

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 14th July, 2005

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

Reports of the Departmental Committee on Agriculture, Lands and Natural Resources in respect of:-

Tour of Kieni Forest and Mikaro Block of Geta Station of the Aberdare Forest Range on 22nd and 23rd April, 2005.

Tour of the Sasumua Dam on 23rd April, 2005.

*(By the Chairman, Departmental Committee
on Agriculture, Lands and Natural
Resources (Mr. Bett))*

NOTICES OF MOTIONS

INTRODUCTION OF MEDIA

COUNCIL OF KENYA BILL

Mr. Marende: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:- THAT, noting that there is need for high professional standards amongst media practitioners; concerned that journalists have no law to regulate their practice; further aware that the current law does not provide for free access to information and its dissemination, this House do grant leave to introduce a Bill for an Act of Parliament entitled "The Media Council of Kenya Bill", to provide for the establishment of the Media Council of Kenya, for the promotion and protection of a free and independent print and electronic media to safeguard and enhance self-regulation and for related purposes.

AMENDMENT OF LABOUR LAWS TO COMPENSATE LAID-OFF WORKERS

Mr. Wamunyinyi: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:- THAT, in view of the increasing levels of unemployment among Kenyans, and considering the fact that most trading companies are laying off workers under the

guise of improving efficiency and, therefore, earning abnormal profits; aware that such lay-offs are visiting untold suffering on most Kenyan families, this House urges the Government to amend labour laws to make it mandatory for employers to compensate laid-off or retrenched workers for a period of not less than five years from the date of retrenchment.

QUESTIONS BY PRIVATE NOTICE

ZERO-RATING OF TAX ON FISHING NETS

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

(a) What steps will the Minister take to zero-rate Customs Duty, Value Added Tax (VAT) and Excise Duty on fishing nets?

(b) What is the Government position on lowering the cost of fishing on the one hand, and increasing the consumption of fish in Kenya?

The Assistant Minister for Finance (Mr. Obwocha): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The fiscal regime on the fishing nets is quite affable and designed to encourage fishing as an activity and consumption of fish. The regime is as follows:-

(i) In the harmonised commodity description and coding system under the East African Community Customs Union, generally known as the Common External Tariff, there are three tariff bands, namely, zero-per cent, 10 per cent and 25 per cent. Fishing nets had been categorised in the 10 per cent tariff band. The rationale for retaining this concessional rate of duty at 10 per cent is to promote and shield local producers of fishing nets from cheaper imports of the same item.

(ii) Fishing nests are VAT zero-rated. This means that there is no VAT to be paid on the fishing nets. Moreover, registered persons in the fishing industry may claim Input Tax from the Commissioner of Domestic Taxes.

(iii) Excise Duty is not levied on fishing nets.

(b) The Government recognises that fishery activities provide livelihood for a significant number of Kenyans, particularly the communities living along the shores of water bodies. Fish as a food is not only consumed locally, but also processed for export. Lack of infrastructure such as roads and landing beaches inhibit the full exploitation and utilization---

Mr. Deputy Speaker: Mr. Assistant Minister, how long is the remaining part of the written answer?

The Assistant Minister for Finance (Mr. Obwocha): Mr. Deputy Speaker, Sir, if you look at this Question, you will find that it requires a lot of information. That is why I want to give the hon. Questioner all the information that he requires. Part "b" of the Question is asking about the Government's position on lowering the cost of fishing and increasing the consumption of fish in the country.

Delayed development of fish farming too has similarly contributed to the stagnation in the growth of fisheries. In order to lower the cost of fishing and increase consumption of the same, the Government has plans to come up with the following measures:-

(i) Seek to improve the infrastructure, public utilities and other supply-side constraints to the beach areas for the development of cold rooms and transportation of fish by private operators and improving the quality of assurance capacity.

(ii) Increasing the capacity---

Mr. Deputy Speaker: Order, Mr. Assistant Minister!

The Assistant Minister for Finance (Mr. Obwocha): Mr. Deputy Speaker, Sir, do you want me to give the hon. Member the answer or---?

Mr. Deputy Speaker: Order, Mr. Assistant Minister! I do not take that kindly. That answer has taken over five minutes, and yet we have 15 Questions which we have to deal with before 3.30 p.m. I have always asked Ministers to be brief in their answers so that hon. Members can also ask supplementary questions. Certainly, your answer is too long. It is more or less like a statement.

Mr. Kajwang, ask a supplementary question!

Mr. Kajwang: Mr. Speaker, Sir, I was very happy with the manner in which the Assistant Minister was proceeding. He was answering part "b" of the Question, on what the Government is doing to increase the consumption of fish in this country. It is both healthy and has a lot of proteins.

Mr. Deputy Speaker: Mr. Kajwang, could you now ask your question?

Mr. Kajwang: Mr. Deputy Speaker, Sir, in the interest of my people who are fishermen, and in the interest of the country, what is the Government doing to increase the consumption of fish in the country?

Mr. Obwocha: Mr. Deputy Speaker, Sir, the hon. Member has repeated that question. You had cut me short, and yet I was answering the last part of his Question.

The Government will encourage the development and establishment of a stakeholder to be known as "Fisheries Development Apex Body" to promote the development and regulation of the fish industry. This will result in an improvement in the management of the fisheries services, production, market access and penetration into non-traditional fish exports market.

Mr. Deputy Speaker: Mr. Kajwang, ask your last question!

(Mr. Wanjala stood up in his place)

Mr. Kajwang: Mr. Deputy Speaker, Sir, I will give my chance to Mr. Wanjala!

Mr. Deputy Speaker: Next Question!

Mr. Wanjala: Mr Deputy Speaker, Sir, the hon. Member has given me a chance to ask a question!

Mr. Deputy Speaker: Order, Mr. Wanjala! I am on the Chair and not Mr. Kajwang!

(Laughter)

Next Question by Mr. Ndolo!

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

Mr. Deputy Speaker: That is a frivolous point of order! Mr. Wanjala, could you sit down?
Next Question by Mr. Ndolo!

POWER BLACKOUTS/INTERRUPTIONS IN CITY ESTATE

Mr. Ndolo: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Energy the following Question by Private Notice.

(a) Is the Minister aware that centres in Makadara, especially Industrial Area, Buru Buru, Jericho and Mbotela, are experiencing power blackouts on a daily basis, at times for up to three hours?

(b) Is he also aware that the power interruptions are wrecking many industries which are depending on generators by tremendously increasing their production costs?

(c) Could the Minister explain the cause of the power blackouts?

(d) What measures is he instituting to ensure that power supply to the affected areas is consistent?

The Assistant Minister for Energy (Mr. Kiunjuri): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that centres in Makadara, especially Industrial Area and the adjacent areas of Buru Buru, Jericho and Mbotela, have been experiencing frequent power blackouts during the month of June, 2005.

(b) I am further aware that power interruptions are wrecking many industries which are forced to rely on generators which has resulted in increased cost of production.

(c) The reason for the blackouts is due to an overload in the distribution network which serves the vicinity.

(d) During the month of June, 2005, the Kenya Power and Lighting Company (KPLC) commissioned a new 45-megawatts sub-station at Embakasi. Additional two sub-stations are to be established at Bahati and Baba Dogo, and also to involve the upgrading of the distribution network in the area at an estimated cost of Kshs400 million. On completion, it is hoped that the availability and quality of power supply in Industrial Area and its environs as a whole would have sharply improved.

Mr. Ndolo: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for his answer. He has told this House that most parts of Eastlands experience blackouts. The other parts of Nairobi do not experience this problem. Could he tell this House why blackouts are only being experienced in Eastlands?

Mr. Kiunjuri: Mr. Deputy Speaker, Sir, this problem is not being experienced only in Eastlands. Blackouts are experienced in other parts of Nairobi and other towns. The reason for the overload is our failure to upgrade the current sub-station for a long time, and highrises which have come up in Eastlands. The economy is picking as a result of the good Government of NARC.

Mr. K. Kilonzo: Mr. Deputy Speaker, Sir, given that there are frequent and persistent power blackouts in this country, and more so in the Industrial Area, what programme does the Government have to compensate those who incur huge production losses?

Mr. Kiunjuri: Mr. Deputy Speaker, Sir, that is provided for in the Act.

Mr. Sambu: Mr. Deputy Speaker, Sir, does the Government have any long-term plans? Power blackouts are not only in Eastlands. They are all over the country. Could the Ministry consider constructing hydro-electric dams on rivers that flow into Lake Victoria? Examples of such rivers are Nzoia and Yala. It could also help in controlling floods in that region.

Mr. Kiunjuri: Mr. Temporary Deputy Speaker, Sir, we have an Energy Recovery Programme. We also gave our roadmap and it was approved by Parliament; that is Policy Paper No.4. If you go through it, it will tell you exactly what we are up to.

Mr. Deputy Speaker: Last question, Mr. Ndolo!

Mr. Ndolo: Mr. Deputy Speaker, Sir, the Assistant Minister has told this House that they have commissioned several projects. That means they have started work to improve electricity supply in this city. Insecurity is so bad, and sometimes students do not perform well in class because of power blackouts. Could the Assistant Minister assure this House that he will supply uninterrupted power to city residents very soon?

Mr. Kiunjuri: Mr. Deputy Speaker, Sir, I am on record in this House as having said that the Government did the upgrading of those sub-stations in 1990. But after the NARC Government came into power, we started an ambitious programme. I want to assure the hon. Member that the upgrading of those stations will be done by June next year.

ORAL ANSWERS TO QUESTIONS

*Question No.461*VALUE OF ALOE VERA IMPORTS
OVER THE LAST TWO YEARS

Mr. Mwanicha asked the Minister for Trade and Industry:-

(a) what the value of Aloe Vera products imported into the country is for the last two years; and,

(b) what steps he is taking to ensure that the products are produced locally.

Mr. Deputy Speaker: Is the Minister for Trade and Industry here? He is not here. Under the circumstances, Mr. Mwanicha, what should we do?

Dr. Ali: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I have already addressed Mr. Mwanicha! Let him respond.

Mr. Mwanicha: Mr. Deputy Speaker, Sir, I seek guidance from the Chair.

Mr. Deputy Speaker: Under the circumstances, I defer this Question until Tuesday, and order that it be answered then. I order that on Tuesday, the Minister must be in the House!

Next Question by the hon. Member for Ugenya Constituency.

(Question deferred)

*Question No.359*ESCALATION OF INSECURITY
IN UGENYA CONSTITUENCY

Archbishop Ondiek asked the Minister of State, Office of the President:-

(a) whether he is aware of the increased cases of insecurity in Ugunja town in Ugenya Constituency;

(b) whether he is further aware that armed thugs raided Rangala Girls High School in Ugunja, stole goods, terrorized the residents and the matter was reported to Ugunja Police Station and no action has been taken so far; and,

(c) what he is doing to arrest the situation and protect the people in the area who are living in absolute fear.

The Assistant Minister, Office of the President (Dr. Machage): Mr. Deputy Speaker, Sir, I beg the indulgence of this House that this Question be deferred for a few more minutes as we wait for the relevant Minister in my Ministry.

Mr. Deputy Speaker: The House cannot wait for a Minister! We will defer it to Tuesday! Please, ensure that this Question is answered on Tuesday afternoon. It is ordered that it must be answered on Tuesday afternoon.

Next Question by the hon. Member for Emuhaya Constituency.

Archbishop Ondiek: On a point of order, Mr. Deputy Speaker, Sir. I request you to defer this Question until Wednesday afternoon.

Mr. Deputy Speaker: Very well. The Question is deferred to Wednesday afternoon.

(Question deferred)

Next Question by the Member for Emuhaya Constituency!

*Question No.538*TRANSFER OF IDB DEPOSITS
TO EQUITY BANK

Mr. Marende asked the Minister for Finance:-

(a) under what circumstances were deposits held by the Industrial Development Bank (IDB) transferred to Equity Bank; and,

(b) what the total monetary value of the deposits transferred was, and how does it compare with the paid-up share capital of Equity Bank.

The Assistant Minister for Finance (Mr. Katuku): Mr. Deputy Speaker, Sir, I beg to reply.

(a) No deposits held by the IDB Limited were transferred to Equity Bank Limited.

(b) In view of the answer to part (a) above, part (b) does not arise.

Mr. Marende: Mr. Deputy Speaker, Sir, I have got that written answer from the Assistant Minister, but I am not quite satisfied with the answer. I have some difficulties. For one week, I have been trying to trace the file belonging to Equity Bank, so that we can do an official search. The Registrar of Companies has said that, that file is missing under mysterious circumstances. They are unable to explain why it is missing. I was promised that, that will be available to me on Monday. I, therefore, plead that this Question be deferred, so that I can get that information to interrogate the Assistant Minister appropriately.

Mr. Katuku: Mr. Deputy Speaker, Sir, the Question before us, has nothing to do with the Registrar of Companies. That is because of the transparency that we have in this Government. I have no problem even if the Question is deferred. I will give him what he wants.

Mr. Deputy Speaker: I think it is a reasonable request and, therefore, the Question is deferred to Wednesday, next week.

(Question deferred)

Next Question by the hon. Member for Kitutu Chache Constituency.

Question No.448

KENYA'S ATTAINMENT OF MDGS

Mr. Angwenyi asked the Minister for Planning and National Development:-

(a) whether he could explain to the House what the Millennium Development Goals (MDG) are;

(b) whether he could further inform the House when and by whom the MDGs were proclaimed; and,

(c) whether he could further inform the House which of the goals Kenya has achieved and the timeframe for attaining the remaining ones.

The Assistant Minister for Planning and National Development (Mr. Lesrima): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Millennium Development Goals (MDGs) are the world's quantified time-bound targets for addressing poverty, agreed upon in the acknowledgement of the centrality of human development. Foremost of those goals, is to have a proportional of wealth to people who are absolutely poor by 2015. The following are the eight goals:-

- (i) Eradicate extreme poverty and hunger.
- (ii) Achieve universal primary education.
- (ii) Promote gender equality and empower women.
- (iv) Reduce child mortality.
- (v) Improve maternity health.
- (vi) Combat HIV/AIDS, malaria and other diseases.
- (vii) Ensure environmental sustainability.
- (viii) Develop a global partnership for development.

(b) The goals were an outcome of a Millennium Declaration signed by 150 Heads of States in September, 2000, in New York. It is millennium because we were reaching the year 2000, the second millennium.

(c) In terms of achievement, it can be said that Kenya, like any other African country, is still far away from realising those dreams due to scarcity of resources, as well as external factors. The following progress has, however, been made:-

- (a) Provision of free primary education.
- (b) Campaign against HIV/AIDS.
- (c) The Government has set a target date for the realisation of MDGs as 2015.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, this is a very important Question because it touches on the welfare of the people of Kenya. The Assistant Minister has not answered how many goals we have achieved, except for the free primary education. Child mortality rate has not been reduced by any measure. Poverty has, in fact, increased. What steps is the Government taking to achieve those goals, at least, by one-third, because we have already spent five of the 15 years?

Mr. Lesrima: Mr. Deputy Speaker, Sir, the Government has re-aligned its economic recovery strategy and the budgetary arrangements to meet the Millennium Development Goals (MDGs) by 2015. This is evident in the current Budget where there have been increases in the overall allocations for various Ministries. For example, the Ministry of Health's budget has been increased by 30 per cent. The budget for the Ministry of Education, Science and Technology has gone up by 12 per cent. So, there have been budgetary re-alignments in various sectors. If the hon. Member wants me to read this document it will take a very long time.

Mr. Abdirahman: Mr. Deputy Speaker, Sir, we have heard from the Assistant Minister that the budget has been re-aligned with priorities. How does that trickle down to what we have in terms of grassroots problems because we very well know that the Budget this time round was actually set in block? How will that benefit those who are poverty-stricken right at the grassroots? What are the indications now and in the future?

Mr. Lesrima: Mr. Deputy Speaker, Sir, we are debating the Votes for every Ministry and I am sure the hon. Member will see some trickling-down effects, including the Kshs7 billion under the Constituency Development Fund (CDF). That is one good example. There will be the bursary fund and many other funds.

Dr. Khalwale: Mr. Deputy Speaker, Sir, the biggest negative impact on maternal health is faced during delivery. Could the Assistant Minister tell us what his Ministry has done to encourage more mothers to deliver in hospitals, since majority of them still deliver at home and die?

Mr. Lesrima: Mr. Deputy Speaker, Sir, as I said earlier on, the budget of the Ministry of Health has been enhanced. Under the Population Council, the Government has programmes to provide information on facilities available for reproductive health care.

Mr. Shaaban: Mr. Deputy Speaker, one of the primary goals of the MDGs is the reduction of poverty. How much has the poverty index of this country either increased or reduced since the introduction of MDGs five years ago?

Mr. Lesrima: Mr. Deputy Speaker, Sir, clearly the poverty levels have increased since the

time of declaration of MDGs. However, you realise that the intention of this target is to reduce poverty by 50 per cent. However, if all these programmes are implemented, then we will achieve that. Let me say that the developed rich countries also have a part to play in Goal Number 8 by increasing Overseas Development Assistance (ODA) from 0.2 per cent to 0.7 per cent by the year 2015, and that will provide more resources to developing countries.

Dr. Manduku: Mr. Deputy Speaker, Sir, on poverty, HIV/AIDS, combined with Goal No. 8 which is "to develop a global partnership for development", the international community has stopped giving Kenya global funds and World Bank has stopped giving the National AIDS Control Council (NACC) any assistance to fight against HIV/AIDS. How is it then that we are going to combat HIV/AIDS as one of the MDGs by the year 2015?

