all. The money we should be paying for our licences is being spent on purchase of vehicle spare parts, because, no vehicle moves for one or two days before being taken to a garage for replacement of certain parts. I, therefore, propose that until the Minister for Public Works and Housing satisfies Kenyans that there are good roads, this revenue should be suspended. As of now, it is nugatory payment because we are paying for services which are not provided. Therefore, I do not see why any motorist should pay for the road licence. I believe, I will get the support of the House when I will call for the suspension of payment for road licences, until we have good roads in place.

Mr. Temporary Deputy Speaker, Sir, a lot has been said about the Ministry of Health. We are taking health issues very lightly. The rate of death in this country is very high. We must prevent it and love our own Kenyans. There are countries in this world where, if an individual is affected, the entire army goes to save his or her life. Do we not value life? If we do, I would like to ask the Ministers for Finance and Health to take the issue of provision of health services to Kenyans very seriously. Drugs are not in hospitals and other health centres, and yet, day in, day out, people fall sick. Something must be done. I hope I have the support of every hon. Member while calling upon the Minister for Health to improve on the provision of health services.

Mr. Temporary Deputy Speaker, Sir, the Minister for Agriculture has really tried to do his duty, particularly last time when there was an invasion of army worms, and he effectively sent officers all over the country to fight this menace. Heko to the Minister. But I would like to request him to try and "push" his extension

officers in the field, because farmers need advice. These extension officers are in various stations and we usually see them. We need their services, particularly, to advise farmers on methods of preparing land and the rest. This way, we will not keep asking the Minister through the Office of the President to feed us.

Before I forget, I would like to request the Minister for Finance to send more relief food to Ukambani. We had abundant food after the *El Nino*, but now it is the opposite. Some parts of Ukambani, North-Eastern and other areas need this food. This time, it is not only Ukambani. I think, famine is all over for factors related to the weather. But it is crucial that areas without food should be bailed out. Although I know that this is the role of the Office of the President, I believe the Minister for Agriculture is involved in identifying those areas without food.

Mr. Temporary Deputy Speaker, Sir, finally, I would like to call upon the Minister for Education and Human Resource Development, to put this business of Activity Fees to a stop. Activity Fees have been paid in most parts of Makeni and it is crippling parents. I would like to call upon the Minister to stump it out once and for all.

With those few remarks, I support.

The Assistant Minister for Education and Human Resource Development (Mr. Awori): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the Motion on the Vote on Account by emphasising a point that has been made here several times, and which I made yesterday.

Mr. Temporary Deputy Speaker, Sir, I want to emphasise that the practice of monitoring expenditure against income or the budget, must be adhered to and it must always continue. Earlier on, we used to have a practice whereby at the district level, in the DDCs, we used to sit and prepare what was known as an annex. In that annex, we listed the priorities required at the district. It is through those annexes that the main Budget was consolidated. When the money is now sent back to the districts, it is absolutely essential that the priorities as set up by the districts must be followed. After all, it is the people at the grassroots who know the project that is more important than another, instead of just sending lumpsums and not following it up.

Mr. Temporary Deputy Speaker, Sir, our biggest problem right now is poverty and there is, indeed, a Sessional Paper on eradication of poverty. In order to eradicate poverty, it is necessary that we must improve our economy. To do so, we must forget about aid. We depended on aid for a very long time. But since the fall of Communism in the European continent, blood has become thicker than water. Those people who used to look to us are no longer looking to us because we lost the bargaining power. We were able to play East against West and we were able to get money to help us. This is no longer the case because the people in Europe and America are more interested in supporting their fellow whites. We need now to stress the question of investment. Investment has got certain criteria; in order to attract investment, there must not be insecurity in the country. We have talked a great deal about insecurity that is prevailing in this country right across. It is now incumbent upon us to ensure that we make our country secure. We should put a lot of emphasis on security. I am amazed when I listen to some of my colleagues who say that there is too much money being put in the Office of the President.

*[The Temporary Deputy Speaker
(Mr. Musila) left the Chair]*

*[The Temporary Deputy Speaker
(Mr. Poghiso) took the Chair]*

We know that the security forces, the regular police, the Administration Police and the GSU all fall under the Office of the President. Those are the ones who will help us to create a secure environment in this country. It is absolutely necessary that there must be sufficient funds in the Budget to train our security forces to have discipline and to love our own country so that we can, therefore, attract outside investors. We have a beautiful country where a lot of tourists normally do come just to see how the country is. The climate is very conducive and, if we did have security, there should be no difficulties in attracting investments.

Mr. Temporary Deputy Speaker, Sir, the other ingredient of attracting investment is the infrastructure. Of course, our infrastructure, has been shot to pieces. We need to improve it. I had hoped that the Minister for Finance would increase the Vote on infrastructure, not only repairing the roads that have been allowed to go to waste, but to start new roads all over. He should ensure that when we are planning and carrying out the projects of improving our roads, we do it on a national basis rather than a regional basis. It is also necessary to ensure that we give incentives to the investors like easy taxation and so on.

Mr. Temporary Deputy Speaker, Sir, because our country depends on agriculture, it is necessary that we turn to agriculture very, very seriously. There is an obsession in this country of ownership of land, however small. We should now look forward to consolidating land so that we look at bigger tracts of land. There are only a few crops such as tea and, perhaps, coffee and pyrethrum which may do well in small-holdings. But, if we really want

to farm economically, then we must have bigger areas where we can use the modern methods of equipment, machinery and so on. In Busia, we can improve the food security a great deal if we took advantage of the IFAD funds. The IFAD has brought quite a lot of money in the country to jump-start and revive agriculture. But what is required is the Government component. While the money is there, the IFAD is not prepared to allow Government officials to use the IFAD funds for expenses like travelling and such like. They want the money to go directly to the beneficiaries. I would like to request that money is made available to the Government officials who are coordinators of the IFAD to ensure that donor money goes to the right people.

It is not just the question of food security in Busia, but a question of reviving cotton. Again, this can be done very clearly and very well, indeed, through the IFAD.

Mr. Temporary Deputy Speaker, Sir, there are certain non-essential expenditures that we can dispense with right now so that the money can be put into important areas. I have in mind, for instance, the item of overseas trips. Overseas trips by Government officers, Ministers and so forth, takes quite a lot of money. I would like to suggest that we freeze those trips, after all, in this modern world, we have websites, faxes and on-line where we can communicate with the outside world without leaving our offices. There is no reason at all why we should continue to spend a lot of money on overseas trips.

Finally, Mr. Temporary Deputy Speaker, Sir, on the question of tax relief, there is an area which, looking at the Budget, was left out entirely, but which is very important to our people; that is the group pension schemes. If we want to ensure that employers take care of our people very well, it is necessary that the amount of money that is spent in organising group pension schemes should be accorded a good tax relief.

Lastly, I was very happy to see the criminalisation of bouncing cheques. In an economy that is growing, we want to ensure that when people write out cheques, those cheques are honoured. We have a great deal of this happening at Harambees where people write out cheques only for such cheques to bounce. It is absolutely essential that those people should be arrested and charged for issuing cheques which they know very well that are going to bounce.

With those few remarks, Sir, I beg to support.

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, I want to thank you, for giving me the opportunity to make a contribution to this Vote on Account. The Budget should be a product of wide consultations including at the grassroots level where both men and women participate. This should also include the Estimates Committee of Parliament. Unfortunately, the Budget of this country is usually done by technocrats in the Ministry of Finance and the Ministry of Planning and National Development who do not know too much about what is on the ground. Those technocrats, really, have lost reality on the ground with the people that they formulate the Budget for.

Mr. Temporary Deputy Speaker, Sir, these technocrats are also sometimes manipulated, so that the allocations are lopsided and discriminatory. The Budget is meaningless if all that it does is to set a statement of accounts for the Government. This year's Budget has not quite clearly spelt out how the Government is going to harness all the national resources, including both human and natural resources that we have in this country. Recently, the President of this country did say that the intellectual resource in this country, especially the young university graduates, can go out of this country and look for jobs in other countries. This has already been happening in this country, in that this country has lost so many assets. It is such a serious brain drain of the young people who have been trained in this country. The country has invested so heavily in them, so that they can take up some of the challenging positions and issues that affect this country.

Mr. Temporary Deputy Speaker, Sir, the other shocking issue here is that even some Members of Parliament are not involved in the formulation of the Budget. Members of Parliament know better, the issues that affect the people that they represent. We have so many resources in this country, that we do not seem to know that there are resources that need to be harnessed. I have heard many speakers in this House talk about our own domestic debt and the debt from foreigners. It has been said that instead of us reducing it and using what we have, we have ignored what we do have. A case in question today is: As the President was coming from South Africa, the first thing that he said was that, he was going to call Maendeleo ya Wanawake organisation and he was going to organise donors to come and see how they can help women. First and foremost, I do not know how much money this Budget has allocated for women in this country this year, before the President himself can call donors. What I mean is that before he can call donors, he should have himself said how much money his Government has allocated to women. Besides that, I think the President has lost the point. He should know that donors lost interest in the organisation called Maendeleo ya Wanawake the minute it got affiliated to the KANU Government and they do not have any more faith to donate money to the Government.

The Minister of State, Office of the President (Mr. Sunkuli): On a point of order, Mr. Temporary Speaker, Sir. First of all, the Maendeleo ya Wanawake is not affiliated to KANU. But is the hon. lady in order to mislead the House that the donors have lost faith in Maendeleo ya Wanawake when this morning, His Excellency

the President met Maendeleo ya Wanawake members and the donors who expressed their wish to continue helping Maendeleo ya Wanawake?

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, I can give him information because he is not aware. Before Maendeleo ya Wanawake organisation got affiliated---

Mr. Orengo: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghiso): She is just responding to one.

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, if the Minister is not aware, before Maendeleo ya Wanawake organisation got affiliated to the KANU Government, the women of this country used to benefit so much from donor funds and especially grants. But the minute it got affiliated to the KANU Government, the donors lost interest and I am aware the donors were with the President, but I do not think they will have the interest in funding an organisation that is run by the President and his niece. I think time has come for Maendeleo ya Wanawake organisation to be left for the women of this country because they can manage it as their own.

The Minister for Agriculture (Mr. Mudavadi): On a point of order, Mr. Temporary Deputy Speaker, Sir.

Mrs. Ngilu: But I am responding to a point of order!

The Minister for Agriculture (Mr. Mudavadi): Mr. Temporary Deputy Speaker, Sir, but I am raising another point of order.

The Temporary Deputy Speaker (Mr. Poghiso): Mrs. Ngilu. I think you have finished responding to that point of order. Yes, Minister!

The Minister for Agriculture (Mr. Mudavadi): Mr. Temporary Deputy Speaker, with all due respect, I think it is very clear that Maendeleo ya Wanawake Organisation is headed by Mrs. Kittony. The President does not head Maendeleo ya Wanawake. He is biologically not capable of heading Maendeleo ya Wanawake Organisation.

(Laughter)

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, I am not sure if that is right.