Mr. Lesrima: Mr. Deputy Speaker, Sir, I am not very sure whether the hon. Member is correct to say that our development partners have refused to provide funding. I consulted the Minister for Health because I heard a similar thing in the grapevine; that, America is not signing the global fund for aid. However, she told me she will check on it. Clearly, our developed rich countries have not met for this purpose. America has committed itself to give global funds to support HIV/AIDS to the tune of Kshs15 billion. If they were to contribute only 0.7 per cent of their gross national product, Kshs75 billion will be available for developing countries. If all the rich and developed countries were to contribute 0.7 per cent of their gross national income, which is Kshs75 trillion, Kshs175 billion will be available for poor countries in the world.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, justice has not been done to my Question. As you know, unemployment has skyrocketed in this country. If we provide employment opportunities, we will combat poverty. As we know today, there are people who are living in squalor since they have been evicted from some areas in this country. If you go to Kibera slums, you will see abject poverty in this country. Could these MDGs be a "creature" which is being bandied around, the same way we were told about the Structural Adjustment Programmes (SAPs), Poverty Reduction Strategy Paper and Medium-Term Expenditure Framework (MTEF) to hoodwink Kenyans that something is being done to address their poverty levels?

Mr. Lesrima: Mr. Deputy Speaker, Sir, 147 countries met in New York to discuss how they can solve challenges to the previous millennium. It was not only a Kenyan affair. Kenya is a member of the United Nations. So, really, the MDGs have fairly reasonable targets for countries to follow if they are to reduce their serious problems. As I said earlier on, the budget has been re-aligned in such a manner that it targets solving most of these problems so as to attain the MDGs.

Mr. Deputy Speaker: Next Question by Mr. Bett!

Question No.394

REPAIR OF KERENGA AIRSTRIP

Mr. Bett asked the Minister of Roads and Public Works:-

- (a) whether he is aware that Kerenga Airstrip in Kericho is not serviceable; and,
- (b) if the answer to "a" above is in the affirmative, what steps he is taking to repair the airstrip.

The Minister for Roads and Public Works (Mr. Raila): Mr. Deputy Speaker, Sir, I beg to reply.

- (a) I am aware that Kerenga Airstrip in Kericho is not serviceable.

(b) My Ministry has no plans to repair the airstrip since the land where the airstrip stands belongs to Unilever. Unless the land is surrendered to the Government to be specifically used for the airstrip, the Government cannot invest heavily on the airstrip.

Mr. Bett: Mr. Deputy Speaker, Sir, two years ago, that airstrip was serviceable until the District Commissioner (DC), Kericho, sent tractors and graded the runway under the pretext of repairing it. The exercise stalled midway. The Minister is saying that it cannot be repaired because the land on which it stands belongs to Unilever. Since the person who graded the airstrip's runway is the DC, could the Minister set aside some money to, at least, put it back to its original status before the DC sent in tractors?

Mr. Raila: Mr. Deputy Speaker, Sir, I have not received that information about what the DC did. The DC does not fall under my Ministry, but the facts are: To bitumenize this airstrip requires about Kshs17 million. The land on which the airstrip stands was sub-let to the Kenya Tea Growers Association (KTGA) by Unilever, and that lease expired in the year 2001. We have said, that unless that lease is renewed, it would be fatal for the Government to invest any more money in the airstrip. However, I will investigate the matter, and if what the hon. Member has said is true; that it was, indeed, an officer of the Government who is responsible for the condition in which the airstrip is, then we will see what remedial action can be taken.

Mr. Kajwang: Mr. Deputy Speaker, Sir, what policy does the Government have on maintaining airstrips all over the country, especially the airstrips in the islands within Lake Victoria, like Mfangano and Rusinga islands, which help our tourists in that region? What plans does the Ministry have to maintain them? Mfangano Island is now inaccessible.

Mr. Raila: Mr. Deputy Speaker, Sir, we carried out a very comprehensive survey of the conditions of airstrips all over the country and we have come up with a work programme to improve all of them, depending on availability of funds. Mfangano Island Airstrip is one of those airstrips which are due for rehabilitation.

Mr. Bett: Mr. Deputy Speaker, Sir, since there is a possibility of this airstrip being an alternative landing point for Kisumu Airstrip, I would like to urge the Minister to consider doing what he has promised, bearing in mind that this is the only airstrip in Kericho District which can be used for emergency purposes or otherwise. So, we need the airstrip. What is the Minister doing to get the land, which currently belongs to Unilever, to be given to the Government, so that it can develop that airstrip to the expected standards to serve the public?

Mr. Raila: Mr. Deputy Speaker, Sir, we are very much aware that this airstrip is next to Kisumu Airstrip and that it can be used as an alternative airstrip. As I have said, at the moment, the land on which it stands, belongs to Unilever. Negotiations can be carried out to have the lease extended so that the airstrip can be used properly as a public utility airstrip. We will explore those possibilities and see what can be done.

Mr. Deputy Speaker: Very well! Thank you, Mr. Minister.

Question No.432

OWNERSHIP STATUS OF
MT. ELGON DISTRICT HOSPITAL

Capt. Nakitare asked the Minister for Health:-

- (a) whether he is aware that Mt. Elgon District Hospital changed ownership under mysterious circumstances; and,
- (b) how the change from public to private ownership was undertaken and how much was paid in form of compensation.

The Assistant Minister for Health (Mr. Konchella): Mr. Deputy Speaker, Sir, I beg to reply.

- (a) Before Mt. Elgon District Hospital was formerly upgraded, it was called Kapsokwony

Health Centre, in Western Province. It is a Government of Kenya (GoK) health facility, and it has not been handed over to any other organisation or individuals.

(b) Arising from the answer to Part "a" above, Part "b" does not arise.

Capt. Nakitare: Mr. Deputy Speaker, Sir, that is an irrelevant question---

Mr. Deputy Speaker: Capt. Nakitare, did you say that it is an irrelevant question? Are you referring to the answer or to the Question?

Capt. Nakitare: Mr. Deputy Speaker, Sir, I beg to reverse the statement.

That was an irrelevant answer, because Mt. Elgon Hospital is adjacent to Kitale District Hospital in Trans Nzoia, Saboti Constituency. Unless the Ministry has shifted goals that Mt. Elgon Hospital has gone to Kapsokwony, I would like to request that the Minister does more work and finds out what happened to Mt. Elgon Hospital, which was founded in 1943 under the Trustees Act. It is still under the Perpetual Succession Act and, therefore, I would like to get more information on how it was transferred.

Mr. Deputy Speaker: Could you ask the question now?

Capt. Nakitare: Mr. Deputy Speaker, Sir, how was this hospital transferred from a trust to a private and limited company?

Mr. Konchella: Mr. Deputy Speaker, Sir, then, the hon. Member must have asked an irrelevant Question, because I have responded to the Question as asked. The other question he is asking is irrelevant.

(Laughter)

Capt. Nakitare: On a point of order, Mr. Deputy Speaker, Sir. There is a typing error in this Question. This is not my original Question.

Mr. Deputy Speaker: Capt. Nakitare, could you point to the Chair the mistake you are referring to?

Capt. Nakitare: Mr. Deputy Speaker, Sir, my Question was about Mt. Elgon Hospital in Trans Nzoia District, and not Mt. Elgon District Hospital.

Dr. Ali: On a point of order, Mr. Deputy Speaker, Sir. Since the hon. Member has said that the Question is irrelevant, could you defer it, so that he can correct it and have it brought to the House later?

Mr. Deputy Speaker: Hon. Members, the hon. Member has raised an important matter, which is that the Question has not been put on the Order Paper the way he delivered it. The Chair is here to assist hon. Members. Therefore, so that the Clerk of the National Assembly can have time to look at it, I defer the Question to Thursday next week.

The Assistant Minister for Roads and Public Works (Eng. Toro): On a point of order, Mr. Deputy Speaker, Sir. If the hon. Member knew that there was a typing error, why did he ask the Question instead of pointing out the mistake at that time?

Mr. Deputy Speaker: I agree with you on what you have said, but as I said, the Chair is here to assist hon. Members. I have just exercised my discretion to assist the hon. Member, and the hon. Member is so assisted.

(Question deferred)

Question No.474

UPGRADING OF BONDO HOSPITAL

Dr. Oburu asked the Minister for Health:-

(a) whether she is aware that Bondo Hospital, which is the only referral hospital in Bondo District, is still classified as a sub-district hospital and, therefore, treated as such in terms of medical supply and staff; and,

(b) if the answer to Part "a" above is in the affirmative, whether she could inform the House when Bondo Hospital will be a fully fledged district hospital, so as to serve the population of Bondo more effectively.

The Assistant Minister for Health (Mr. Konchella): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Bondo District Hospital receives supplies of a sub-district hospital. However, extra medical supplies are provided when need arises. My Ministry is also aware of the staff shortage in the hospital and has already deployed 12 nurses and nine clinical officers during the current recruitment.

(b) Bondo District Hospital is currently gazetted as a district hospital. Plans are under way to improve the infrastructure and staffing, in order to provide services of a district hospital. Resources have been allocated this financial year to complete the hospital.

Dr. Oburu: Mr. Deputy Speaker, Sir, I would like to thank the Assistant Minister for his answer, but there is a contradiction between parts "a" and "b". In part "a", the Assistant Minister admits that Bondo District Hospital continues to receive medicines as a sub-district hospital and in part "b", he says that it has already been gazetted as a district hospital.

(Applause)

So, my question is this: Why should Bondo District Hospital, which has already been gazetted as such, continue getting supplies as a sub-district hospital? When will it start receiving supplies as a district hospital?

(Applause)

Mr. Konchella: Mr. Deputy Speaker, Sir, I hope that applause is for me and not for somebody else.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! What is it, Mr. Raila?

The Minister for Roads and Public Works (Mr. Raila): On a point of order, Mr. Deputy Speaker, Sir. Will you, please, use your discretion to inform our colleagues on the Opposition side to leave their battles outside the Chamber? We do not know which is KANU "A" and which is KANU "B".

Mr. Kenyatta: Mr. Deputy Speaker, Sir, is the Minister in order to refer to non-parliamentary parties in this House? We only know of one party, KANU, in this House.

(Applause)

Mr. Deputy Speaker: Order, hon. Members! The Chair has said many times that we do not want political party wars in the House; therefore, let us forget about that issue. We know parliamentary parties and, indeed, there is no KANU "A" and "B" in our list. So, let us proceed, Mr. Konchella!

Mr. Konchella: Thank you, Mr. Deputy Speaker, Sir. The foot thumping was meant for me. Bondo Hospital has been a sub-district hospital but it has been upgraded and we have allocated it money this year as a district hospital. Last financial year, it received Kshs6.1 million for the recurrent expenditure, and Kshs4 million for development. But, this financial year, depending on the approval of the House, we are proposing to allocate Kshs7.1 million for recurrent expenditure and Kshs7.6 million for rehabilitation. The Ministry of Roads and Public Works will also renovate the stalled project for up to Kshs10 million. That way, the hospital will, henceforth, be a proper district hospital.

Mr. Owino: Thank you, Mr. Deputy Speaker, Sir. The Ministry of Health must have records of all district hospitals, sub-district hospitals and health centres. Could the Assistant Minister tell this House, whether they are acting according to those records so that they give allocations to what is on those records?

Mr. Konchella: I know the hon. Member is also asking that question because he is facing similar circumstances with Migori District Hospital, which has been a sub-district hospital. But last financial year, Migori Hospital was allocated Kshs1 million for development and Kshs6.8 million for recurrent expenditure. But this financial year, we are allocating for it Kshs8.4 million for recurrent expenditure, and Kshs10.6 million for development. So, it is now a district hospital.

Mr. Deputy Speaker: Sorry, hon. Members! We have to go on to the last Question. We have only ten minutes! Last question, Dr. Oburu!

Dr. Oburu: The Assistant Minister is saying that Kshs7.6 million has been allocated for improvement of the hospital. We have two projects in Bondo Hospital; the old hospital and the new one which is being built. Is this money going to be used to complete the new hospital or to improve the old one? I also want him to tell me exactly when Bondo District Hospital is going to receive supplies as a district hospital.

Mr. Konchella: Bondo Hospital usually receives its drug supplies from the depot in Kisumu and, in fact, the last supply was on 28th and 29th June, 2005. So, they have enough supplies to meet their requirements. As for the rehabilitation, the funds which have been allocated, which is Kshs7.6 million, is for the new project, while the old project is going to be undertaken under the stalled projects programme by the Ministry of Roads and Public Works.

Mr. Deputy Speaker: Next Question! We have five minutes for Mr. Wamwere's Question.

Question No.032

PROTECTION OF NATIONAL INTERESTS
IN THE SALE OF KTN/STANDARD NEWSPAPERS

Mr. Wamwere asked the Minister for Information and Communications what measures the Ministry is taking to ensure that the current negotiations leading to the sale of KTN and Standard Newspapers takes into consideration the interests of national security and that ownership of local media is not left to the control of foreign companies.

The Minister for Information and Communications (Mr. Tuju): Mr. Deputy Speaker, Sir, I beg to reply.

My Ministry is neither aware nor privy to the referred negotiations by hon. Wamwere. It follows, therefore, that the Ministry has not considered the implications of such a sale.

However, I wish to inform the House that there are various restrictions on the broadcast licences that are normally issued and anyone who intends to purchase a television or radio station that comes with frequencies should exercise caution and check with the Communications Commission of Kenya (CCK) before entering into such sale agreements.

Please, note that the Government is in the process of finalizing the Information Communication Technology (ICT) Policy that will comprehensively address issues of ownership in the media industry.

Mr. Wamwere: Mr. Deputy Speaker, Sir, at the time I asked this Question, Mr. Cyril Ramaphosa of South Africa was negotiating to buy the Standard Newspapers and KTN. What were the results of those negotiations and who currently owns or holds controlling shares in *KTN*, *Standard*, *Kenya Times* and the *Nation* Newspapers?

Mr. Tuju: Mr. Deputy Speaker, Sir, he is giving me that information now because I do not have it, and as I said earlier, if at all there are negotiations going on, they are negotiations in the private domain with private companies which have the latitude to conduct any private negotiations that they wish, and as a Government, we should not enter into those areas.

(Applause)

Mr. Deputy Speaker: Last question, Mr. Wamwere!

Mr. Twaha: On a point of order, Mr. Deputy Speaker, Sir. You have allocated five minutes for the Question and you are not allowing us to participate, and it is a very crucial Question.

Mr. Deputy Speaker: Order! Order, Mr. Twaha! Sit down, please. All Questions brought to this House are crucial; that is why the Chair approves them.

Last question, Mr. Wamwere!

Mr. Wamwere: Mr. Deputy Speaker, Sir, I was trying to say that the second part of my last question, about who currently owns or holds controlling shares in *KTN*, *Standard*, *Kenya Times*, *Nation* and even *Citizen* newspapers was not answered. I wish to ask the Minister the following question; given the saying: "He who pays the piper calls the tune", how does the Minister think it enhances democracy or national security to have the media owned by a few individuals, some of whom are foreigners, others who are politically ambitious, and others who are economically corrupt?

(Applause)

Mr. Tuju: Mr. Deputy Speaker, Sir, I understand where the hon. Member is coming from. But, we, as a Ministry, know that there are certain untidy aspects of the regulatory framework. I would like to assure this House that, we, as a Ministry, would wish not to be seen as being vindictive. We wish to see how we can improve on the regulatory environment without being seen to be on the driving seat and looking at the rear view mirror. We would like to look forward.

Mr. Wamwere: On a point of order, Mr. Deputy Speaker, Sir. The Minister is avoiding my question.

Mr. Deputy Speaker: I am sorry, Mr. Wamwere! Next Question by Dr. Ojiambo!

Mr. Wamwere: Mr. Deputy Speaker, Sir, my question has not been answered. It is only fair that when an hon. Member asks a Question in the House, he gets the answer that he is seeking. But if I bring a Question here and the Minister avoids it, and the Chair does not protect or help me get the answer, then, obviously---

Mr. Deputy Speaker: Order, Mr. Wamwere! I am here to protect you. Could you ask what has not been answered?

Mr. Wamwere: Mr. Deputy Speaker, Sir, I asked who currently owns or holds shares in the Kenya Television Network (KTN), *The Standard*, *Kenya Times* and the *Daily Nation* newspapers.

Mr. Sambu: On a point of order, Mr. Deputy Speaker, Sir. Whenever we have asked Questions here relating to companies, the Chair has always said that is public knowledge and it

directs us to go and search to get the necessary information. Since this is a public company, why can the hon. Member not go and search? *Ama mikono imechomeka?*

(Laughter)

Mr. Deputy Speaker: Order! In fact, Mr. Marende set the pace today. He said he is still searching the file for Equity Bank. So, information on companies is public and is available in the office of the Registrar of Companies. Therefore, Mr. Wamwere, I am sure you know that.

Next Question by Dr. Ojiambo!

Question No.491

NOISE NUISANCE FROM ELECTRONIC
/AUDIO PRODUCTS SHOPS

Dr. Ojiambo asked the Minister for Local Government:-

- (a) whether he is aware that there is a lot of noise along streets in urban centres emanating from shops that deal in electronic and audio products like radio cassettes and videos; and,
- (b) what measures he is taking to ensure that such businesses do not interfere with other people's ability to concentrate on their jobs or even communicate effectively with other businesses.

The Assistant Minister for Local Government (Mr. Tarus): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that there is noise along streets in urban centres.

(b) The local authorities overseeing urban centres are empowered by Section 201 of Cap.264 of the Local Government Act to make by-laws to control such noise emanating from shops that deal in electronic and audio products like radios and videos. The councils have made by-laws to control the noise and the Ministry has directed all local authorities to enforce them.