Mr. Munyasia: On a point of information, Mr. Temporary Speaker, Sir. I wanted to inform the gracious lady on the Floor that the very fact that Maendeleo ya Wanawake Organisation was meeting at State House with the President and the donors, is evidence enough that it is still affiliated to KANU.

Mr. Orengo: On a point of information, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghiso): Mrs. Ngilu, do you really want that information?

Mrs. Ngilu: Yes, Mr. Temporary Deputy Speaker, Sir. I want that information.

Mr. Orengo: Mr. Temporary Deputy Speaker, Sir, I am disturbed when hon. Sunkuli who has been to school would raise such a pleasant matter regarding the position that the hon. gracious lady has taken, because he was talking about wishes. But if you understood the English language, you would know that if wishes were horses, beggars would ride.

(Laughter)

The Temporary Deputy Speaker (Mr. Poghiso): I think, Mrs. Ngilu, you should just proceed because that kind of information---

The Minister of State, Office of the President (Mr. Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir.

Mr. Orengo: You are taking away all the time from the lady.

The Minister of State, Office of the President (Mr. Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghiso): Now, one of you must yield. Mr. Orengo, you will have to yield and let us hear what his point of order is.

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I would like to seek guidance from the Chair. In future, will hon. Members be purporting to give information when they are quoting a proverb? I am sure the hon. lady knows that if wishes were horses, beggars would ride.

The Temporary Deputy Speaker (Mr. Poghiso): In any case, I think now Mrs. Ngilu, they are wasting your time. Proceed.

Mr. Orengo: Mr. Sunkuli is showing his ignorance.

The Temporary Deputy Speaker (Mr. Poghiso): Order, Mr. Orengo!

Proceed!

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, what I was saying is that the authorities should know the issues that actually affect women. The Government is gender insensitive and gender blind. The Budget of 1997 allocated Kshs500 million for women's development programmes. That has not been the case in the year 1998/99 to 2000. It is obvious that the 1997 allocation was to hoodwink women in order to vote for this KANU Government. Women of Kenya are tired of being hoodwinked and cheated. This KANU Government has known very well, how to use and dump women of this country. I think, time has come for women of this country to now say no to being used and being dumped.

Mr. Temporary Deputy Speaker, Sir, time has come for us to now address squarely, small-scale farmers and business people. I think this is where we can expect the economy to grow at a much faster rate. I am of the opinion that the Government should set aside funds, so that small-scale farmers and business people are able to borrow loans at cheaper rates. Very few people would be able to borrow at an interest rate of 27 per cent, when the standing rate is only four per cent. If we were able to concentrate on the cottage industry where people can learn elementary bookkeeping, accounting and banking, we would talk about economic growth from the grassroots.

Mr. Temporary Deputy Speaker, Sir, I would like to join here and say that some of the Ministries that have been allocated so much money have really not been on the ground to do anything. Our business in this House has been to listen to the Budget, authorise the Minister to collect taxes and spend the same and we know all the amount of money that has been allocated to every Ministry. Every time when we come to ask why certain programmes that were set out in the Budget have not been carried out, the answer that we get in this House is: "Funds are not available". What is this that we are approving today? We are giving the Minister authority to collect funds and to use the same and yet, any time that I ask why certain projects have not been implemented, I am told: "Madame, you join KANU and we are going to develop your area". This has been one of the conditions.

Mr. Temporary Deputy Speaker, Sir, you need to know that when hon. Muthusi Kitonga was asked to defect, all the tractors from Eastern Province were in his constituency. Do we have to cheat the President that we are going to defect, so that somebody's roads are done?

Mr. Temporary Deputy Speaker, Sir, I thank you and I support.

The Assistant Minister for Environmental Conservation (Mr. Affey): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support the Motion. The Motion we are debating is very important. If passed, it will enable the Government to continue functioning for, at least, six months. I am very much interested in the Minister's proposals, aimed at alleviating poverty in this country.

Mr. Temporary Deputy Speaker, Sir, I would like to request as I have said this before, and I would like to repeat it, that future Budgets should set aside funds specifically to be invested in the North Eastern Province in an attempt to alleviate poverty. We have enormous resources and facilities, over the years, we have failed to utilise. The North Eastern Province has the capacity to take care of the future survival of this country, in terms of provision of almost everything that we might require for the survival of our economy. Specifically, I have in mind Wajir Airstrip. As I have said before, the airstrip is a facility that has been under-utilised for very many years. We can transform the facility and commercialise it, so that the people of that area can export their beef to the Middle East, Europe, or any other outside market, instead of transporting beef cattle to Mombasa and Nairobi. The airstrip, which is currently under the Office of the President, is not being utilised at all. It is just being used for military purposes. In my view, since the country is not at war today, the facility can be useful to the people of that region.

As we are going to pass Vote R01, Office of the President, I have in mind the aspect of security. I believe that half the amount of money under this Vote should be utilised to guard our borders. As we talk now, our borders are at a risk of invasion by foreign forces; they are not secure at all. If the borders of this nation cannot be secure, we cannot comfortably stay even in a city like Nairobi. The borders are the buffer zone of this nation. So, I would like to request that half of the money under this Vote be utilised to boost the security of this nation. I would like to request for the redeployment of our military along the Kenya/Somalia border at Liboi immediately. The Liboi border area is a very dangerous zone. The former Republic of the People of Somalia has no Government. It cannot be called a nation, because it is being ruled by people who believe in the power of the gun. Therefore, I would like to request the Office of the President to utilise the money under this Vote to boost border security.

When I was contributing to the Motion on the Budget Speech, I said that we have enough resources in the North Eastern Province. One of the major resources we have there is water. Over the years, we have failed to tap that particular resource. In my constituency, all the boreholes that were put up in 1974 through the United States International Development Agency (USAID) support programme have collapsed, because they have outlived their lifespan.

Mr. Temporary Deputy Speaker, Sir, a borehole has a life span of about 21 years. Those boreholes have been utilised for about 25 years now. So, as an initial step, I would like to request the Ministry of Water Resources

to replace all the boreholes in that constituency, from Dif to Habaswen. If the boreholes are replaced, they can support the livestock sector and the pastoral activities of that area generally.

Mr. Temporary Deputy Speaker, Sir, the other major issue I would like to raise, is that we have got problems with people who have cultivated catchment areas. Mount Kenya is a very important source of water for the North Eastern Province. What has happened, is that some people have moved right into the catchment zones for irrigation purposes. They have established big horticultural farms in that area. In effect, this practice is denying water to those of us living along the Ewaso Nyiro River area.

I would, therefore, like to request the Office of the President and, by extension, the Minister for Agriculture, to consider taking remedial measures, so that the catchment area can be protected, so that we can, at least, have water flowing freely into our areas. Otherwise, we will also tell our people to move to the Mount Kenya area. We will tell them to move with their cattle and camels all the way to Nyeri and Laikipia in search of water. When that happens, people will be responsible for their own security. To avoid that kind of thing from happening, we would like to request people who live along the catchment areas to protect those areas. They should understand that, that water is not meant for them only. It is there for the whole nation.

I would like to comment on the tax that has been imposed on Non-Governmental Organisations (NGOs). The Budget stipulates that NGOs, which deliver relief supplies, have to pay tax at the rate of 150 per cent. If that happens, a region like the North Eastern Province will suffer the possibility of NGOs leaving the area. Currently, NGOs give major support to the people of that area. I do not see why you should charge somebody who is giving you food and other supportive items for free, a tax of 150 per cent on those items. I think those items should be exempted from duty.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the Kenya Meat Commission (KMC). We are impressed by the commitment of the Minister for Agriculture to revive the KMC. This should be done very fast, because we are in a very fragile situation. The North Eastern region is experiencing drought. We would like to dispose of our animals, but there is no way of doing so. So, if the KMC could be revived sooner than later, it would be a major relief for the people of the North Eastern region.

Finally, on the aspect of education, I would like to appeal to the Minister for Education and Human Resource Development, to consider giving grants to secondary schools in that region. As it is at the moment, our people do not sell their animals. The animals cannot fetch good prices, and our schools are on the verge of collapse. So, I would like to request the Minister to consider giving grants to schools in those areas, to enable them survive.

With those few remarks, I support the Motion.

Mr. Omamba: Thank you, Mr. Temporary Deputy Speaker, Sir, for allowing me to say something on these Estimates. The Budget has been presented quite well, but when it comes to operation, it is so discriminative as far as distribution is concerned.

Where I come from, Uiri Constituency, it is so productive. We produce sugar-cane, tobacco and rice. We have two seasons; short and long rains and yet, we have so many roads approved in the DDC but for ten years round, now, these roads have not been well maintained. What do you think of these people in the area? The sugar-cane is bringing a lot of money through taxation as well as tobacco, but there are no roads. The area is so pathetic. That is why I say there is so much selfishness in these Ministries, when distributing resources to various parts of the country. I do not know whether it is on the Opposition areas.

With regard to water, fortunately, in my area we have got a very big river from Kisii highlands which meanders through Kisii, Rongo Constituency, Uiri to Nyatike and empties its waters into Lake Victoria. This big river has rapid falls generating power at Gogo in Kanyamkago. Why can the related Ministries not coordinate together, to pump up water to the hill-tops, so that we get electricity and doing irrigation to produce more food? The Ministries are not serious and Kenya is not serious. We wonder why? We have all sorts of potential resources which can sustain the country but because of negligence, people who are there are not concerned. Ministers only look bossy and there is nothing tangible that they do and so, we cannot develop. Wananchi are upset with this kind of more taxation and no services.

When we come to energy, my area is the one that produces hydraulic power at Gogo and only a few rich people, perhaps, retired from these areas had money to connect power up to the East, near the Rift Valley. But all the Western areas are by-passed. They do not benefit from this power. Why is there a lot of discrimination in this and what is the Energy Ministry doing? The Ministry gets a lot of money from this power and the ordinary people who were never compensated from these areas, do not benefit from this power. This shows that there is discrimination and the Ministries are not serious to serve the wananchi. That is why they say the Government is collapsing. It has collapsed because there are no services that people can see. They are fed up!

Mr. Temporary Deputy Speaker, Sir, coming to agriculture, where is cotton in our area? All along the Lake region on both sides, where has cotton gone to? It is because there is no money given to farmers. When they

go to the bank, there is no money and the farmers are discouraged. Even the prices of these commodities are so poor. Sons of big men import sugar and the farmers are not considered. How can we get the money to develop our area or to sustain ourselves when we produce energy, sugar-cane and the rest? And yet, when it comes to prices, we get nothing. The sugar-cane is harvested after every five years, but what do we get from that? It is so lamentable!

With those few remarks, I beg to request the Ministries to pull up their socks.

Thank you.

The Assistant Minister for Co-operative Development (Mr. Opore): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this Motion. The Budget we have here is meant to support projects and programmes meant to provide services for the common man in the countryside. One thing I note is that the Recurrent Budget is four times the size of the Government Expenditure---

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like you to assist the hon. Omamba, because when the hon. Affey did finish his time and he took over, when he saw the sand being overturned, he thought that his time was over. In fact, he has got two pages of his statement that he did not complete and maybe, you could excuse him to continue. Being a new Member, can you have mercy on him and let him finish his time? In fact, he is asking how few his ten minutes were. Could you help him?