Dr. Ojiambo: Mr. Deputy Speaker, Sir, it looks like the councils are not able to control the noise. The security of our people is very important. It is not possible to know when somebody has been attacked due to the noise emanating from these shops. Could the Assistant Minister consider enforcing the by-law, so that the councils can be effective? Alternatively, he should liaise with the Minister in charge of national security to ensure that this law is properly enforced.

Mr. Tarus: Mr. Deputy Speaker, Sir, the Ministry has put a requirement for all local authorities to live up to their calling, to ensure that they are able to enforce the by-laws they make. Over and above that, the Ministry, in liaison with the National Environmental Management Authority (NEMA), has also considered other measures which will set standards with regard to this particular menace.

Mr. Twaha: Mr. Deputy Speaker, Sir, every time an atrocity is committed and there is a *Mzungu* victim and the perpetrator is a Muslim, the word "terrorism" is used. But in Marsabit, 50 people were killed a few days ago and not one media house mentioned the word "terrorism". We know those were terrorists who terrorised people. Is it terrorism only when there is a *Mzungu* victim or when the perpetrator is a Muslim, since we are talking about noise?

Mr. Deputy Speaker: Order, Mr. Twaha! The Question is not related to the matter you have asked.

Last question, Dr. Ojiambo!

(Laughter)

Dr. Ojiambo: Mr. Deputy Speaker, Sir, my question sought to know whether the Assistant Minister is seriously going to consider liaising with the Minister in charge of internal security to ensure that the by-laws regulating noise are effected. Our people are being undermined by the noise which the local authorities are unable to control.

Mr. Deputy Speaker: Mr. Assistant Minister, you have one minute to answer the question!

Mr. Tarus: Mr. Deputy Speaker, Sir, the Local Government has its jurisdiction. Likewise, the local authorities and the Ministry in charge of internal security have their jurisdictions. All these efforts complement one another. In the answer I have given, we have made a requirement that local authorities live up to their calling.

Mr. Deputy Speaker: Thank you, Mr. Assistant Minister! Hon. Members, that is the end of Question Time.

Next Order!

COMMITTEE OF SUPPLY

*(Order for Committee read
being Second Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW
LEAVE THE CHAIR

Vote 01 - Office of the President

*(The Minister of State, Office of the
President (Mr. Michuki) on 12.7.2005)*

*(Resumption of Debate
interrupted on 12.7.2005)*

Mr. Deputy Speaker: The Chair would like to take this opportunity to congratulate the Minister of State, Office of the President, because I think all hon. Members have now received the detailed tabulations of the Vote, as requested by the Chair yesterday. I want to congratulate him for doing that work.

(Applause)

Mr. Kenyatta: On a point of order, Mr. Deputy Speaker, Sir. I do agree, given the fact that it was only yesterday, and today, the Minister has, indeed, produced the Estimates for Recurrent and Development Expenditure for his Ministry. I do join you in congratulating him because it means that he has worked overtime to ensure we have these documents. However, most of us have just been handed these documents. We are talking about two hours to go through Kshs35 billion worth; vote on it and make a decision. I think it is in order for hon. Members of this House to ask to be given these documents in adequate time, so that we can actually go through them and be able to contribute positively on these estimates. This is the bulk of the work that we, as a House, do. When

we are given documents two hours before and we are expected to make meaningful contribution, I think that is asking a bit too much from the hon. Members of this House. Loopholes are created when issues are brought to the attention of this House in that short time.

So, it is, indeed, my request that, as we go along, hon. Members are given, at least, two or three clear full days within which we can work together with the research assistants, so that we can make meaningful contribution to this Budget.

(Applause)

Mr. Deputy Speaker: Very well! That having been said, I think this is okay for now. We will proceed with this Vote. But let the remaining Ministries take note that we expect these documents to be availed to hon. Members well in advance. So, for that, I think, we will---

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

Mr. Deputy Speaker: Order, Mr. Billow! I am still speaking! Could you, please, hold your peace?

Mr. Deputy Speaker, Sir, therefore, we will proceed with this Second Allotted Day. I also want to draw the attention of the hon. Members to the Supplementary Order Paper which has just been circulated. We will proceed with the Committee of Supply until 5.30 p.m., then go to the Committee of the whole House, which should end at 6.30 p.m. Thereafter, we will move to Orders Nos.8 and 9, because, as you know, we are extending the Sitting to later in the evening in accordance with the Motion we passed last week.

Mr. Billow: Mr. Deputy Speaker, Sir, while I agree that there is some improvement, if you look at the document which has been presented today, the allocations for the districts which were included in the previous publication which was available yesterday, are now not included in this one. They have now provided the figures for the remaining Kshs6.2 billion, but the other Kshs1.2 billion is excluded. So, one has to carry both books to detect this. This again, is really unacceptable.

Mr. Deputy Speaker: I do not think that is important because the district allocations were given. I do not think it matters. Even if they were three books, I would ask you to carry them. Mr. Ojaamong was on the Floor. You have six minutes!

Mr. Ojaamong: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to continue my contribution.

First of all, on behalf of the people of Amagoro Constituency, I must send a message of condolence to the people of Marsabit for the tragedy that struck them. It is unfortunate this happened in Kenya where we expect the security system to be alert. I come from a constituency which borders Uganda and time and again, I have said that this Government is not interested in safeguarding the security of citizens along the borders.

Mr. Deputy Speaker, Sir, yesterday, Busia Town was rocked with a lot of violence. People demonstrated up to Teso District. They were demonstrating because there has been a spate of robberies in those towns. The security forces both in Busia and Teso districts have not been able to protect our citizens along the border. If you go to Uganda you will note that their security forces are guarding their citizens right up to the last point. Kenya security forces who are operating almost five kilometres away from our border, are not doing the same. It is my kind request that the Minister in charge of security takes this into consideration while implementing his programme.

Mr. Deputy Speaker, Sir, Teso District has only been given Kshs6 million for the refurbishment of buildings in the budget of the Office of the President. I find this a very small amount of money. I have four divisions in my constituency. Amagoro Division has very small structures that were built during the colonial days. There is very little to refurbish there. If you go to Chakol Division, you will find that the District Officer does not even have an office. He is just

operating from somebody's house.

The DO for Amagoro Division also does not have an office. The DO for Amurai Division operates from a small structure that was built for him by the British American Tobacco Company (BAT). The DC for Teso District is living in a pre-fabricated structure. I find it very strange that certain districts which are already established are being given millions of shillings to construct new buildings, whereas the deserving ones like Teso, Kuria and the rest of the districts which were created recently, have not been allocated any money. For the sake of fairness, this Government should consider the newly created districts and allocate them more funds.

Mr. Deputy Speaker, Sir, I can see that around Kshs300 million has been allocated for the construction of buildings in State House. I would appeal that he redirects this money to the small districts so that each can at least get Kshs10 million or Kshs20 million to put up proper buildings in those areas.

It appears that very little money has been allocated for the management of disasters which falls under the Office of the President. Now that we have the *Tsunami* and other disasters happening around the world, I fear that one day our citizens will be engulfed in a very bad disaster that the Government will be unable to manage.

Mr. Deputy Speaker, Sir, there was a time the old Nation building in Nairobi caught fire and, whereas, it is situated a few metres away from the fire station, the fire brigade were unable to put it out. The Office of the President needs to allocate more money to cater for disaster preparedness so that we are able to control any disasters that occur.

We have so many projects that are being undertaken by various Ministries in this country which are supposed to be monitored the Efficiency Monitoring Unit (EMU) which operates from the Office of the President. This EMU has been going round the country. A few months back they were in Teso District where they took an audit of so many projects, but to date, they have not even brought back their findings to the district so that we can see whether they are satisfied with the implementation of those projects.

Mr. Deputy Speaker, Sir, some money has been allocated to the Office of the Government Spokesman. I get lost sometimes when the Government Spokesman speaks on behalf of the Government. As a patriotic Kenyan, I would like the Government to define the real role of this Government Spokesman, because there seems to be a duplication of work. What the Ministers' do is the same thing that the Government Spokesman tries to refine in a very funny way. Instead of having the office of the Government Spokesman, we would rather revise it and have the office of the *ombudsman* who would be able to listen to complaints from all the affected people, so that he can arrive at conclusions about the feelings of the people.

Mr. Deputy Speaker, Sir, I wish to register my regrets that my district has been denied enough funds from the Office of the President, because this is a border constituency. If the Government is really interested in ensuring security along its borders, it should allocate more funds so that the people of Teso District can enjoy security like any other Kenyans.

Thank you.

Mr. Billow: Thank you, Mr. Deputy Speaker, Sir. This is a Ministry that has a total allocation of Kshs65 billion. Out of the Kshs65 billion, the only detail this House has to debate is on Kshs35 billion. The Votes for the Department of Defence (DoD) and National Security Intelligence Service (NSIS) are not available in this House. This House has recommended many times that, it is time we scrutinised the Votes of national security agencies. It happens in other countries, particularly in Commonwealth countries.

(Applause)

Mr. Deputy Speaker, Sir, our recommendation to the Government is that, if it sincerely wants to be transparent and accountable, the Votes for those departments which amount to Kshs30 billion, must be presented to the Committee on Defence and Foreign Relations. They can scrutinise them and report to this House. This Government told Kenyans that it was going to be transparent. It cannot be transparent when it is going to spend Kshs30 billion on security services where corruption is rampant.

The Minister of State, Office of the President (Mr. Michuki): On a point of order, Mr. Deputy Speaker, Sir. Is it in order that, despite the explanations, this issue should be raised here, when the House Business Committee, where KANU is represented, selected the Votes that will be debated in this House? Was it our responsibility to bring all that?

Mr. Deputy Speaker: Well, Mr. Billow, continue!

Mr. Billow: Mr. Deputy Speaker, Sir, the Minister is becoming notorious! He always interrupts me whenever I am speaking!

(Applause)

He, himself, moved a Vote for Kshs65 billion here. If you are telling us to debate the Kshs65 billion--- We cannot debate Kshs35 billion alone. I am only recommending---

The Minister of State, Office of the President (Mr. Michuki): I do not think it is right for the hon. Member to continue misleading this House. I am moving the Vote of the Office of the President that covers the Headquarters at Harambee House, the police, Immigrations Department and the Criminal Investigation Department (CID).

Hon. Members: How much is it?

Mr. Deputy Speaker: Order, Mr. Minister!

An hon. Member: And that is Kshs35 billion?

Mr. Deputy Speaker: I want to urge the Minister that, if the hon. Member refers to a matter that is not covered by you, just ignore it. But let him exercise his right to debate!

Mr. Billow: Thank you, Mr. Deputy Speaker, Sir.

(Mr. Michuki stood up in his place)

Mr. Deputy Speaker, Sir, my time is being taken.

Mr. Deputy Speaker: His time is being wasted! Let the hon. Member be given an opportunity to contribute!

Mr. Billow: Mr. Deputy Speaker, Sir, the Minister is in charge of defence and the National Security Intelligence Service (NSIS). He is the one who is supposed to move that Vote. Since he has not moved it, we know the reasons. He does not want it to be discussed. We are saying that it is important for us, as a nation, to discuss those things through the Committee on Defence and Foreign Relations. It happens in other countries.

(Applause)

Mr. Deputy Speaker, Sir, this Ministry needs to be rationalised. It has the Provincial Administration, the police and all kinds of things. It has Defence, NSIS, Arid and Semi-Arid Lands (ASALs), Special Programmes, HIV/AIDS control and the Directorate of Personnel Management (DPM). In the Economic Recovery Programme, the Government promised to rationalise Ministries and make them more efficient. You cannot make this Ministry efficient by lumping together all kinds of unrelated things.

Mr. Deputy Speaker, Sir, one of the recommendations that we have made--- For example, we have recommended that the docket of Special Programmes that deals with ASALs, food shortages and other disasters including HIV/AIDS, should be in an independent Ministry from the Office of the President. You cannot mix that with departments like the police.

Mr. Deputy Speaker, Sir, with regard to the police, I want to mention that we have allocated them Kshs14 billion. Yet, the accounting officer of that money is the same Permanent Secretary in charge of Provincial Administration. Time and again, the Police Department has complained that the resources allocated to them are diverted to the Provincial Administration and other programmes in the Office of the President. I think it is important that critical institutions that deal with security, like the police, be given an independent accounting officer.

(Applause)

Mr. Deputy Speaker, Sir, 40 years after Independence, why do we still have the DPM in the Office of the President? What is it doing there? DPM should be under the Public Service Commission (PSC). If somebody in the 1960s decided to have it in the Office of the President, so that he could exercise some discretion to employ, promote and train people from wherever he wanted, I think, today, in this age, DPM should not be in the Office of the President. It has no reason in the world why it should be there. We are dealing with public service and it should be under the PSC. These are some of the recommendations that we made in the Bomas Draft, and which we need to implement without waiting for a new Constitution.

Mr. Deputy Speaker, Sir, the Provincial Administration takes the bulk of that money. If there is any institution which Kenyans would like to see eliminated from this country, it is the Provincial Administration. Anyone who read the report by the Constitution of Kenya Review Commission (CKRC), which collected views from Kenyans, will find that, Kenyans overwhelmingly said that the Provincial Administration should be scrapped. However, the Minister, in the last three months that he has been in office, has gone overboard by strengthening an institution that has been considered by many Kenyans to be archaic, colonial and only believes in command and control. If a Minister is going to spend his lifetime strengthening the institution of chiefs and District Officers (DOs) in the era that we have today, we will not get anywhere. That is why we have problems of security, law and order.

Mr. Deputy Speaker, Sir, on the issue of security, which is very important, I think it is time the Government changed course. We have voted substantial amounts of money here and yet, there is no change. Security in urban areas is getting worse. Security among the pastoralists is getting worse. I think it is time the Government re-examined the approach used in handling security in those areas. In particular, we must start looking at the critical issues. Are leaders being engaged by the Government in dealing with security. That is a matter of concern, particularly in pastoralist communities. In those areas, the Government, particularly the Provincial Administration, uses the muscle. It uses approaches from text books, which are meant for fighting crime in urban centres, in addressing insecurity in those areas. I think you have to engage leaders in the rural areas; both elected and un-elected, to address the underlying causes of conflicts. That is the only way we can address the current problems that we have in this country. Otherwise, the heavy-handed approach, flying jets and helicopters, is not going to be a solution to the insecurity in those areas.

Mr. Deputy Speaker, Sir, we have also emphasised the need for radio calls and transport in all divisional headquarters, particularly in ASALs. Because of the distances, it becomes very difficult to communicate. You have a whole division without a car or a telephone. We have urged this Government that, if it is sincere and wants to fight crime in those areas, it must provide

communication facilities. That is why in the area where that incident happened the day before yesterday - in Turbi - it took a whole day before the information got to Marsabit Town, which is only a few kilometres away. Those are the areas where Government needs to put emphasis.

Mr. Deputy Speaker, Sir, even where transport has been provided to the Provincial Administration, there is the question of fuel. Most of the time, we are told there is no fuel. I think we need to allocate resources where they are needed. I am just looking at some of the Votes. You will be surprised! You find a situation where the entire Provincial Administration services in the provinces and districts gets Kshs1 billion. That is the allocation for the police in the provinces and districts. The Presidential Escort alone gets one-third of that amount. That is an equivalent of Kshs264 million. Where are our priorities? If we are going to give Kshs264 million for Presidential Escort alone, and the rest of the country's police force outside Nairobi is given Kshs1 billion, I do not know where we are heading in this country.

Mr. Deputy Speaker, Sir, as regards arid lands, I want to mention that the Government's process of spending is not being informed by poverty or other socio-economic indicators. I want to give an example. I am not able to use this year's Budget because of the way it was tabled. But if you take the 2004 figures and compare two districts, you will find that Turkana District got a total amount of Kshs94 million for the Development Vote. Out of that amount, Kshs60 million was for arid lands development. So, you are talking about the entire allocation. A whole district gets from Government, excluding ASAL, which is a donor-funded programme, only Kshs30 million. Compare that to Nyeri which got Kshs685 million. The poverty index for Turkana is 65 per cent and the one for Nyeri is only 30 per cent. What basis does the Government use in allocating resources?

With those remarks, I beg to support.

Mr. Khamasi: Thank you very much, Mr. Deputy Speaker, Sir, for giving me a chance to contribute to this Vote in the Office of the President. First of all, I would like to congratulate the Minister for moving the Vote effectively. However, that hiccup of not providing the figures in time has got to be noted for the future.

Mr. Deputy Speaker, Sir, the Office of the President is top-heavy to the effect that it cannot be efficient. It is, therefore, necessary that it be restructured in such a manner that some departments which are wasting its time there are removed and put in the right Ministries. I have said this before. Other Members have also addressed this issue. There are departments in the Office of the President which should not be there, and it is time that the stories that we were saying when we were in the Opposition are checked and rectified.

Mr. Deputy Speaker, Sir, I want to thank the Minister because he is a hands-on person. He is doing a good job and he should be helped and congratulated.

Mr. Deputy Speaker, Sir, it is only a fool who does not change. When we were in the Opposition, we were saying we would do away with Provincial Administration. The truth is simple; it is not possible to do that. It is time we came out in the open and said our manifesto was faulty as far as that issue is concerned. We must accept. It is time the Minister went public and told the nation that what we were saying in our manifesto was faulty, that we have retracted it, and that we will keep Provincial Administration and retrain the officers. We want to see those officers retrained so that they are people-friendly and deliver what the populace wants.

Mr. Deputy Speaker, Sir, the Provincial Administration lost hope. They went to sleep when they heard that NARC had actually succeeded in taking over Government, and they did not care. They were only waiting for the day when they would go home. In the process, everything went wrong. It is, therefore, necessary that we give that assurance and give them hope that we still need them. We should give them hope that this country and the people of Kenya still need them. So, hon. Michuki should continue with what he is doing to restore confidence in the Provincial Administration. He must fast-track.