The Temporary Deputy Speaker (Mr. Poghio): Mr. Ndicho, thank you very much, but another Member is already on the Floor. That is the way he is going to learn next time!

The Assistant Minister for Co-operative Development (Mr. Opore): Thank you, Mr. Temporary Deputy Speaker, Sir. I was saying that when we compare Recurrent Expenditure alongside the Development Expenditure, I note that it is four times the size of Development Budget. At a time when we focus on the reduction of poverty and an increase on employment, we find that there is a discrepancy. I would, therefore, suggest that in future, we should place more emphasis in developing the facilities in the rural areas so that we are able to instal development facilities closer to the people.

Take an example of the Ministry of Health; its Recurrent Expenditure is about eight times the Development Expenditure. I hope that a lot of this money will be in the provision of medicines and other treatments in the rural areas. My hope is that drugs will reach the common man, but for the future, there should be establishment of health centres and dispensaries because the population is growing. These institutions should be well spread in the countryside so that people should not travel long distances to reach the health facilities.

If we take the case of the Ministry of Public Works and Housing, its Recurrent Vote is about two times the size of the Development Expenditure. My hope is that a lot of this money will be spent in the maintenance of roads. When I look at the roads, for example, in Bonchari Constituency, they are not well maintained. A road like Suneka-Nyamira is about 12 kilometres and it is in a very bad shape; pupils from there going to school sometimes get stuck in-between, because the road is impassable; yet, we find there is an allocation to the Ministry of Public Works and Housing to the tune of K£135 million.

But when you consider the Vote under the Development Expenditure for that aspect, it is K£62 million. If the roads were well established in the rural areas, they would help to open up those areas, so that farmers transport their goods to the markets. But the emphasis is given on the Recurrent Expenditure. I know, maybe, it is a historical case. More people have been employed and, unfortunately, they may not be productive. But the emphasis should be to open up the rural areas, so that more employment opportunities are created to enable the economy grow. We know that the general theme for this year's Budget is to encourage economic recovery, so that we can sustain it.

Mr. Temporary Deputy Speaker, Sir, if you take the case of the Ministry of Water Resources, the Recurrent Expenditure is two times the size of the Development Expenditure. But we know that in the rural areas, many people depend on stream and river water. But if the intention is to provide water to the rural community, we should be seeing more emphasis being given to the Development Expenditure, rather than the Recurrent Expenditure. The figure given under the Recurrent Expenditure will essentially be to sustain the size of employees in the Ministry.

It is only under the Ministry of Energy's Vote that the Development Expenditure is about 35 times the size of the Recurrent Expenditure. Therefore, it implies that the Ministry is involved in the Rural Electrification Project. My hope is that, at the end of the day, my Constituency will be reached by the electrification project.

All said and done, we know that we need peace and, therefore, security. We know that we also need stability in the economic parameters and national unity, for all proposals of the Budget to be well implemented. I know that those are the necessary virtues of this Budget. But they are not in themselves sufficient to have that Budget implemented, unless what we have noticed, like the looting of public resources, by those entrusted with management avoid mismanagement. Otherwise, the Budget as good as it may be, may not achieve the expected results of providing services to the people in the countryside.

At this time, when we have poverty eradication plan, one thing we do expect is that the instruments of

taxation should not touch the poor people. The road maintenance levy of one per cent did not discriminate the poor man or woman. Maybe, what should be done is to select an instrument of taxation that is selective, so that it does not touch the common man or woman. But the one which has been recommended and used in drawing the Budget will bring about increased costs of the *matatus* operations and other road public transport systems. That, in itself, will lead to higher fares and higher transport charges, and at the end of the day, the common man or woman will not benefit.

On the issue of the maintenance of roads, out of the money that has been raised, it will be equally counter-productive, because the very marginal industries will have to close down, leading to unemployment. Therefore, it will lead to increased poverty. Having mentioned that, I beg to state that, for the future, there should be comparisons between the Development Expenditure and the Recurrent Expenditure.

I beg to support the Motion.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Murungi: Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to give a conditional support for this Motion. Right now, the country is in deep economic crisis, because of the political crisis in the country. Year in, year out, we vote billions of shillings to sustain the Civil Service sector in this country and this Government. Today, I have no doubt that we will vote over Kshs60 billion on Vote on Account to enable the Government operate. What services do we expect from the KANU Government, after we vote this money today?

The first products that we expect from this Government are theft and corruption. Every counter in any Government Registry Office in this country today, is a centre of corruption. I am talking about the Ministry of Lands and Settlements offices, the Registry Office at the High Court, Sheria House and the Motor Vehicle Registry. Any of them is a centre of corruption. In the old days, we used to think that the acronym "TKK" meant Toa Kitu Kidogo. But we moved from that meaning to Toa Kitu Kikubwa, and now it means Toa Kila Kitu.

(Laughter)

We have been talking about the Civil Service reforms. We have also talked about the reduction of the Wage Bill. When an analysis was done for us by the Ministry of Finance last year, it showed that out of the total Government revenue, 79 per cent of it goes to pay for wages and salaries for civil servants and teachers. It is only 12 per cent of it which was left for maintenance and development projects. What can we do with that 12 per cent? There is very little which can be done. Unless we streamline the Civil Service and reduce the huge public wage bill, then we shall just be working to sustain this parasitic class.

The Government itself has been saying that it is committed to the Civil Service Reform Programme. We even went to the Mbagathi Economic Forum and we decided that we would return all the excess motor vehicles in all Ministries and Departments. But at the end of the day, only eight motor vehicles, which were unserviceable, were said to have been returned. Why are we unable to reduce the number of employees in the Civil Service? The answer to that question lies with the President.

The Presidency in Kenya controls the tempo and temperature of the Kenyan politics. The Presidency is at the apex of our political structures and what the occupant says is what controls the rest of the Government structures. Unfortunately, the Presidency in Kenya today, has been captured and controlled by a conservative right-wing elite. The sole purpose of that elite is to perpetuate itself in power for its own political survival. They are not interested in issues like unemployment, economic growth and all others that the Minister for Finance talks about. That type of elites which controls the presidency is interested in how it is going to continue surviving and looting this country. All these other stories do not make sense to them. That is why when we are reducing the Civil Service, we hear that new districts have been created and new locations have been created. The Civil Service, especially in the Office of the President, is being increased.

Mr. Temporary Deputy Speaker, Sir, the massive resources which we are investing in the Office of the President are intended to ensure the political survival of that class. If you make an analysis of the expenditure we are discussing today, you will find that the Special Branch whose job is to ensure the personal survival of the President and a few people on top, is getting much more money than the National Assembly and the Judiciary put together. We are putting over Kshs10 billion into Defence. The Kenya Army, since the *Shifita* War in the 1960s, has never fought any war. The question is: Which defence are we talking about? The Kenya Army is an army which defends the presidency against the Kenyan people. The Kshs10 billion which has been allocated to Defence---

The Minister for Local Authorities (Prof. Ogeri): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is making very outrageous remarks about the Defence Forces of this country. Could he substantiate that or else he withdraws?

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, that was an opinion and if the Minister knows the

rules of the House, we do not substantiate opinions!

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Onger! That was not really a point of order. Proceed, Mr. Murungi!

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, this Minister is always fond of wasting my time and I would like you to warn him.

The Minister for Local Authorities (Prof. Onger): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghisio): Order, all of you! Mr. Murungi, do not order me, please. This is very basic and you should know that. He is on a point of order, and you are talking across to him and you are developing an argument which is not going to give us any order. Let us hear the point of order by Prof. Onger.

The Minister for Local Authorities (Prof. Onger): Mr. Temporary Deputy Speaker, Sir, I stood on a point of order to inquire whether the hon. Member is not misleading the House by saying that the Defence Forces of this country are only there to protect the President when he knows very well that they are protecting the whole nation? Can he substantiate or else he declares that he does not know what he is saying?

Mr. Murungi: I would like to substantiate by informing the Minister that, as a matter of fact, in the recent years, the Kenya Armed Forces have not been involved in any war. We have never had any external war with any country and the Kshs10 billion for the Kenya Army is simply too much! If the Kenya Army was constructing bridges and roads in the country, I would appreciate that. But this is money which is going to buy rice for women who are in the barracks!

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Murungi! You are actually trivialising something that is very serious. A Member of Parliament is responsible for the accuracy of his utterances. If you are not sure of the facts of what you are saying, please, do not continue along that line. I would like you to keep off that line and continue with your contribution.

Mr. Murungi: Thank you very much, Mr. Temporary Deputy Speaker, Sir. The President has gone to the public to complain that Kshs4.5 billion being spent on the constitutional reforms is a lot of money. We have done some analysis which shows that in the last three years alone, about Kshs300 billion has been wasted by this Government. The issue of Goldenberg International Limited has been raised in this House many times. Some say it is Kshs15.8 billion while others say it is Kshs68 billion. Comparing the massive waste of resources in this country with the Kshs4.5 billion invested to create good governance in the country, it is nothing! In fact, we do not know where this figure of Kshs4.5 billion has come from. We have never debated it in this House or in the committee on Constitutional Reforms. So, we feel that a group which does not want Constitutional Reforms has come up with a huge figure to terrify Kenyans against the reforms. I feel that if we discuss the Constitutional Reform project, it will cost much less than Kshs4.5 billion. Let this not be used as an excuse. We do know that the same clique that has "captured" the presidency, is the one which is obstructing Constitutional Reforms in this country. At first, they said that the DP was obstructing Constitutional Reforms and now, it is no longer the DP but the huge amount of money.

Mr. Temporary Deputy Speaker, Sir, I think time has come for this group to run out of excuses. Unless the Constitutional Reforms take place within the next few months, even this Budget will be a useless piece of paper because there will be so many riots in this country. Those of us who are wearing ties here might be in exile and I think, it is important that the money goes to where we want it to be; it should go towards the constitutional reforms.

Thank you very much.

The Assistant Minister for East African and Regional Co-operation (Mr. J.D. Lotodo): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute on the Vote on Account, 1999/2000. It is so important that this year's Budget goes a long way into developing this nation.

Mr. Temporary Deputy Speaker, Sir, I would like to comment on a few issues which are highlighted on the Vote on Account. Security in this country is of paramount importance. We know that without security, no development can be attained. It is important that the Vote on the Office of the President is approved, so that our security forces can be given enough equipment like motor vehicles and all that is necessary to maintain peace in this country.