Mr. Deputy Speaker, Sir, when you look at the remuneration of the personnel in the Provincial Administration, with regard to the DOs and DCs, compared with what Administration Police (AP) earn, it is a shame! An Administration Police officer who guards a DO gets a higher salary than that senior officer. This is one thing the Government must look into very urgently. How do you expect the DC to work effectively when he knows that a Sergeant in Administration Police is earning more than he does? The question of salaries in this country has got to be looked into wholesale; otherwise we shall be having people going on strike every other day.

Mr. Deputy Speaker, Sir, the police force, which is supposed to take care of our security is still rated, both locally and internationally, as one of the most corrupt sectors in this country. It is necessary that something is done about it. They have deliberately refused to implement Government policy. I am sure hon. Michuki knows that when he was in the Ministry of Transport, he started on a mission which was supported by all Kenyans, to rid *matatus* of that bad behaviour. Who was to implement it? It was the police, but they have deliberately refused and we have now gone back to the old bad habits.

I want to urge the Minister who took over from Mr. Michuki to wake up and make sure that something is done about the *matatu* sector. If not, then we ask Mr. Michuki himself to see that what he started does not stall. We understand the main reason why the police are not doing much about that sector is that they are the biggest owners of fleets of *matatus* on our roads. So, it is necessary for the Minister to know that he can make his project succeed through the present docket he is holding, by getting the police to work.

Mr. Deputy Speaker, Sir, I want to talk about the National AIDS Control Council (NACC). It has been allocated quite a substantial amount of money. To be honest, and taking examples from my own constituency, it is a sham. These monies are going to Community-Based Organisations (CBOs) and Non-Governmental Organisations (NGOs), which belong to *wakora*. The monies are going into pockets of individuals who know how to write project proposals; not people who are sick or affected in any way by HIV/AIDS. What are we going to do about that? It is being done in complete disregard to the policies that are laid down. In my own constituency, people who have written project proposals and are genuine never get that support. The people who get these funds are the ones who carry their own project proposals to Nairobi here, hand them over to NACC and get the money.

I want to urge the Minister to look at that very seriously. If need be, we disband it. This thing has got to be done at constituency level. Let every constituency get the money from NACC and they know their victims. We do not want people who look at papers here, imagine things and allocate money to their friends and girlfriends, who have nothing at all to do with HIV/AIDS victims.

Mr. Deputy Speaker, Sir, most of this money is spent on workshops, which are held in very expensive hotels. It does not trickle down to the people who are affected by HIV/AIDS. It is necessary to make sure that the NACC does a good job. If it cannot do a good job, we should disband it and take the money to the constituencies or the districts. I think constituencies are the best places where this money should be taken, so that people who are affected by HIV/AIDS in those areas can get the money.

I want to talk about the national registration of persons or the issuance of the national identification cards. This is an on-going exercise and it is not being done efficiently. Many people apply for the national identity cards, but it is very difficult for them to get them. The reasons for this have not been explained. Many people who are over 18 years old have applied for national identity cards, but they have not received them. It is necessary that the relevant department looks at this issue once again to make sure that as soon as students attain the age of 18 years, they get identity cards before they leave school, so that we do not have a problem. We have an under-registration of

voters just because our people do not have identity cards. That should be looked into very carefully.

With those few remarks, I beg to support.

Dr. Ali: Mr. Deputy Speaker, Sir. From the outset, I wish to support the Motion. People have been blaming the Provincial Administration for a very long time, but the truth of the matter is that, whether we like it or not, the department is here to stay. However, if the officers have to stay, they have to change their tactics. The Provincial Administration should not be misused by the Government. The officers are there to take care of the local people. If we do not have chiefs or sub-chiefs, it would be impossible for the Government to communicate to the people. The work of the chiefs, the sub-chiefs, the District Officers (DOs) and the District Commissioners (DCs) is very important. We need them, but they need to be trained. We should not employ police officers as chiefs because if a crook is employed and taken to the rural area, he goes to harass the villagers.

[Mr. Deputy Speaker left the Chair]

[The Temporary Deputy Speaker

(Mr. Poghisio) took the Chair]

Mr. Temporary Deputy Speaker, Sir, in areas where people have not gone to school, we have traditional leaders who are very good and can communicate with the DOs and the DCs. These are very respectable people in their communities. Instead of employing a thug in the name of an *askari* to go and harass the local people, we should employ the local leaders who are well respected and I am sure the Government's job would be made easier.

The other problem that we have is lack of vehicles for the police officers and the DOs. In Wajir North Constituency, we have three divisions and the DOs walk. This is shameful! Police officers have no vehicles. There is a Land Rover which is supposed to be used in the constituency when something goes wrong, but most of the time it has no fuel. Something should be done about this. Money should be sent from the District Treasuries where officers have the Authority to Incur Expenditure (AIE). In my area, which is 300 kilometres away from Wajir District Headquarters, it is a problem for police officers to run around. The DO has a vote, but the police do not have a vote.

Mr. Temporary Deputy Speaker, Sir, I want to talk about the registration of persons. We should decentralise some of these services. We should have clerks at the constituency level to do what is needed and take the names of the applicants to the District Registrar. The District Registrar of Persons in Wajir does not have a vehicle and so, he cannot go round Wajir District, which is the largest district in this country. When we say that we want to assist and facilitate the DOs, we are told that we are bribing them. Are they supposed to walk from Wajir to Bute, which is 300 kilometres away? How will these DOs help my constituents if they do not have vehicles? Even when they borrow vehicles from the DC, they do not have fuel. Of late, the DCs have no money. Before, we used to pressurise the DCs to give the DOs vehicles. Nowadays, the DCs are so broke that they do not even know what to do.

The Minister has been going round the country and he has been promising that he wants to enhance the Provincial Administration. He should be more serious. He should provide facilities in areas where they are really needed like the North Eastern Province. We want the Minister to provide vehicles and give allowances to the officers. You cannot expect officers to chase bandits around if they do not have money. For example, from the Marsabit District Headquarters to the border of Ethiopia, it is over 600 kilometres away. How can these officers work? The blame has been put on the civil servants who are there.

Mr. Temporary Deputy Speaker, Sir, another office which should be assisted, encouraged, enhanced and strengthened is National Campaign Against Drug Abuse (NACADA). Mr. Kaguthi's office should be enhanced. He is doing a good job. We should have NACADA offices at provincial and district levels. Students have a lot of problems. Drug intake is increasing by the day. Mr.

Kaguthi has been fighting this battle alone. That office has been allocated a very small amount of money in this Budget.

We also need radio calls. I went to see the Officer Commanding the Administration Police two years ago and he told me that he had this money in the Budget, but in the following year, no allocation was made for this. This year, a provision of Kshs600,000 has been made. This cannot buy anything. There should be a radio call facility in every centre in areas where there is insecurity. If you send three APs to a centre where they can be attacked at any time without a vehicle or a radio call facility, if they are massacred, you are to blame. The Minister should provide radio call facilities to the police.

Mr. Temporary Deputy Speaker, Sir, I wish to congratulate the Arid and Semi-Arid Lands (ASAL) Department. The officers are doing a good job in the provinces, especially in areas where other Government officers have abandoned. I would like to encourage them to work harder. Nowadays, the department has very beautiful vehicles. It should keep up the good work.

I want to ask the Minister to provide a vehicle to Bute Sub-District. There are three DOs, but they do not have vehicles. When I go there, I take them round to see their divisions. Police officers need vehicles. If you look at the Vote for Bute Sub-District, you will find that the only money which is allocated is for fuel. There are no other transport operation expenses. No provision has been made for vehicle maintenance and the purchase of office equipment. I do not know what the DO and his team are supposed to write on. The DO does not have a house. He has been occupying the house of a headmaster of a primary school for nomadic pupils by force for the last 20 years. The Minister should build houses for the DOs. Police officers do not have houses and offices. How do you expect the local people to treat a senior DO who does not have a house or an office? This is shameful and something should be done.

Mr. Temporary Deputy Speaker, Sir, it is surprising that the Office of the President has 16 departments. One of them is NACC, which has a lot of money. This money is not distributed fairly. People from North Eastern Province who stay in Eastleigh go to the NACC Offices everyday to collect their share. These are the ones who get their loot. The people in the rural areas do not get anything. Most of the money goes to some districts, which have connish leaders who go around Government offices seeking big allocations. Allocations should be to provinces, and should be on the basis of the number of districts in each province. In this way, every district will get its rightful share to cater for its development programmes. But if certain districts get large allocations, because their leaders know how to move about bribing Government officers, I think that is not fair. I can see here the Permanent Secretary (PS) in charge of Special Programmes. Let him take note that the National Aids Control Council is not doing things right. Its Director may be doing his best, but the officers under him are not doing the right thing. I know that somebody has been employed by the Council to monitor funds given to North Eastern Province. He has been doing something in the province. If the Director and his senior officers continue visiting the province every two months, I am sure HIV/AIDS awareness will increase, and money will be utilised properly. This will in turn reduce the spread of HIV/AIDS in the province. I am sure that people are now more sensitised to the disease, and are more aware of its dangers as opposed to what they used to believe before. The Community Based Organisations (CBOs) in the rural areas should be given an opportunity to educate people on the disease instead of bogus CBOs based in Nairobi's Eastleigh Estate being allowed to do so.

With those few remarks, I beg to support

The Assistant Minister for East African and Regional Co-operation (Mr. J. Nyagah):
Mr. Temporary Deputy Speaker, I stand here to support the Vote of the Office of the President. I would like to thank the Minister of State, Office of the President, in charge of internal security, for the very good work he is doing under very difficult circumstances. We all know that, with high

poverty levels, Kenya is going through a difficult time. Providing security for hungry and poor people is not an easy task. I would like to encourage him to continue with his efforts to fight crime in the country.

I would also like to mention a few more things about the police force. I have spent a lot of time with police officers, and seen their terrible housing conditions. If you were given a job in the police force under the circumstances police officers are now living, I am sure you would not take it up. I am happy to see that there is an attempt to provide better housing for the police. We must do that because we cannot expect the people who protect us to continue living under such bad conditions. I know of a police station, where men have to leave their houses to allow room for the wives of their colleagues, with whom they share accommodation. This is a shameful situation and we should not allow it to continue. I am happy to see what the Minister is doing. Let him continue providing good housing for the police.

It is very easy for us to rush to purchases of big vehicles and complex communication equipment, because doing that is attractive, or involves executing simple tenders. It is easy to do such things. But, let us concentrate on what matters most. What matters is providing the police with good housing to boost their morale. They should also have vehicles and proper communication equipment to fight crime.

I would also like to thank the Department of Special Programmes under which ASALs falls. I come from an arid and semi-arid district. I would like to thank the Government officers in the ASALs for the very good job they are doing for us. Without them, I do not know what would happen to people in those areas. I come from a semi-arid area and we are neither agriculturally potential nor are we pastoralists. The gap between us and pastoralists is too little, yet we are treated as if we are from a high agricultural potential area. My area is in a semi-arid land and I hope that in the coming year, semi-arid lands will be allocated more money than they are being given now. The gap between Bura people and those of Gachoka Constituency in terms of agricultural productivity is very little, given that we are living in the same area. The only difference between us is that the Bura people are pastoralists while we are agro-pastoralists.

In these modern times, when we want to discuss about a Government office, we have to go through many files before we get what we want. That is outdated! There is no Government, in the modern world, which should be dealing with the primitive systems of technology that we have. I, therefore, fully support the efforts that have been made to introduce the e-governance system. In most parts of the world, e-governance is being embraced. I would like to see more resources--- We, in Civil Service, are afraid of using computers. It is time we ensured that our public servants are trained in using computers. They should not fear using computers and even accessing the internet. That is the way of the future. We have been marking time for too long. I would have wished that the Minister allocated more resources to the e-governance programme. It is the way of the future and we cannot avoid it. We must ensure that next year, we will allocate more resources to the department concerned so that we can strengthen it to meet the huge demands of the future. There are many transactions which we can carry out via the internet, and avoid having everybody coming to Nairobi for the same.

I know that we got involved with a company called the Anglo Leasing and Finance Company. I know the whole scandal was very scary to civil servants and to the Ministers who had to deal with it. Please, Mr. Minister, do not be scared! Whether we like it or not, we must have modern passports. I am told that very soon, the passports we have will not be valid in the First World countries. Mr. Minister, you should be brave enough together with the Minister for Immigration to address the issue, so that from next year, we are not stopped from visiting other countries for having outdated passports. Let us all agree that the Anglo Leasing and Finance Company was bad. Let us do a fresh tender and get new passports so that Kenyans are not stopped

from entering countries which require new generation passports.

A lot has been said about security tenders, which is an area we must pay attention to. In most countries of the world, people have become--- The average Kenyan has become very clever. Most of us have to access a book called the James book which gives us details of what has been purchased. So, somehow, we will know what has been purchased, whether we are told about it or not. We would like to have a tendering system that will remove us from the problem we had last year, of security tenders. I am not saying that we should open security tenders to everybody. I am saying that you should have a system which is similar to those in other countries, where there is an oversight responsibility of Parliament. This way, Mr. Minister, you will not get into trouble alone.

The Temporary Deputy Speaker (Mr. Poghismo): Order! Order, Mr. J. Nyagah! Are you addressing the Minister? You should address the Chair!

The Assistant Minister for East African and Regional Cooperation (Mr. J. Nyagah): Mr. Temporary Deputy Speaker, Sir, I apologise for that. The Minister is sitting very close to me and that is why I made that mistake. I will from now on address you.

I wish that the Minister would be advised so that in future, security tenders are carried out the way it is done in most countries of the world. I appreciate the problems we have in Africa, but it is important that we make the complaints about security tenders a thing of the past. The tender in question involved our military and National Security Intelligence Service (NSIS) and those who were involved are my friends. Those days when no one knew how the process was being carried out are gone. The days are gone forever. We must develop a system where we can have knowledge of what is happening. I am not saying that we should have full details, but there must be a group that can protect our military and NSIS when it comes to public debate because whether they like it or not, these things will have to be discussed in future. It is better that we develop system rules. I hear this has already been done. However, we should strengthen the systems so as to protect our NSIS people. When there is a public debate, they should not always get a beating. We should have people who can stand up on behalf of the departments and say that they are aware of what is happening. It is not only civil servants who should know what the military and NSIS are doing, but also a different group of people.

Whether we like it or not, it appears as if we must provide for Criminal Investigation Department officers (CID) the things they need. We made a mistake of dealing with the Anglo Leasing and Finance Company last year, but we must provide forensic laboratories to this department. Whether we like it or not, these are things which modern CID officers must have. Could we put history in the past and equip them so that we deal with crime? Criminals have become sophisticated yet, our CID officers are using old technology. How are they expected to deal with the problems we are facing? I would like the Minister to be brave enough and buy what he needs to buy. However, he should purchase using the systems we are talking about so that nobody can point a finger at the Government. We will then have the appropriate equipment to deal with the crime. Criminals are becoming sophisticated yet, it is only sophisticated CID officers who can deal with them.

I would have spoken about the disaster area and the National Registration of Persons Bureau but I have no time. I would wish that more funds were given to the security personnel so that we are more prepared to deal with disasters. I want my District Officer (DO) in Gachoka to be given a vehicle and my DO in Mwea a house.

With those remarks, I support.

Mr. Angwenyi: Thank you, Mr. Temporary Deputy Speaker Sir, for giving me a chance to contribute to this Motion. I want to thank the Minister in charge of Provincial Administration and internal security because he is effective. I hope that he will enhance his effectiveness, probably

much more than he did when he was the Minister for Transport. The Office of the President, and particularly this department, is the heart of this country. If we cannot have security in this country, then we cannot have anything else. If this Government does not know how to control and enhance harmony in this country, it can borrow some tips from the retired President. Members of the Government should take him to State House for a week or two and he will show them how to manage insecurity. Insecurity is now everywhere, including the rural areas. Violent crime was not taking place in Kisiiland. It was not also taking place in West Pokot District. Today, violent crime is being experienced everywhere.

Mr. Temporary Deputy Speaker, Sir, we are devoting substantial resources of this country so that we can ensure security and safety of our lives. I have seen that the effectiveness of this Ministry is being hampered by lumping a lot of departments into one Ministry. It should be concerned with administration and security of this country. Period! Let us remove issues like HIV/AIDS interventions and take them to the Ministry of Health or another Ministry. Let us remove relief food intervention and transfer it to the Ministry of Agriculture or another Ministry. Let this Ministry concern itself with the security of this country.

There is an allocation for the National Registration of Persons Bureau and Field Registration. I do not understand why we have to segregate these Votes instead of using one caption so that we see the whole amount at once. You need to look at various Vote Heads to know the magnitude of the allocation for that purpose. As you know, our people cannot get identity cards when they want them because of the bureaucracy and red tape. Married women have to pay high fees to change their identity cards. Why are we punishing our people who get married? Why do we punish our girls who get married by charging them high fees to change their names on their identity cards? It is as if we are against the institution of marriage. A country that does not respect the institution of marriage is a country that is dying. I do not think this country wants to die. The fees that the women pay once they are married to change their identity cards should be eliminated forthwith.