Mr. Temporary Deputy Speaker, Sir, those of us who come from the Arid and Semi-Arid Lands (ASAL) experience a lot of incidences of cattle rustling. This is a culture which has been developed over the years because most of those areas have been left behind. When you look at the Vote on Account of every Ministry, there is no money allocated to these particular areas. In so doing, most of these areas still lag behind because children do not go to school. In fact, in order to change the attitude of the people in those areas, we have to ask them to take their children to school, so that they grow to be responsible citizens of this country.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on a few issues regarding my constituency. This is a constituency in the rural areas. Over the years, we have never had any good roads. It is unfortunate that in the Printed Estimates of this particular year, the only road which is going across my constituency, the Loruk-Nginyang'-Tot-Marich Pass has been deleted and yet, it was an on-going project. How do you expect these activities like cattle rustling and diseases to be combated when the people cannot be reached? So, I would like to ask the Ministry concerned to resume work on that particular road because it serves four districts. The districts served by that road are Marakwet, West Pokot, Turkana and Baringo, and it is 160 kilometres long. I would like to appeal to the Ministry concerned to ensure that the road is re-considered in the budgetary allocations.

On health, we know that there is persistent outbreak of malaria in this country. It is high time the Minister concerned buys new equipment, medicine and vehicles to serve the rural areas. In my constituency, I have a health centre called Chemoringot, which has been under construction for the last 20 years. Even today, it has not been completed. It beats any reason when I see that the Ministry of Health has been allocated K£251,190. This is a lot of money. I hope that the health centre will be completed this year.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on the issue of water. Water is life and we know that in the rural areas, particularly in the Arid and Semi-Arid Areas (ASAL), there is no water. Rainfall is scarce and in such situations, there is a lot of human and livestock suffering. Therefore, I would like to call upon the Ministry concerned to construct dams and dig boreholes in such areas.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on an issue which was raised sometimes back in this House. I would like to go back to the issues regarding security. I heard the hon. Member for Turkana Central talking about Pokots killing Turkanas and so forth. When there is a culture of cattle rustling in a community, you cannot hold any particular leader responsible for such activities. This is a culture which has been there for so many years. I know that in 1926, it was quoted that there was a fight between the Turkanas and Pokots at Kapendo over cattle rustling. So, it beats any reason that, the new Members in this House, might not be able to know about that activity. So, it is up to the leaders and the communities concerned to rise above petty issues and ensure that they tackle the issues regarding development. I am sure, as a leader, I cannot take any accusation from a particular Member of the House, or any particular leader, because this is an activity which needs every leader to participate on.

The Assistant Minister for Labour (Mr. Ethuro): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to mislead this House, that cattle rustling is a culture that is only practised by the Pokots? If it is a pastoralist culture, then it should be practised by all pastoralists. The fact is that the Pokots have been attacking Marakwets and Turkanas for the better part of this year, irrespective of what happened before! That is what is currently happening!

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Ethuro! I think you are entitled to your opinion but really, you must rise on a point of order if you want us to recognise it!

The Assistant Minister for East African and Regional Co-operation (Mr. J.D. Lotodo): Mr. Temporary Deputy Speaker, Sir, I excuse the hon. Member on the other side---

Mr. Murathe: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for cattle rustling to be taken as a normal thing?

The Temporary Deputy Speaker (Mr. Poghisio): Order! The Chair cannot rule that way! I think, you have come with your own pre-meditated position. This is because you do not even know what the issue was! You only heard cattle rustling I suppose! I am saying that hon. Ethuro rose on a point of order, but he gave an opinion rather than a point of order! So, proceed, hon. Lotodo!

The Assistant Minister for East African and Regional Co-operation (Mr. J.D. Lotodo): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for protecting me from hecklers and the likes of hon. Ethuro!

(Laughter)

Mr. Murathe: On a point of order, Mr. Temporary Deputy Speaker, Sir. I was in this House when hon. Achuka---

The Temporary Deputy Speaker (Mr. Poghisio): Order! It is not the history of when you were in this House! Proceed with your contribution, hon. Lotodo!

The Assistant Minister for East African and Regional Co-operation (Mr. J.D. Lotodo): Thank you very much, Mr. Temporary Deputy Speaker, Sir---

Mr. Munyao: On a point of order, Mr. Temporary Deputy Speaker, Sir. I know, at times, the Chair does not hear what the hon. Members say until it is drawn to attention. Do we have hecklers or hon. Members in this

House? If we do not have hecklers in this House, am I in order to request the new Assistant Minister to withdraw and apologise, and refer to us as hon. Members henceforth?

The Temporary Deputy Speaker (Mr. Poghisio): If he used the word "heckler", we have no hecklers in this House. Hon. Lotodo, you cannot impute improper motives on any hon. Member. So, if you used the word "heckler, you should know that it is not parliamentary!

The Assistant Minister for East African and Regional Co-operation (Mr. J.D. Lotodo): Thank you very much, Mr. Temporary Deputy Speaker, Sir. I withdraw and apologise to my friend over there!

(Several hon. Members stood up in their places)

What is all this about? You are wasting my time! I would like to contribute to this Motion!

The Temporary Deputy Speaker (Mr. Poghisio): Proceed!

An hon. Member: Endelea!

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

The Temporary Deputy Speaker (Mr. Poghisio): Overruled!

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

The Temporary Deputy Speaker (Mr. Poghisio): Overruled!

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

The Temporary Deputy Speaker (Mr. Poghisio): Overruled! Proceed, hon. Lotodo!

The Assistant Minister for East African and Regional Co-operation (Mr. J.D. Lotodo): Mr. Temporary Deputy Speaker, Sir, I was talking about security in this country, and I have said that out-dated practices like cattle rustling should be avoided. I do not see the reason why hon. Members on the other side are getting itchy. We are not talking about bank robbers! I am not talking about bank robbers! I am talking about cattle rustling!

(Messrs. Ndicho and Murathe stood up in their places)

The Temporary Deputy Speaker (Mr. Poghisio): Order, both of you! I do not know what is tickling you, people! Hon. Members, the issue at hand is that hon. Lotodo has begun to address hon. Members directly. Proceed and concentrate on the Motion as it is.

The Assistant Minister for East African and Regional Co-operation (Mr. J.D. Lotodo): Mr. Temporary Deputy Speaker, Sir, I do believe a culture has developed in this House whereby---

(Several hon. Members interjected)

Mr. Temporary Deputy Speaker, Sir, protect me from the Chairman of the Kikuyu, or the Patron of Kikuyu nowadays!

The Temporary Deputy Speaker (Mr. Poghisio): Proceed with your contribution to the Motion!

The Assistant Minister for East African and Regional Co-operation (Mr. J.D. Lotodo): Mr. Temporary Deputy Speaker, Sir, I was talking about security. I was trying to say that security is very important in this country.

Mr. Githiomi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member on the Floor to suggest that Members on this side are bank robbers? Can he withdraw and apologise?

The Assistant Minister for East African and Regional Co-operation (Mr. J.D. Lotodo): Mr. Temporary Deputy Speaker, Sir, I think it was very clear! I do not know whether the hon. Member was in this House or he has just walked in. I did not say hon. Members on the other side of the House are bank robbers. I talked of cattle rustling and bank robbers. It is really amazing me! If some people know that they are bank robbers, they should stop robbing the banks!

The Temporary Deputy Speaker (Mr. Poghisio): Order! Hon. Members, because of our time allocation, I will now call upon the Minister to reply.

The Minister for Finance (Dr. Masakhalia): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

Like every one else, I have a few minutes. But because of time limitation, it will not be possible for me to address and comment on the proposals, issues and observations made by hon. Members, whom I thank very much for their contribution. What we have done is that, I myself has taken notes. My officers sitting there have also done so, and we will carefully compile those notes, study and review them. After doing that, the technical

committee which compiled the Budget, will review them very carefully. We will put to good use those useful comments and proposals that you have made. So, the exercise is not ending here through my own reaction. It will be a continuous process.

Having said that, I want to emphasise that we will take your pleas very seriously that, the scarce resources which are hived off from the nation are put to good use. In my Budget Speech, I did make some comments and observations relating to the implementation monitoring process, which we are setting up in the Ministry. We will compile monthly reports on fiscal implementation of projects and programmes and subject them to scrutiny. We will send copies of these to the Finance Committee which we are already collaborating with. What am I saying? I am saying that we will take seriously, the matter of putting to optimal use the limited resources that will be available to the Ministries and Departments, and to ensure that they are put to proper use.

The procurement process, as indicated in my Budget Speech, is being restructured. Hon. Members will be members of the District Tender Boards. The private sector will be involved in the Central Tender Board to ensure that the appropriate rules and regulations are observed; to assist us observe the rules and regulations, if there have been flaws.

Some observations have been made on the need for internalisation of policy formulation. I think it was hon. Munyao who said that the development process was derailed because we listened too blindly to outsiders. We have already initiated that process and I do not presume that we will have any difficulties in proceeding along those lines. The International Monetary Fund (IMF) and the World Bank which have been blamed for imposing policies on us, are themselves convinced that it is not desirable for them to come with formulated policy frameworks and impose them on us. So, we are dealing with people who are already committed to a process where they could discuss with us as development partners, our own home-grown policies and programmes. I think we should proceed on those lines. We will get development projects drawn from policies that are appropriate for our conditions.

That brings me to the proposals that you made on the Floor of this House on the need to restructure the process for formulating the Budget. There is need to broaden the process, so that it is not confined to the Ministry of Finance bureaucrats; we need to involve other stakeholders. We should begin with leadership. We have already began that process. We are already interacting with the Parliamentary Finance Committee. We have already dialogued and we need to strengthen that dialogue. We will not be confined to that Committee. The observations which were made here definitely are part of the process of involving the stakeholders.

In conclusion, we are short of resources. We need to enhance the utility of those resources. I trust that all of us will create conditions that will enable us to have environment in the country that will lead to the flow of resources, not only bilateral and multilateral, but also private sector resources. This is a responsibility which I think, all must bear. But having observed what has happened in the near past, I have to be optimistic that we will reverse that trend, to create an environment within the country that would be conducive to the inflow of resources.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to move.

Mr. Ndicho: On a point of order, Mr.

Temporary Deputy Speaker, Sir. The Minister says that we should create a conducive environment to help bilateral investment and so on. Could he expound on that because that is too general?

The Temporary Deputy Speaker (Mr. Poghio): Order! Mr. Ndicho, that is the Minister's response.

(Question put and agreed to)

MEMBERS' HALF HOUR STATEMENTS

The Temporary Deputy Speaker (Mr. Poghio): Hon. Members, we will interrupt the business of the day to allow hon. Members to seek Ministerial Statements under Standing Order 20A(1). As of this time, I have one request from hon. Muchiri, for the Minister for Transport and Communications.

DETERIORATION OF TELEPHONE SERVICES

Mr. Muchiri: Mr. Temporary Deputy Speaker, Sir, I stand to seek a Ministerial Statement from the Minister for Transport and Communications as to what action he is taking over the deterioration of telephone services under the code numbers 78, 79, 80, 81 and 86. Majority of the lines under these codes ceased to operate one and half years ago.

The Minister for Transport and Communications (Mr. ole Ntimama): Mr. Temporary Deputy Speaker, Sir, I promise to issue a statement on Thursday next week that will probably satisfy the hon. Member.

Thank you.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, it is time for the interruption of business. The House is, therefore, adjourned until Tuesday, 29th June, 1999, at 2.30 p.m.

The House rose at 6.30 p.m.