Mr. Temporary Deputy Speaker, Sir, there is an allocation for Disaster Emergency Relief. We should adequately provide for disasters. Recently we had a disaster in Machakos and all the Government could do was to provide coffins. Yesterday we had a disaster in Marsabit. All the Government could do was to provide a chopper. Recently, we also had a disaster in Mau Narok. If we wanted to evict them and we had adequate funds in the disaster management kitty, we could buy them land and settle them somewhere else. That way, we would not have the problems we have now. Therefore, this country must prepare itself for disasters. We are fortunate that the *Tsunami* never hit us. Probably, Mr. Raila heard of it and prayed that it would not hit us. Otherwise, if the *Tsunami* had hit us in Kenya, I do not think we would have been prepared to manage it by assisting our people.

We have funds for HIV/AIDS intervention. We have said time and again that we do not have the expertise in the Office of the President to manage HIV/AIDS. Let us take the allocation to where it belongs. If we do not like the people managing it in that Ministry, let us appoint people whom we trust to manage it in that Ministry. Let us remove it from the Office of the President. I am sure that if we do that, Mr. Michuki would be more effective. He will have more time to mop up guns and illegal arms. He would also have more time to make the Anti-Stock Theft Unit more effective.

Many times we have heard that for cases which are taken to court, people are acquitted for lack of proper investigations. This means that our Criminal Investigations Department (CID) is not properly resourced to do a thorough job. I have talked to some CID officers and they have told me that the law requires that if somebody has been reported, he must be arrested immediately and taken to court within 24 hours before investigations are done. I believe that the Minister should be urged

to bring a legislation in this Parliament to allow for adequate time for investigations. When they are being done, we should leave them to the CID and the police force. Let us not have interference from Permanent Secretaries, Ministers or hon. Members because they impede the CID work.

Mr. Temporary Deputy Speaker, Sir, substantial amounts have been devoted to the Provincial Administration. In fact, these resources are not adequate. I am one of the people who advocate for a strong Provincial Administration. We eliminated the mandate and effectiveness of the Provincial Administration. That is why we see the proliferation of crime in this country. I support the Minister in this regard. We must enhance and support the Provincial Administration. However, we should not do so as an agency of torture but as an agency of controlling and managing crime and security. District Officers (DOs) and District Commissioners (DCs) should be well remunerated. The chiefs, assistant chiefs and village elders should get some allowance. This will motivate them to do their work well.

Like my colleague has said, we should not be scared because of scandals that have been committed before. If we need special equipment, we should go ahead and purchase them as long we do so openly and transparently. This country should go ahead and have modern equipment that is required for it to be effective in the discharge of its security mandate.

My colleagues have talked about housing for our police force and the Provincial Administration. I believe that as this Government implements the policy of recovering and repossessing some of the public properties that may have been grabbed, they should get those properties and properly house the Provincial Administration and the police force.

Mr. Temporary Deputy Speaker, Sir, there is an allocation for the Anti-Stock Theft Unit (ASTU). I do not know what this unit does except harassing the Pokots, Turkanas, Samburus and the like. Why can they not wipe out stock theft so that we know they are doing some work? They should not harass citizens of this country! I know that the Minister has not stayed there long enough, but I am sure that by the end of the year, he will wipe out stock theft in this country.

The Assistant Minister for Planning and National Development (Mr. Lesrima): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to mislead the House that the Anti-Stock Theft Unit harasses the Samburus? In fact, I want the ASTU to be stationed in Samburu District!

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, I know he has taken my time.

However, with those few remarks, I beg to support.

Mr. Wario: Bw. Naibu Spika wa Muda, kwanza ningependa kumshukuru Mwenyezi Mungu kwa kunipa fursa hii ili nichangie Hoja iliyo mbele yetu.

Ningependa kuanza na *Head* 603 kuhusu janga la UKIMWI. Ni vizuri Serikali ilitangaza UKIMWI kuwa janga la kitaifa. Tusipofanya bidii kupambana na janga hili, tutawapoteza watu wengi. Janga hili ni tisho kubwa kwa uchumi na usalama wa nchi yetu. Katika Bajeti yake, Waziri, alitenga Kshs250 milioni akitarajia kupata Kshs3,285,000,000 kutoka kwa wafadhili ili kupambana na janga hili. Hii ni aibu na sikitiko kubwa kwa nchi ya Kenya. Je, Serikali hii itapambana vipi na UKIMWI ikiwa inatenga Kshs250 milioni? Je, wafadhili wasipoleta pesa hizo, Waziri atafanya nini? Je, huo utakuwa ni mwisho wetu wa kupambana na maradhi haya? Juhudi za kamati ya National AIDS Control Council (NACC) ni za kufurahisha sana. Wakati viongozi wanasema maafisa wa kamati hii hawafanyi kazi kama wanavyostahili, mimi hujiuliza: "Je, viongozi hawa hushirikiana na kamati hii ya kupambana na UKIMWI?" Kamati yangu ya kupambana na UKIMWI katika eneo Bunge langu huzuru ofisi ya NACC ya kitaifa kila mwezi ili kujadili njia mwafaka za kupambana na maradhi haya. Tume hii ya NACC imefanya kazi nzuri kule mashinani na inastahili pongezi. Ningependa Waziri atenge pesa za kutosha kutoka hazina ya Serikali baadala ya kutegemea pesa za wafadhili.

Bw. Naibu Spika wa Muda, kuhusu swala la usalama, tutafaulu vipi katika swala hili ikiwa

wale tuliowachagua kusimamia usalama nchini hawana uhuru na uwezo wa kutekeleza kazi yao ipasavyo? Tuna Mkuu wa Polisi na maafisa wengine wa usalama. Hata hivyo, ni Katibu Mkuu katika Ofisi ya Rais ambaye huhusika na pesa za usalama. Ni kwa nini Katibu Mkuu huyu anashughulikia shughuli nyingi za Serikali? Kwa nini Mkuu wa Polisi asisimamie bajeti ya Idara ya Polisi ili aweze kupanga kazi yake ipasavyo? Kuna kata nane katika Eneo Bunge la Bura. Hata hivyo, watoto wetu hawajawahi kuona bendera ya taifa miaka 14 iliyopita. Kila mara tunapojadili bajeti ya Ofisi ya Rais, mimi husema kata ya Balambala, Bua, Nanigi na Chewele hazijawahi kuwa na bendera ya taifa miaka 14 iliyopita. Ikiwa Serikali haitazipa kata hizo bendera, basi nawaseme hivyo. Nimechoka kueleza Serikali swala hili.

Nasikitika sana na hatua ya Serikali kutojali maisha ya jamii ya wafugaji. Jambo ambalo Serikali hujali sana ni kutwaa bunduki kutoka kwa watu wetu. Sisi hatutengenezi bunduki. Je, Serikali ilikuwa wapi wakati bunduki hizo zilipongizwa nchini? Hakuna mfugaji anayetengeneza bunduki ya aina AK47 au G3. Matatizo haya yametoka wapi. Ni nani anafanya biashara ya bunduki? Ni nani anayewauzia bunduki wafugaji? Serikali inafaa ichunguze soko hili la bunduki. Tatizo kubwa ni soko la silaha hapa nchini. Kama Serikali haiko tayari kushughulikia swala la soko la bunduki, basi haifai kuhangaisha wafugaji.

Waswahili husema, "Baniani mbaya, kiatu chake dawa." Nikiwa upande huu ni vigumu kuisifu Serikali ya NARC. Lakini kuna mambo mawili ambayo yamenifanya niifurahie Serikali hii. Jambo la kwanza ni CDF na la pili ni Arid Lands Resource Management Project (ALRMP). Kuna wakati kulitokea vita katika Wilaya ya Tana River. Maafisa wa ALRMP walikuwa wazuru jamii tofauti bila kujali kuuawa. Wao walikuwa wakisema hawa ni vijana wetu. Hii ni kwa sababu saa zote walikuwa pamoja. Mradi huu wa ALRMP umefanya wafugaji kujivunia. Tutakalo ni mradi wa ALRMP utengewe fedha za kutosha kufanya miradi mingine katika sehemu hizi. Ningeomba washughulikia maswala ya karakana. Jana maafisa ambayo yalitokea Wilaya ya Marsabit hayangeweza kukomeshwa mara moja kwa sababu ya barabara mbaya. Polisi hawakuweza kuwasaidia wananchi kwa dharura kwa sababu ya barabara mbaya. Wakati maafisa wa mradi wa ALRMP watakapowezeshwa kusimamia shughuli za karakana, bila shaka hatua ambazo watachukua zitawawezesha watu wetu kufanya kazi yao. Polisi pia wataweza kuingilia maswala kama haya.

Bw. Naibu Spika wa muda, kuhusu swala la chakula cha msaada, kulingana na *Head 275*, Serikali imetenga Kshs732,000. Ingawa sehemu kubwa ya Bura ni kame, kuna mito ya kutosha. Mradi wa ALRMP umejaribu kutupatia vifaa vya kunyunyuzia mimea maji lakini hii haitoshi. Ni lazima tufufue mashamba madogo kando ya mito ili tukuze vyakula vya kutosha. Serikali, kwa sasa, inangojea ukame ili iwanunulie chakula watu wetu. Chakula cha msaada kinaibiwa sana. Nimepeleka ripoti mbele. Nimemjulisha Mkuu wa Wilaya na Mkuu wa Mkoa ili wamkamate DO anayehusika na wizi wa vyakula hivi. Hata hivyo, Serikali haijachukua hatua dhidi ya DO huyo. Tulimshika DO huyo na magunia 71 ya mahindi. Je, uchunguzi ni wa nini? Ili kupambana na tatizo hili la ukosefu wa chakula, ni lazima Serikali ibuni mbinu tofauti za kulima mashamba kwa kunyunyuzia maji au kulima karibu na mito.

Bw. Naibu Spika wa Muda, kuhusu utawala wa mikoa, msimamo ni ule wa KANU. Rais mstaafu, aliwaambia ni vigumu kuongoza bila maofisa wa utawala wa mikoa. Juzi Serikali ya NARC ilibuni njia mpya ya kuwaajiri maofisa hawa. Wanataka kuwafuta kazi maofisa hawa ili waajiri wao. Hivi ni sawa. Lakini wataanguka kwa sababu ya mbinu wanazotumia. Jambo la kustaajibisha ni kwamba wakati huu wanataka machifu kufanya mitihani. Chifu anayepata alama 70, inasemekana anajua kazi yake. Nani alisema hii ni njia mwafaka ya kuwatambua maofisa wazuri Serikalini? Baadhi ya machifu wanaopita mitihani hiyo ni watu wamewahi kushtakiwa kwa kuwaua watu. Leo, kwa sababu wanajua kuandika na kusoma, watapata alama 100. Serikali ikiendelea kufanya hivyo, itaanguka. Tuje hapa Bungeni tuelezane mambo haya!

Hon. Members: Tueleze mbinu nyingine!

Mr. Wario: Bw. Naibu Spika wa Muda, ninaulizwa niwambie waheshimiwa Wabunge mbinu mpya ya kuwaajiri machifu. Inafaa wanihusishe na nitawafundisha!

Ukiangalia *Head* 605, inahusu janga la UKIMWI. Hata hivyo, pesa zilizotengwa hazitoshi. Nashangaa kujua mwelekeo wa Serikali uko wapi. Ikiwa imetangaza UKIMWI kuwa janga, pesa walizotenga hazitoshi kupambana na maradhi haya.

Bw. Naibu Spika wa Muda, kwa hayo machache, naunga Hoja hii mkono.

Mr. Ngoyoni: Mr. Temporary Deputy Speaker, Sir, from the outset, I wish to state that I stand to support the Vote of the Office of the President. The Office of the President is actually the nerve centre of Government. It is a department charged with the responsibility of ensuring security and provincial administration. In that respect, definitely, it is under-funded. I wish the Minister could have asked for more funds and we would have supported him on that. The role of the Office of the President, therefore, cannot be over emphasised.

As a result of the role that office plays, we also have to tell them some few shortcomings that are experienced on the ground. The Provincial Administration falls under the Office of the President. That is the department that is supposed to be the face of Government at the grassroots level. It is a department that Kenyans are supposed to depend on. But where is the Minister? Are those in the headquarters serious, committed and effective? That kind of description is not translated on the ground. Those who are still in the field, particularly in the remote areas, are still living in the past. For example, Marsabit District, where I come from, incidents of insecurity have escalated. The practice, from that time up to now, is the same. The District Officer (DO) is supposed to run to the scene of crime and report back to the District Commissioner (DC). The DC then writes a report to the Office of the President and the matter ends there. That is repeated over and over again. The result of that is: They motivate the militants who cause insecurity. I am on record as having told my former DC that if the Minister or the Permanent Secretary were to know who should take the blame of insecurity--- If God could hear and speak--- I know he can hear, but he cannot speak to us here--- The DC would bear 80 per cent of the blame over insecurity in that district. That is because of his inaction. Things have gone out of hand. I was a DC before I was elected to this House. Somehow, the trend at that time, and I guess even now, was that the DC's major responsibility was to go to scene of crime, just to assure people of the safety, even if nothing else. In the case of Marsabit, that DC has never left his office to go and condole or assure the people that the Government is there to safeguard and protect their lives and property. That person is still in service. How is he escaping those kind of things. He has found a scape goat by saying that politicians are the ones who are fuelling insecurity. But since people at the headquarters do not know what is happening on the ground, they are misled and everything has got out of hand. I wish to say we are sorry for this Government. If that is the way things are done, Kenya will never be different and people will never change. I wish to ask the Minister to ensure that those who are charged with the responsibility of protecting the lives of Kenyans and their property, get a little bit more serious.

Mr. Temporary Deputy Speaker, Sir, dialogue is very important. We have never had dialogue in Marsabit and the result is yesterday's incident - the genocide. Somebody was trying to mislead Kenyans all through. I want to really emphasise, after extending my condolences, that the Government has failed in its major responsibility of ensuring life and safety, particularly in Marsabit District.

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

[The Temporary Deputy Speaker

(Mr. Khamasi) took the Chair]

Kenyans deserve better security than that.

Mr. Temporary Deputy Speaker, Sir, regarding the Police Department, the Police Commissioner, who has a vast military background, is the right person to deal with those militant gangs. The man is fit for the job. I want to congratulate our police officers. Many have put their lives on the line to maintain law and order. But in every society, there are a few who bring a bad name to an institution.

Last Thursday, in Laisamis Constituency, the Officer Commanding Station (OCS), under the influence of alcohol, walked into a mosque in the dead of the night, purportedly to arrest a muslim preacher, who was in the mosque. The result was quite obvious. There was supposed to be a massacre. There could have been an insecurity situation. If you ask a muslim faithful about a non-muslim or even a muslim himself walking into a mosque with their shoes to go and arrest someone under the influence of alcohol, it is the worst abomination that any muslim can bear. That OCS is still saying that nothing can happen to him because his name "Nyaga" and the Government belong to the Nyaga's! What else can people do there? I think we are still living in the past.

Hon. Members: Shame!

Mr. Ngoyoni: Mr. Temporary Deputy Speaker, Sir, I ask the Minister to listen to us and ensure that, that OCS is transferred elsewhere. We have a lot of insecurity in Marsabit District. We have gone on record and said that, apart from the Provincial Administration, insecurity is fuelled, financed and sustained by some particular Non-Governmental Organisations (NGOs) in the district. Certain NGOs there are answerable to a particular politician. As we are talking right now, every Saturday, there is fund-raising to support those NGOs to sustain the war in Marsabit. It is high time we took some action.

Mr. Temporary Deputy Speaker, Sir, there is insecurity in Marsabit because there are still people who are living in the past. For the sake of the Minister, some people are happy that NARC won the elections and Uhuru lost. Why? It is because if Mr. Kenyatta won the election and we had the same kind of politicians in that district today, I am sure more hell could have broken in Marsabit. For that reason, we thank God that, at least, KANU lost and NARC won. Otherwise, things could have been very bad. The other aspect that---

The Temporary Deputy Speaker (Mr. Khamasi): Your time is up! The Minister is supposed to be called upon to reply at 5.00 p.m. We have only one minute remaining and I am told that the Chairman of the Committee on Defence and Foreign Relations would like to say something.

Mr. Mwenje: Mr. Temporary Deputy Speaker, Sir, I am the Chairman of the Committee on Administration, National Security and Local Authorities, and not Defence and Foreign Relations. I would like to say a few things. We shall scrutinise how the money that we shall vote will be used. We will ensure that it will be used for the intended purpose.

The question of security which has been covered here quite a lot is how do we do it? If you look at the police, it is not that they have that monopoly. The presence of the police will help since any criminal who wants to commit a felony will realise that he or she can be caught. We need to support the police so that they can do their work. However, we must be careful since we are still using the old technology of detecting crimes. We have detectors which can detect guns when they are being carried by criminals. Why are we not buying these detectors? We should have money allocated for their purchase in the budget because small arms are giving us a lot of headache.

Mr. Temporary Deputy Speaker, Sir, if you go to a place like Johannesburg, you will find---

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Mwenje! In accordance with our Standing Orders, the Minister can donate one minute to you but it is now time for him to respond.

Proceed, Mr. Minister!

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, first of all, I want to thank hon. Members of this House who have spoken on this Vote of the Office of the President and, particularly, the areas that have been covered under the Motion, namely, the Headquarters at Harambee House, Police, Criminal Investigation Department (CID) and the Immigration Department. These are areas that are covered under this Vote R1. Therefore, what we have been debating is the sum total required in those areas and contrary to what has been said, the budget is not Kshs65 billion. I think this is so obvious that I need not to over-emphasise the point.

Mr. Temporary Deputy Speaker, Sir, I also want to appreciate the new ideas that have been proposed on the Floor of the House which, of course, we shall very much take into account. Obviously, some of them may not be able to enter into the current budget but we shall bear those points in mind in the formulation of the budget of the ensuing year.

Mr. Temporary Deputy Speaker, Sir, there were some issues which were raised, particularly, relating to certain police stations like Butere/Mumias which we are taking care of because they need rehabilitation. The money for their rehabilitation is in the budget and it is available to be spent in that manner.

There were issues raised about Kenyans going through very many hardships through and out of the airport. This is true and we highly regret the inconvenience. Due to shortage of staff the processing of passports of Kenyans travelling outside or coming in has been dealt with at the COMESA desk. Now that there has been a recruitment of about 200 officers, a new desk will be set up to process passports of Kenyans because, first and foremost, we owe them our duty. So, a new desk will be provided within this current financial year in order to ease that travelling problem.

Mr. Temporary Deputy Speaker, Sir, the question of filling of cards at the airport is obviously necessary because statistics have become very important to modern management so that the services you provide through a given exit or entry point are related to the flow of the people going through there. Therefore, it is important to keep statistics so that in future planning, they can be taken into account in order to create enough space, offer better services and even provide adequate number of personnel. Therefore, the filling of forms is very important so that we know how many people our airports are handling at any given time.

Mr. Temporary Deputy Speaker, Sir, the issuance of identification cards has become highly controversial. Some people want to acquire these cards so that they can become Kenyan citizens. Some people want to acquire identification cards so that they can become voters. Others want to acquire them so that the association with their spouses can be recognised by law and this is very important for the purposes of inheritance and other matters. I agree that this is an area which we must address this year. We must be able to make it possible. Hon. Angwenyi quite rightly pointed out that it seems that the system does not want to recognise marriage and yet it is important for this country to have stable families recognised by law. Therefore, we shall examine it and my officers are here and I want them to make it possible for married wives who have not been registered under their husband's names, to be able to obtain affidavits from our courts free of charge even if we have to pay for them.

(Applause)

We cannot really treat marriage in that manner and, therefore, this is an area we will take very seriously.

Also, there are so many young people who have not been given identification cards. They must be given these cards. I want to undertake to this House that we are going to do a lot of work in

that direction because we cannot continue talking about matters when the problem still remains unresolved. An identification card is a very important document. It is also connected with that pride that one should have of his or her own country and it should be facilitated to be recognised. I am glad that people are equally concerned about identification cards like me. We must do something this year about it.

Mr. Temporary Deputy Speaker, Sir, as you can see, the National Aids Control Council (NACC) has been allocated a fairly large amount of money; Kshs3,535,000,000. The other day, I made a calculation of this figure, and it would seem that this is a figure that is handsomely dividable by the number of constituencies in the country. We shall consider that aspect.

(Applause)

I see that the direction in which we are moving, in terms of development, is to spread it throughout Kenya, without discriminating any part of the country. The way the Constituency Development Fund (CDF) money has been distributed, is a very good indication of the very good intentions of this Government. I hope, therefore, that where the Government has delivered, it will be recognised. I hope that people will not criticise just for the sake of criticising, or for the sake of being heard, but rather, there is a case to be criticised.

Mr. Temporary Deputy Speaker, Sir, issues relating to ASAL, capacity building and the effort we are making to improve governance were covered in my introductory remarks. I now want to address issues concerning security at our borders. Mr. Ojaamong talked about this issue. It is true that we need to do more. Indeed, I would like to inform this House that we have gone very far in synchronising patrolling of our border with Uganda. I would like to give an example where, three days ago, people from West Pokot attempted to enter Uganda. In fact, they had managed to steal 18 heads of cattle. They were repulsed and the cattle were returned to their owners.

Mr. Moroto: On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the Minister name the place where the incident he has referred to took place? I am from West Pokot and I do not know of an incident when our people crossed into Uganda. Could he name the place and the people who crossed into Uganda? Otherwise, he is misleading the House.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, although the hon. Member comes from that area, I think I have been authorised by the Republic of Kenya to know more than he does.

The security situation---

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

The Temporary Deputy Speaker (Mr. Khamasi): Order! Order, Mr. Moroto! The Minister is responding to various issues that were raised. You raised a point of order to which he has replied. We should let him finish his reply to this debate.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, there was the issue of urban crime raised by Mr. Billow, where he said that the situation has deteriorated. I want to very humbly disagree with him, because for the first six months of this year, crime in this country, overall, has gone down by 16 per cent compared to the same period last year. This House will be pleased to know that the reported cases of corruption have gone down by 74 per cent. This is a very commendable effort on the part of Kenyans. It is not just that security forces have enforced this, but rather because Kenyans have now refrained themselves from having to bribe for the services they want.

Mr. Temporary Deputy Speaker, Sir, incidents of car-jacking have gone down by over 35 per cent. Crime against persons, which is one of the fundamental obligations of the Government, has gone down by 39 per cent. Therefore, I want to disagree with Mr. Billow and even advise him that

he should now take a walk in the Central Business District (CBD).

An hon. Member: How do you know?

The Minister of State, Office of the President (Mr. Michuki): How do you know that I do not go there? I would like to inform you that in my own constituency---

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Minister, address the Chair!

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I agree with you. I am trying to inform the hon. Member through you that I do walk around. In the CBD, ladies have started wearing their necklaces and moving around with their watches. People are now able to talk on their mobile phones without interruption. I think this is a very fundamental observation.

Mr. Billow: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to paint such a beautiful picture of the security situation in the CBD, when, indeed, the number of extra-judicial killings by the police in the last six months reflects the escalating level of crime in this country? Over 3,000 people were killed by the police in the first six months of the year.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, of course, statistics are not as straight as they appear. They are actually like *bikinis*. They show but you do not see.

(Laughter)

Mr. Moi: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am a bit intrigued. You have heard what this old gentleman has said about *bikinis*.

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Moi! We do not have anything like "old gentlemen" in this House. We have hon. Members here.

Mr. Moi: Mr. Temporary Deputy Speaker, Sir, I withdraw those words. You have heard the hon. Member talk about *bikinis*. Could he elaborate it a little bit, for us naive youngsters?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I was trying to explain to Mr. Billow the statistics we were discussing. I was trying to get him to understand the point I was making, and I referred to that garment; which, although it outlines, it does not disclose. Statistics are like *bikinis*. That is what I am trying to say.

The Temporary Deputy Speaker (Mr. Khamasi): That is its name, is it not?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, *bikini* is its name, and statistics are like that. I am trying to point out that there can be a very interesting profile in a study.

Mr. Temporary Deputy Speaker, Sir, I will now turn to the Provincial Administration. The Provincial Administration is not different from any other Government department. It is not different from the Veterinary Department, the Police Department or the Immigration Department. The Provincial Administration is an arm of the Executive and it carries out the policy of that Government. I want to point out here that those who are fighting the Provincial Administration are actually fighting the messenger. They should address themselves to the source of the message that is to be carried by the Provincial Administration. We agree that the Provincial Administration acquired a very bad name under the previous Government, but they did what they were told to do. We now want to tell them to do it differently, because that is what Kenyans want. We have retrained them, we are counselling them and they know that the way forward is to give service to the citizens of Kenya. The other side of looking at this matter, and I agree with hon. Khamasi when he spoke---

Hon. Members: Hon. Khamasi!

The Minister of State, Office of the President (Mr. Michuki): No, it was when hon. Khamasi spoke, and I am now addressing the Temporary Deputy Speaker and not hon. Khamasi.

The situation in which we are now in Kenya, particularly on the social front, has quite a lot to do with the void that was created in the vilification of the Provincial Administration where chiefs and their assistants, District Commissioners and District Officers, including Provincial Commissioners, were so vilified that they lost the urge to work. That is what we are trying to revive as of now so that services can reach villages and all those social changes, for example, the use of methanol as a drink which is a poison and, incidentally, I am horrified that people in Kenya continue to talk about the poison that was taken in Machakos just the other day as a drink to be legalized. This is the most surprising kind of proposal coming from Kenyans; that we should legalize poison. As of now, I would like to assure this House that I have a team in my office which is studying the way methanol used to be controlled; its movement from the factory into the storage and its purchase and use by customs officers who accompanied the liquid to its destination. We are examining all this in order to see whether we could not re-introduce it. Therefore, I welcome the remarks made here that we must have a new face within the Provincial Administration. I agree to that proposal, but as it were, straining the arms of the Government by rejecting organs through which it works will be most unfortunate. If you look around at the available alternatives, we shall have to work very hard to get our local authorities to actually perform. It has become even more difficult to get the Local Authority Transfer Fund (LATF) accounted for and a lot of sanctions have to be placed on this. Who is going to manage justice? Who is going to assist in providing security? The chief knows the person who did not sleep in his village. He knows which child was born this morning and he literally knows who quarrelled with his wife or husband.

Mr. Billow: On a point of order, Mr. Temporary Deputy Speaker, Sir. I know that the Minister loves chiefs, but is he in order to say that the chief, for example, in this City or even in his own home area knows the relationship between a man and his wife and how they slept the previous night? Is he in order to say they know when they do not?

An hon. Member: He likes the topic!

Mr. Billow: Yes, he likes the topic.

(Laughter)

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, if I gave that impression, that was not---

The Temporary Deputy Speaker (Mr. Khamasi): Order! Order, Minister! That is not a point of order; you also like the topic. Let us steer clear and let the Minister finish his response because he still has got about four minutes, so that we can proceed to the Committee of the Whole House.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I was saying that even quarrels within families are settled at that village level and, therefore, there is a kind of a therapeutic role that a chief has to play in counselling, reconciliation and settling of various disputes in the village even before they go to court. As you know, a lot of money is needed for someone to be successful with litigation today in Kenya, therefore, I would urge that as and when we seek more power to enable this cadre of civil servants to be able to do their job properly, I hope this House will support the Motion.

Mr. Temporary Deputy Speaker, Sir, if you look around, there were other proposals and you spoke about *matatus*, which were controlled by the police and so on; we continue to do so. Indeed, it is only that we do not blow our whistles everywhere. We have held very many meetings with the Ministry of Transport; in fact, all those meetings that have led to the proposal that the---

Mr. Maore: On a point of order, Mr. Temporary Deputy Speaker, Sir. During my contribution to this Vote, I raised a serious issue on expenditure of nearly Kshs10 million by the

Ministry of Justice and Constitutional Affairs for security procurement, and we thought that the Minister will take this opportunity to respond about something that is not in the Budget because we may not be able to raise it when we reach the Committee Stage. So, I think it is right that the Minister raises the issue and explains that advertisement in *The Economist*.

(Applause)

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I was also going to address that issue.

(Laughter)

With the indulgence of the House, the issue raised by hon. Maore is not a very serious one. The Ministry of Justice and Constitutional Affairs carries the Vote that relates to governance, training and other things which are also related to the police and Provincial Administration. But looking at it from their side, it is more justified for that money to be there. The advertisement itself and, obviously, when we come to scrutinizing the Vote for the Ministry of Justice and Constitutional Affairs, the hon. Member will raise the issue. But for now, I want to say this: Any technical equipments; and this is where I was told that I was interfering with tenders at the port, because I insisted that where machineries or any other equipment is not produced in this country, it must be advertised in local newspapers---

Maj. Gen. Nkasserry: On a point of order, Mr. Temporary Deputy Speaker, Sir. We are not quarrelling with the Minister regarding the modalities he is putting across. What we are saying is this; where are you going to get this money from because it is not in the recurrent nor in the development votes?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I am aware that this money was promised by the donors, but has not yet been given to us. As and when---

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Minister! Time is up! I will give you a second or two to wind up.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I am winding up. When this money is available, it will be taken care of. We all know that there is a procedure of spending supplementary funds as and when they are available. I want to assure this House that nothing will be misappropriated or go anywhere else other than as approved by this House.

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

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members, it is time to move to the Committee of the Whole House stage. Therefore, I will now put the Question.

(Question put and agreed to)

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

IN THE COMMITTEE

*[The Temporary Deputy Chairman
(Mr. Poghisio) took the Chair]*

Vote 01 - Office of the President

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I beg to move:-

THAT, a sum not exceeding Kshs16,079,720,550 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2006 in respect of:-

Vote 01 - Office of the President

(Question proposed)

Mr. Billow: On a point of order, Mr. Temporary Deputy Chairman, Sir. We are now going to discuss the Vote for the Ministry. But the question raised by our colleague was that money which has not yet been budgeted is now being spent. An advertisement has already been placed in the newspapers for procurement and yet, the money has not been budgeted. That question has not been addressed. How does the Government go ahead to spend money which has not yet been budgeted? This money is not in the Development and Recurrent Votes for the Ministry. This is a critical issue. Therefore, we would like the Chair to make a ruling on it.

(Loud consultations)

The Temporary Deputy Chairman (Mr. Poghisio): Order! We are now in the Committee of Supply. It is true that it has to come before the House before you can even subject it to that point of order. Since the Minister is here anyway, questions will be raised from what is before us. We can deal with that at the Committee Stage.

Mr. Sungu: On a point of order, Mr. Temporary Deputy Speaker, Sir. We have four different books with us. One is for the Recurrent Expenditure. The other is for Development Expenditure. The other one is on district allocations. There is a further supplementary book. Could the Chair advise us on how we will proceed because we want to look at them Vote by Vote, according to our Standing Orders? I am asking for your guidance, so that we do not get lost.

(Applause)

The Temporary Deputy Chairman (Mr. Poghisio): Order! This is just the beginning of a process. We will begin with the Recurrent Vote and proceed to the Development Vote. That is the normal way we do it.

Now, Mr. Obwocha, maybe, you can help us. What were you trying to raise?

The Assistant Minister for Finance (Mr. Obwocha): Mr. Temporary Deputy Chairman, Sir, we have the Recurrent and Development Vote Books before this House. The other ones are subsidiaries to give additional information to hon. Members, and that is what we requested. So, when it comes to an issue which they do not understand, they will raise it and the Minister will refer to those Books.

The Temporary Deputy Chairman (Mr. Poghisio): Let us begin with Sub-Vote 010.

VOTE R01 - RECURRENT EXPENDITURE

Mr. Sungu: On a point of order, Mr. Temporary Deputy Chairman, Sir. I am still lost. On behalf of the people of Kisumu, I will not be able to go through this Vote properly. I am---

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Sungu! Even if you want the people of Kisumu to hear this, you still have to be in order.

Hon. Members, I think it is clear now that we just proceed and deal with the issues as they come. So, we are on the Sub-Vote 010.

SUB-VOTE 010 - GENERAL ADMINISTRATION AND PLANNING

Head 001 - O.O.P Headquarters

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, on Item 3110700; Purchase of Vehicles and Other Transport Equipment, a sum of Kshs419 million has been allocated. I would like to know whether this is for all the districts. How many vehicles are involved and for which districts? Secondly, on---

The Assistant Minister for Finance (Mr. Obwocha): Ask one by one!

Mr. Billow: I will not get another chance. Let me ask the second one.

An hon. Member: Mr. Obwocha is misleading us!

The Assistant Minister for Finance (Mr. Obwocha): On a point of order, Mr. Temporary Deputy Chairman, Sir. I cannot mislead. I am an Assistant Minister for Finance!

The Temporary Deputy Chairman (Mr. Poghisio): Order! Could you, please, stop these exchanges now?

Head 603 - National AIDS Control Council

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, on page 7, Head 603, under the National AIDS Control Council, there are Current Grants to Government Agencies and Other Levels of Government. A sum of Kshs250 million has been allocated. I would like to know the details for that expenditure, because we cannot go to the other with confusion.

The Temporary Deputy Chairman (Mr. Poghisio): Could you respond to that, Mr. Minister?

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, I---

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Sungu! I am waiting for the Minister to respond.

Proceed, Mr. Minister!

The Minister of State, Office of the President (Mr. Michuki): Could the hon. Member come again, because I had been consulting?

Mr. Keter: On a point of order, Mr. Temporary Deputy Chairman, Sir. I am equally put in an awkward position like Mr. Sungu. We are referring to this book, yet it differs from the book which we were given. Mr. Billow has asked a question on Item 3110700 on Purchase of Vehicles and Other Transport, it is on the same Page 3 here. But there is an Item on Confidential Expenditure, which is not here. That is why I am lost. They are supposed to be the same.

The Temporary Deputy Chairman (Mr. Poghisio): Are they using the same Vote Heads?

Mr. Keter: Yes, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Poghisio): Okay, let the Minister explain it.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the Printed Estimates that were distributed earlier on, not today, were the cause of

the delay of the debate yesterday. This is because they did not contain enough details. The details which are in the Printed Estimates that were distributed this morning contain more information than the Printed Estimates earlier given, which were said not to provide enough information on the basis of which we interrogate the Vote. It is quite obvious that, that book of this morning will have more details. It will even have details such as the confidential expenditure which may not appear in what had been challenged yesterday and before.

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, let me explain the point raised by my colleague for the benefit of the House. If you look at the original Printed Estimates on Page 3, you will actually find the Item 2211300 - Other Operating Expenses, is Kshs402 million. When you come to the detailed one, Other Operating Expenses of Kshs402 million is there, then it gives a breakdown. So, the Kshs35 million Confidential Expenditure is part of that Kshs402 million. If you go to Page 3 of the revised Printed Estimates, there is Other Operating Expenses amounting to Kshs402 million. In the first column you will find the breakdown of that Kshs402 million, which is Kshs20 million, Kshs4 million, Kshs400 million and Kshs35 million as Confidential Expenditure. The question I had raised earlier which the Minister said he did not hear is on Item 3110700 - Purchase of Vehicles and other Transport Equipment, which is Kshs419 million. I would like to know the details; how many vehicles and for which parts of the country they are buying those vehicles.

Mr. Temporary Deputy Chairman, Sir, the second question I asked was on Page 7, Head 603 - National AIDS Control Council Current Grants to Government Agencies - Kshs250 million. I wanted the Minister to shed some light on that. What exactly is this grant to NACC of Kshs250 million?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, let me address the first point about the Kshs419 million. First of all, we have not decided where we will buy those vehicles. For that reason, we cannot tell you the number, because these things change every day in terms of price. We do not control the prices.

Mr. Kombe: On a point of order, Mr. Temporary Deputy Chairman, Sir. The Minister has budgeted for vehicles and there must be a purpose for those vehicles. If that is the case, then the total number, how much they will cost and where they will be taken must be known.

The Temporary Deputy Chairman (Mr. Poghiso): As much as I would like to help in these matters, that is not a point of order. If you rise on a point of order, do not argue or raise questions.

Mr. Kombe: Mr. Temporary Deputy Chairman, Sir, is the Minister in order to say that he budgeted for vehicles which he does not have a purpose for? He does not even know how many they are and where they will be used.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, you will recall---

*(Several hon. Members stood
up in their places)*

The Temporary Deputy Chairman (Mr. Poghiso): Order, hon. Members! If you all throw questions at the Minister and do not give him a chance to answer any of them, we will have so many questions without any response. So, let us allow the Minister to respond to the questions.

Mr. Minister, if you are ready to answer, the first issue is on the vehicles.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, when the vehicles are bought, they will be distributed according to the exigencies of

the service and where they are required. They will be assorted vehicles because the terrain in this country differs. On a rough basis---

*(Several hon. Members stood
up in their places)*

I think I should be allowed to finish, because we cannot go on like this.

The Temporary Deputy Chairman (Mr. Poghisio): Order, hon. Members! Allow him to finish!

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, I should be allowed to respond. I can only absorb so much and no more. The vehicles will be about 160 and they will be distributed according to the requirements of the service. Depending on the terrain of the area in which the vehicle will be used, that will determine what type of vehicle to be purchased.

On the issue of the Kshs250 million, these are grants to various aid agencies which also deal with HIV/AIDS in this country. These agencies assist the

[The Minister of State, Office of the President]

Government to make sure that this programme works. They cannot work for nothing. They require money with which to do the job. As I said earlier on, the overall expenditure within NACC's ambit is Kshs3.35 billion.

Head 275 - Relief and Rehabilitation

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, now I understand why this book was prepared like this, because it is very difficult to understand. I want to refer to Page 4, Head 275 on Relief and Rehabilitation, Item 2640200 on Emergency Relief and Refugee Assistance. With reference again to Page 6, Head 605 - Disaster Emergency Response Co-ordination, I would like to know the difference and whether there has been any duplication.

Further, on Head 603 on National AIDS Control Council, if these are grants from various aid agencies and we have been reading in the Press that this will be withheld because of the supposed corruption in the NACC, then what is the Minister going to do about it?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the money that Mr. Sungu is talking about is a grant by the Government to the National Aids Control Council (NACC). The NACC is not a department of the Government. It is private sector initiative. Therefore, they expect to be financially assisted, in order to carry out their duties. So, the Kshs250 million is for that purpose. I suppose that, that settles the issue.

Mr. Temporary Deputy Chairman (Mr. Poghisio): I would like the Minister to help us on one issue here. There are two books that we are using at the moment. There is the Printed Estimates as we know them, and the smaller booklet that has just been distributed. Should we not proceed with the usual Printed Estimates and use this other booklet to explain the details? So that hon. Members are not---

An hon. Member: That is what we are doing!

The Temporary Deputy Chairman (Mr. Poghisio): I think that is the way we should proceed. If an hon. Member then sees details on the other one, then it becomes as a supplementary. Let us not use the booklet as the main document.

Hon. Members, when you refer to pages, let us refer to those that are in the Printed Estimates. That is the big book. When there are details that are not there, you can refer and remind

hon. Members what you are referring to.

Mr. Keter: Mr. Temporary Deputy Chairman, Sir, I agree with what you have said. But the details which are contained here need more clarification. How do we proceed? For example, we have a Head called Other Operating Expenses worth Kshs36 million. When we come to the smaller booklet, you can see that the Kshs36 million is broken down to computer expenses. We want to know what it covers. Therefore, I want to seek your guidance on how to proceed. Do we ask questions using the smaller booklet with details or do we go by the Printed Estimates? The Printed Estimates are the general version of the booklet.

The Assistant Minister for Finance (Mr. Obwocha): Mr. Temporary Deputy Chairman, Sir,---

The Temporary Deputy Chairman (Mr. Poghio): Order! Just a moment! I am consulting! I think we need to sort out this issue. Mr. Obwocha, are you helping on the issue?

The Assistant Minister for Finance (Mr. Obwocha): Mr. Temporary Deputy Chairman, Sir, we want to scrutinise these Votes for the benefit of this country. There is nobody who is against that. So, let me try to explain.

Mr. Temporary Deputy Chairman, Sir, we are proceeding on the big book. If somebody reads the small one and does not understand, refer the issue here and ask for clarification. So, hon. Members should ask questions on the big book. The small book is our explanation. We will show you where it is.

The Temporary Deputy Chairman (Mr. Poghio): Agreed!

Mr. Sungu: On a point of order, Mr. Temporary Deputy Chairman, Sir.

*(Several hon. Members stood
up in their places)*

The Temporary Deputy Chairman (Mr. Poghio): Hon. Members, we need to proceed? Mr. Billow, what is it?

Mr. Billow: Mr. Temporary Deputy Chairman, we want the Minister to help us. When I asked my question on the Kshs250 million, you heard his answer. He said that those are grants that will be given to various organisations that are fighting HIV/AIDS. Subsequently, when my colleague and I luckily found out the details provided here, that money is supposed to pay salaries, rent and stationery for the NACC. The Minister, himself, is misleading us!

The Assistant Minister for Finance (Mr. Obwocha): No! No!

Mr. Billow: It is clearly here. So, it means that we are being taken for a ride. Let us go slowly and understand what is going on. The Minister is misleading us.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, that is exactly what I am saying.

Mr. Sungu: On a point of order, Mr. Temporary Deputy Chairman, Sir. Please, give me an audience! I asked a question with regard to Head 605 versus Head 275. The Minister did not answer it.

The Temporary Deputy Chairman (Mr. Poghio): Order, Mr. Sungu! I think if we have to proceed with this Vote, then let us sort out one thing. Mr. Minister, when a question was asked about the Kshs250 million for the NACC, did you answer that it was meant for salaries?

Hon. Members: Grants! Grants!

The Minister of State, Office of the Government (Mr. Michuki): It was a grant to the NACC by the Government. They do not have any money.

The Temporary Deputy Chairman (Mr. Poghio): Mr. Minister, please, you are supposed

to use the microphone! These things are supposed to be captured in the HANSARD.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, Mr. Billow's question was not different from Mr. Sungu's. They were questioning the same amount of money. Now, this money is a grant. That grant may later be used to pay salaries to the people to whom---

Hon. Members: No! No!

The Minister of State, Office of the President (Mr. Michuki): Let me explain! Mr. Temporary Deputy Chairman, Sir, could I be allowed to explain?

The Temporary Deputy Chairman (Mr. Poghisio): Hon. Members, let him, at least, finish his sentence!

The Minister of State, Office of the President (Mr. Michuki): I am not being given any chance to explain! How are we going to make any progress?

The Temporary Deputy Chairman (Mr. Poghisio): Proceed, Mr. Minister!

The Minister of State, Office of the President (Mr. Michuki): I am saying that the amount of Kshs250 million is a grant to NACC. They do not have any money on their own. It is a grant to pay for their operations, which include remuneration to the employees. So, I do not know what else to add. That is the whole purpose of the money that has been set aside.

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Chairman, Sir. What the Minister has said complicates the matter even more. This is because, one---

The Temporary Deputy Chairman (Mr. Poghisio): Mr. Mwenje, ask for clarification!

Mr. Mwenje: Mr. Temporary Deputy Chairman, Sir, that complicates the matter even further. One, when we come to the NACC, if that money is part of their remuneration - salaries and the rest--- You cannot put together salaries and grants. That is why we are asking for specific allocations, so that we can know what amount is going to which area. That, therefore, confuses us even more. When we come to the issue of motor vehicles, you cannot write a figure of Kshs419 million, without specifying what kind of vehicles you are buying.

(Applause)

How do you just put a figure here? Are we buying Land Rovers or Mercedes Benzes? What are we buying? Those specifications are necessary, so that we can know what we are passing. If I give you a blank cheque of Kshs419 million to go and buy vehicles, suppose you choose to buy three or four Mercedes Benzes? Could the Minister clarify that to us? That is why we are demanding for clarifications.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, I have said that money that has been set aside to buy vehicles will buy assorted vehicles. There will be a total of 160 vehicles. As from where from, I am not able say because we have to shop around. Secondly, on the Kshs250 million grant, and the details, I think, have been provided somewhere, will be utilised as follows:- I hope that these figures will be retained somewhere by those hon. Members who are interested.

Salaries and allowances will take Kshs183,688,246. Office rent will take Kshs15 million. Purchase of furniture and equipment will take Kshs12 million. Transport and accommodation will take Kshs4.5 million. Utilities will take Kshs6.5 million. Purchase of consumable stores will take Kshs1.2 million. Purchase of stationery will take Kshs2.8 million. Printing and publishing will take Kshs1.75 million. Purchase of materials will take Kshs14.5 million. Maintenance of motor vehicles will take Kshs1.5 million. Maintenance of equipment will take Kshs2.2 million. Finally, insurance premium will take Kshs4,361,754. That explains the mystery of the Kshs250 million.

Maj-Gen. Nkaiserry: Mr. Temporary Deputy Chairman, Sir, we need to make some progress. When you are purchasing any item for the Government, there must be an establishment where you are basing this purchase on. So, on the issue of vehicles, we need to know which department needs the vehicles and the specification of the vehicles. We are not actually trying to block this. We are trying to assist. That is why the Minister has technocrats from his Ministry to tell him exactly what type of vehicles they want. This is Government money.

Mr. Temporary Deputy Chairman, Sir, when I was contributing, I spoke about Head 275, item 2640200; emergency relief and refugee services. I specifically said that you cannot give Kshs700 million to refugee services in this country, which is a responsibility of the United Nations High Commission for Refugees (UNHCR). These issues should have been separated. We are trying to help the Minister make headway. So, could he explain that item?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, if you remember yesterday when I was introducing this Vote, I talked about Kshs710 million which is for relief food. I even mentioned that this money was much more in the previous year. But because we have been blessed with rains this year, the amount is much less than what was used in the previous year. This is the money that was used to buy food for our people, it is not refugee money. It comes under the same heading, but this money, as I explained in my speech, was to buy food for dry areas in this country. We even have Kshs1 billion which will go towards the storage of food. I explained in the speech that *Gazette Notice No.55 of 2000* requires that there is 270,000 tonnes of maize as reserve and an equivalent amount in cash. So, I said the Kshs1 billion will partly buy food in order to raise the reserve to 2.6 million bags. The balance will go into creating the cash reserve which is required under the law. If what I said yesterday is taken into account, we would not be having any problem in passing this.

The Minister for Roads and Public Works (Mr. Raila): On a point of order, Mr. Temporary Deputy Chairman, Sir. The hon. Members are entitled to seek clarifications and details. But it has never been the responsibility of Parliament to micro-manage Ministries. When we are talking about vehicles, you cannot give specifications of those vehicles because some of them would be for personal use, some will be trucks and Four-Wheel-Drives and so on. But you have to tender before you have those specifications. It is not proper for Members to insist that the Minister must provide specifications.

*(Several hon. Members stood
up in their places)*

The Temporary Deputy Chairman (Mr. Poghisio): Order! Order, hon. Members! I will give you time to seek your clarifications.

Mr. Kajwang: On a point of order, Mr. Temporary Deputy Chairman, Sir. I want to respond to the explanation that has been given by hon. Raila. If you are budgeting to buy vehicles, you must definitely know what kind of vehicles you need; otherwise you would not even budget at all. If you need lorries, you will specify the number, if you want Land Rovers, you specify the number and so on, and then you budget. At least, the prices may change, so you may buy less or the prices may change so that you buy more. But definitely, when you are budgeting, you know what you want to buy.

The Temporary Deputy Chairman (Mr. Poghisio): Order! I do not want this to continue into an argument.

Mr. Billow: On a point of order, Mr. Temporary Deputy Chairman, Sir. The financial regulations are very clear. I want to quote Chapter 15(9) on organisational regulations. It says:

"Each Vote should be designed to show the services and purposes for which the estimate is presented, the total amount to be spent and to prescribe the authorised personnel and vehicle establishments."

When you mention emoluments, according to regulations, in fact, you should say how many employees you are paying salaries for. If it is vehicles you are buying, you should indicate how many vehicles. This is the law, if you want to follow it. But being NARC, you might want to avoid the law.

(Applause)

The Minister for Roads and Public Works (Mr. Raila): On a point of order, Mr. Temporary Deputy Chairman, Sir. You heard that insinuation that NARC does not follow the law. But hon. Billow belongs to a political party which is known for notorious violation of the law.

Mr. Sambu: On a point of order, Mr. Temporary Deputy Chairman, Sir. The Chair must make a ruling whether we are just going to pass blanket approvals here. If we just say Kshs200 million will be spent on 10 vehicles, that would be another Anglo Leasing scandal in the making.

The Assistant Minister for Finance (Mr. Obwocha): Mr. Chairman, Sir, honestly, what hon. Billow is raising, that we must give the number of personnel, in this book, if you look at page 33, it is given there. So, I do not know what is bothering my colleagues.

The Temporary Deputy Chairman (Mr. Poghisio): Order! I think there is nothing the Chair should rule on.

Mr. Sungu: On a point of order, Mr. Chairman, Sir. I want to---

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Sungu! You must catch the Chair's eye. Do not just speak because you have something to say.

Hon. Members, we are not making progress. We need to agree that what is stipulated in the law does not require any more ruling from the Chair. This is also a process by which Members rise to seek clarifications and the Minister answers. So, there should be not so much acrimony in the way we proceed with this. It is, ask and you are told. That is the way we are going to proceed.

Mr. Maore: On a point of order, Mr. Temporary Deputy Chairman, Sir. I was raising an issue on page 6, Head 57 (National Economic and Social Council Secretariat). If you look at item 111100, it is purchase of specialised plant equipment and machinery. It has been allocated Kshs6 million which will be recurring almost every year. It looks like it is a pattern in almost every other Head. If you look at the Department of Immigration, you will find another Kshs3 million, if you look at National Disaster Operation, there is another Kshs1 million. But specifically, I am after this Kshs6 million. What are the specific equipment and gadgets that we are looking for?

Mr. Muturi: On a point of order, Mr. Temporary Deputy Chairman, Sir. My question is on the same Head 577; the national organisation outfit styled as the National Economic and Social Council Secretariat. As far as I know, we do not have any legal entity established in the name and style of the National Economic and Social Council. Why are we being asked to vote money to an illegal organisation that is only based in the heads of people in State House?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the Council that has been referred to is a legal entity, which has been gazetted and created under the executive powers of His Excellency the President under the Constitution of Kenya.

Mr. Maore: Mr. Temporary Deputy Chairman, Sir, I had asked a question as to what the Minister intends to buy with the sum of Kshs6 million and then hon. Muturi rose on a point of order about the legality of the National Economic and Social Council. That was not my question. The

Minister has responded to the point of order.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, first of all, there are some objectionable remarks which are passing through here. We shall have to decide whether we are discussing the Estimates or we are exchanging something else.

Mr. Temporary Deputy Chairman, Sir, the Kshs6 million which has been provided for the Purchase of Specialised Plant, Equipment and Machinery is intended to be used to buy computers and other specialised equipment.

Mr. Maore: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Maore! Basically, you have raised your issue. If you are not satisfied, then just pursue what he has not responded to. You do not have to keep on raising points of order.

Mr. Maore: Mr. Temporary Deputy Chairman, Sir, computers have been put under Item 2210200, which is on Communication, Supplies and Services. If you look up a little bit, you will find Item 2211100, which is on Office and General Supplies. This is duplication.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, every section of any organisation has its own requirements. The Council will require computers. Indeed, this Kshs6.1 million is precisely for the Council's resource centre where the officers will carry out their research. The Council intends to procure specialised equipment which will fit in their research work. This includes computers. For the purposes of the discussion of the Estimates, I do not know what we are trying to dig out. If I could be told what the opposite side is searching for, I will be able to explain to them.

The Temporary Deputy Chairman (Mr. Poghisio): I think it is in the best interest of the Minister that this discussion proceeds amicably. So, I would prefer if you kept your cool so that we can proceed!

Head 649 - State Corporations Advisory Committee

Mr. Bett: On a point of order, Mr. Temporary Deputy Chairman, Sir. First of all, I am an accountant. All these documents here are mind-boggling. They are very many and do not relate to each other. There is the State Corporations Advisory Committee, Head 649---

The Temporary Deputy Chairman (Mr. Poghisio): What page are you on?

Mr. Bett: I am using the small document.

The Temporary Deputy Chairman (Mr. Poghisio): No, let us look for the item in the main book.

Mr. Bett: Mr. Temporary Deputy Chairman, Sir, look for it in the main book. It is under Item 649!

The Temporary Deputy Speaker (Mr. Poghisio): Order! You have to wait until we find it. We cannot proceed until we find what you are talking about.

Mr. Bett: Mr. Temporary Deputy Chairman, Sir, I will wait.

The Temporary Deputy Chairman (Mr. Poghisio): It is on bottom of page 7. You can now proceed!

Mr. Bett: Mr. Temporary Deputy Chairman Sir, I am talking about the States Corporation Advisory Committee which has a provision of Kshs11.9 million. This money translates to Kshs1 million per month. It can also be further translated to Kshs83,000 per person, because the Committee has 12 members. Why are we paying a Committee that much money?

The Minister, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the Item which reflects the Kshs11 million is very well explained under that Head. This is not a

sum which is intended to be treated in the manner proposed by the hon. Member in terms of equality in division. That is why the allocation of Kshs11 million has very different varying figures because it all depends on its usage. Those are details which are already there.

The Temporary Deputy Chairman (Mr. Poghisio): Order, hon. Members! I hope you know that you are supposed to ask questions regarding pages three to 11. You are free to do that.

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Chairman, Sir. What we are being asked to do, and which we intend to do--- I have been in the Committee that overlooks the issues of the Office of the President. There is no problem with the money that was approved. We want the Office to work. However, the matters are not very clear to hon. Members who are supposed to authorise the use of the said amount. I now seek your guidance. What will happen in this case? We may pass the Vote blindly and forget about it, yet the issue turns out to be another Goldenberg scandal. We should get proper explanations! I appreciate the law says that we must pass this Vote today. We do not want that not to happen because the Office must operate. Could you give your guidance on what should happen? We do not want to give a blanket authority. I cannot vote for money to be spent in a manner that I do not understand. We need a proper explanation!

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Mwenje! Even if it were true that you wanted to rise on a point of order, that would have been a very long story and not a point of order.

(Mr. Sungu stood up in his place)

Order, Mr. Sungu! The Minister has not even responded to this issue. The issue of asking the Chair to make a ruling, to guide, does not arise at this point. This is an issue of putting questions to the Minister who has the responsibility of answering them to the satisfaction of hon. Members so that they can pass this Vote. There should be no question of saying the Chair should rule on this or that. It is a very direct way of arriving at the passage of this Vote. Ask specific questions and you will be given specific answers.

I am going to be careful when allowing points of order.

Mr. Sungu: On a point of order, Mr. Temporary Deputy Chairman, Sir. I raised specific questions to the Minister as you have just said. I raised issues with regard to Head 275; Relief and Rehabilitation, and Head 605; Disaster Emergency Response Co-ordination. I asked specific questions about the obvious duplication. We are approving finances and it is my right to raise these matters. What we are doing is against the Standing Orders!

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Sungu! Once you have asked that way, will you now be patient and allow the Minister to respond? I hope that he will respond and give the answer so that the hon. Member is satisfied.

The Assistant Minister for Finance (Mr. Obwocha): Mr. Temporary Deputy Chairman, Sir, let him ask the question.

The Temporary Deputy Chairman (Mr. Poghisio): He has asked about the duplication of the two Heads. What are the pages?

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, it is at page 4. We are talking about Head 275; Relief and Rehabilitation, at page 6, and Head 605; Disaster Emergency Response Co-ordination. There is an apparent duplication there and I want the Minister to explain.

The Temporary Deputy Chairman (Mr. Poghisio): Mr. Sungu, in your estimation, it is a duplication. However, let the Minister respond.

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, let me explain further. Under Head 275, Item 264-0200 has been allocated Kshs710 million for Emergency Relief and Refugee Assistance.

We also have Head 605; Disaster Emergency Response Co-ordination. There must be some duplication!

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Sungu! You do not just rise and speak when you want to! Let that be the last time you do that!

Proceed, Mr. Minister!

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the relief food worth Kshs700 million is for the anticipated districts. We will continually identify which districts are likely to require relief food so that we can provide. For the emergency allocation, it is for any other disaster; whether it is flooding or bridges. Therefore, the two allocations are entirely in order to be provided for because they deal with two different situations.

Head 712 - Government Spokesman (Public Communications Office)

Capt. Nakitare: Mr. Temporary Deputy Chairman, Sir, the total estimates for the office of the Government Spokesman amount to Kshs32 million. I know the Government Spokesman is not supposed to leave the country. He is supposed to be within the country, so that he can respond to issues that may arise from time to time. Now, there are some funds which have been set aside for Foreign Travel and Subsistence under Item 2210300. If the Government Spokesman has to make foreign trips, what is the job of the Minister for Foreign Affairs?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, as far as I know, the job of the Minister for Foreign Affairs is diplomacy. The Government Spokesman is simply a spokesman!

(Laughter)

The Temporary Deputy Chairman (Mr. Poghisio): Order, hon. Members! I must put the question now. However, I will allow two hon. Members to ask their questions.

Head 931 - Cabinet Office

Mr. Maore: Mr. Temporary Deputy Chairman, Sir, under Item 2210800 on Hospitality Supplies and Services, a sum of Kshs147,060,557 has been allocated for this purpose. What makes up this sum? Will this be used for lunches? I know that most of the time the Cabinet take "dry" tea when they attend their meetings. What is it the Minister is financing using this huge sum?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, this money has been allocated for dignitaries, commissions of inquiry and all those things that go with hospitality. Yesterday, I mentioned the Goldenberg Commission of Inquiry and the tribunal that has been set up to investigate judges---

Mr. Billow: On a point of order, Mr. Temporary Deputy Chairman, Sir. Is the Minister in order to mislead the House because that money set aside for hospitality has nothing to do with task forces and commissions of inquiry? He should tell us what that money is for because it is more than the total amount of money the Arid Lands Management Project (ALMP) is given for the whole of North Eastern Province!

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, if he wants me to read---

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Michuki! If it is indicated

as "Hospitality and Supplies and Services---"

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I am giving the details!

The Temporary Deputy Chairman (Mr. Poghio): All right, proceed!

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the Kshs147,060,557 is for the following uses: Catering services, expenses for commissions and tribunals, seminars and conferences and Kenya Southern Sudan Liaison Office. We have started an office for liaison which I talked about yesterday. The other Item is "honours and awards." Those are the details that were passed.

The Temporary Deputy Chairman (Mr. Poghio): Mr. Maore, if you are satisfied, let us move on.

Mr. Maore: Mr. Temporary Deputy Chairman, Sir, I am.

Head 001 - General Administration and Planning

Mr. Keter: Mr. Temporary Deputy Chairman, Sir, if you look at Item 2211100; Office and General Supplies and Services, Kshs18,000,000 has been set aside for this purpose. The breakdown given is that Kshs10 million will be used for computer expenses. Again, if you look at Item 3111000, Purchase of Office Furniture and General Equipment under the same Head, there is money which has been allocated for purchase of computers and printers. I would like to know the difference between the two Items which involve purchase of computer equipment.

Lastly, I need an explanation on Item 2211300 on Other Operating Expenses where a sum of Kshs402,800,000 has been allocated. Also, the Minister should explain to us about the write-off of Kshs62 million and confidential expenditure of Kshs35 million.

The Temporary Deputy Chairman (Mr. Phogio): Order, Mr. Minister! If you could point out to the hon. Members the place where the points are, this will save us a lot of time.

The Minister of State, Office of the President (Mr. Michuki): I am talking about Kshs18 million in the main book, and also the next figure, which is also for computers. The first figure is for software and the second one is for hardware. I think the hon. Member knows about this.

The Temporary Deputy Chairman (Mr. Phogio): There were two questions from the hon. Member.

Mr. Keter: Mr. Temporary Deputy Chairman, Sir, my question is on the same page, Item 2211300, Other Operating Expenses of Kshs402 million. On this page, there are two Items, a confidential expenditure of Kshs35 million and write-offs of Kshs62 million. What are they?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, confidential expenditure is confidential expenditure.

An hon. Member: You are being rude, Mr. Minister!

Mr. Michuki: I am not really being rude; I am saying that if it is confidential, it is confidential. This is not the first time it has appeared in the Estimates. It has always been there. Do not think there is anything sinister in it, because there is none.

*(Several hon. Members stood
up in their places)*

The Temporary Deputy Chairman (Mr. Phogio): Order, hon. Members, this expenditure is allowed and you cannot reject it!

*(Several hon. Members stood
up in their places)*

Order! Order all of you! Please, allow the Chair to say something!

Mr. Sambu: On a point of order, Mr. Temporary Deputy Chairman, Sir.

Mr. Temporary Deputy Chairman (Mr. Phogisio): Order, Mr. Sambu! The Standing Orders are clear on this. There must be a law that governs such expenditure. What I am basically saying is that if we are not making progress, I will have to put the question now and move on to another Sub-Vote. Please, let us not just rise on a points of order when we want to make comments.

Mr. Wario: On a point of order, Mr. Temporary Deputy Chairman, Sir.

Mr. Temporary Deputy Chairman (Mr. Phogisio): What is your point of order, Mr. Wario?

Mr. Wario: Thank you, Mr. Temporary Deputy Chairman, Sir. I am rising on a point of order to seek the indulgence of the Chair. You have said that it is, indeed, allowed to allocate some money for confidential purposes. What is the justification for this? Tomorrow the Minister could come up with Kshs1 billion and claim that it is for confidential use!

The Temporary Deputy Chairman (Mr. Poghio): That should have been raised by just catching the Temporary Deputy Chairman's eye. You did not have to go through the route of point of order.

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, on the same page 3---

The Temporary Deputy Chairman (Mr. Poghio): It is not on this other issue!

Mr. Billow: No, Mr. Temporary Deputy Chairman, Sir. On page 3 of the same Head, Item 2211308 - Legal Dues/Arbitrations. I just want the details of the Kshs250 million. I just wanted to know what arbitrations are those, specifically, so that we can know more about the money that we are allocating.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, to address the question raised, we have a lot of legal cases. There are various allegations. There are grants of pleas by courts and even international cases, some of which are in Geneva. We have to provide for a contingency fund to pay for them. We are a corporate body that can be sued. We can also sue, but we are mostly sued. So, we have to provide for some money to meet the contingencies.

The Temporary Deputy Chairman (Mr. Poghio): Are you now satisfied, Mr. Billow?

Mr. Billow: That is the point that I wanted to raise. I knew about the Geneva case. The Geneva case filed by Nassir Ali is about Goldenberg. It is a contentious case. If we are going to allocate Kshs200 million to a fictitious case that the Attorney-General said is false--- That case involves the World Duty Free Complex at the Airport. It is a case where one Member of Parliament and some other people are trying to rip the Government of money by entering a consent in Geneva. We cannot allow that and we will have to raise an amendment to that.

The Temporary Deputy Chairman (Mr. Poghio): Mr. Keter, what are you raising? We need to move!

Mr. Keter: Mr. Temporary Deputy Chairman, Sir, there is an issue which I had raised on the write-offs amounting to Kshs62 million.

The Temporary Deputy Chairman (Mr. Poghio): What was it all about?

Mr. Keter: Where are the details of the write-offs?

The Temporary Deputy Chairman (Mr. Poghio): What are the write-offs for, Mr. Minister? Deal with the two issues - the legal fees and the write-offs.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy

Chairman, Sir, on the legal fees, the Government is not free from litigation. Just like anybody else, it must prepare itself. The kind of questions that are being raised about the possible areas of expenditure are a matter that can be brought out if the money is not spent for the purpose it was voted. The Controller and Auditor-General will raise it. It is at that point that we can be challenged. We have to take care that we have the means with which to meet any liabilities that might be awarded against the Government. But to anticipate misuse is unfair. I request hon. Members to deal with the matter when that time comes. The Controller and Auditor-General will say whether the Kshs200 million went to a case or somewhere else.

The Kshs64 million is set aside for losses that arise from deaths in the Government. People die and their families have to be paid. There are also accidents where Government officers are involved.

The Temporary Deputy Chairman (Mr. Poghisio): Let me now put the Question!

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Chairman, Sir. Just before you put the Question,---

The Temporary Deputy Chairman (Mr. Poghisio): Mr. Mwenje, you cannot continue! Look at the time! Order! I allowed all these protracted exchanges and now it is time to move on. You will have a chance. This is not the end of it. These are simply pages 3 to 11.

*(Heads 001, 038, 256, 275, 377, 556, 564,
577, 605, 606, 578, 602, 603, 649,
712, 727, 728, 741, 783, 797
and 931 agreed to)*

(Sub-Vote 010 agreed to)

SUB-VOTE 011 - FIELD ADMINISTRATION SERVICES

Head 039 - District Registration Services

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, I wish to raise an issue with respect to Head 039 - District Registration Services on page 12. The Items I want to talk about are 2210300 - Domestic Travel and Subsistence, Kshs4 million; and 2211200, Fuel, Oil and Lubricants. I notice the amount that the Minister has put in his estimates are so low and this is why, in fact, Members of Parliament have to pay for registration officers to reach the rural areas so that our people can be registered. Can the Minister tell us whether this amount is sufficient or not for the purposes that it is required?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, it is true that the figure is too low but, as you know, there are medium-term budgetary provisions which are estimated three years in advance. Within that three year planning period, we cannot be given more money than the Treasury can afford.

(Heads 005, 006 and 039 agreed to)

(Sub-Vote 011 agreed to)

SUB-VOTE 012 - ADMINISTRATION POLICE SERVICES

*(Heads 010, 011, 012, 279,
281 and 285 agreed to)*

(Sub-Vote 012 agreed to)

SUB-VOTE 013 - GOVERNMENT PRESS

Head 014 - Office of the Government Printer

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, an amount of Kshs506 million has been provided under Item 2211100, Office and General Supplies Services. There are so many Items for supplies under this Head. Is this something special? I can see that the figure projected for the subsequent year has been reduced to Kshs300 million. One would expect the figure to go up. Is this amount for supply of stationery or some specialised equipment?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the Government Printer is one of the largest of consumers of paper in this country. The books of Estimates we received this morning came from the Government Printer. The supply of stationery and all those other things that go with it come from the Government Printer. So, it requires a fairly large stock of material for them to produce all that stationery.

Mr. Kajwang: Mr. Temporary Deputy Chairman, Sir, do Government Ministries and Departments, which use the services of the Government Printer, pay for those services from their own Votes or does the Government Printer meet the costs from its own Vote? We are not so sure that this money is for the Government Printer alone. How does it service other Government departments?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, Ministries pay for their own stationery when they make orders from the Government Printer. The Government Printer is an accounting unit in terms of its own allocations as shown here. The department answers to a particular Accounting Officer.

Mr. Maore: Mr. Temporary Deputy Chairman, Sir, following the answer that the Minister has just given, for instance, if you look at the Immigration Department, its net expenditure for the year is over Kshs700 million, but it only gets Kshs71 million, because the rest of the amount is in the form of Appropriation-in-Aid (A-in-A). Why is the A-in-A, or the money they collect in receipts from Ministries not being reflected here, so that we can have less allocation?

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, I questioned the Kshs500 million that has been provided to the Government Printer this financial year because, if you compare this figure with that of the last financial year, this department was allocated only Kshs248 million. The amount jumped to Kshs760 million, which is three times that figure, yet the Government Printer has always published books. So, that is why I want to know why we have this sudden increase and why there is no A-in-A collection by this department, as my colleague asked.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, one of the reasons why the figures of the Government Printer are as described by the hon. Member is that, there is equipment which is supposed to be installed this year. It has been there for a very long time, and it is going to be installed this year. We have to provide for money with which to do that.

The Temporary Deputy Chairman (Mr. Poghiso): Minister, you have not responded to the second part of the question by Mr. Billow.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy

Chairman, Sir, the concept of A-in-A arises from lack of consistency in collection of a given Item of revenue, to the extent that it cannot be taken on board as regular revenue. I think, I am qualified in some other capacity to explain this. It cannot be constantly the same every year, because the sources of A-in-A are so uncertain that they cannot be taken into account seriously and be itemised as items of revenue. That is why they remain appropriated to aid. They may even raise the need for a supplementary estimate, depending on whether they increase or go down.

Mr. Billow: On a point of order, Mr. Temporary Deputy Chairman, Sir. Is it in order for the Minister to mislead us? The question is this. This is a Government department that prints books and sells them to the public. So, if you are a member of the public, you pay for these books. So, why has the Government Printer projected receipts of only Kshs95,000 for the whole year whereas in the past, they have been collecting millions of shillings? Could the Minister explain that point, please? Do not beat about the bush!

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, have I been beating about the bush?

(Laughter)

I think that is a very detestable remark to be made on a very serious matter like this!

The Temporary Deputy Chairman (Mr. Poghisio): Proceed, Mr. Minister!

The Minister of State, Office of the President (Mr. Michuki): If Appropriations-In-Aid (A-I-A) are Kshs19 million, and I have explained the nature of A-I-A; if there is no revenue that will accrue in the course of the performance of that department, it is just like that!

Mr. Billow: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Poghisio): Order! Order, Minister! Mr. Billow, we are going to let you speak. I think what the hon. Member is saying---

Mr. Billow: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Billow! Mr. Michuki, please, explain this issue. The issue hon. Billow is raising is that, this is a department of the Government that is doing business and it is actually selling these books and so on. So, the question is, how come receipts in a year amount to Kshs95,000 only? I think that is basically the question that is remaining now and not the other issue of whether you---

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the Government Printer is run on a fund account; that means it is a self-sustaining fund. So, the issue of A-I-A, as I said earlier, will fluctuate from year to year, just like any other business where demand may fluctuate or go down. There are good years, bad years and it happens that this is what has been estimated.

(Head 014 agreed to)

(Sub-Vote 013 agreed to)

SUB-VOTE 016 - IMMIGRATION

Head 371 - Immigration Headquarters

Mr. Keter: Mr. Temporary Deputy Chairman, Sir, I would like to seek clarification from the Minister concerning Item 3110700, Purchase of Vehicles and other Transport Equipment, worth

Kshs15 million. Could he give us more details about this? This is because the Minister for Finance, when presenting the Budget here, said that they would not buy new vehicles. However, in these Printed Estimates, there are provisions for the purchase of new vehicles for every department. This contravenes what the Minister said in Budget.

(Loud consultations)

The Temporary Deputy Chairman (Mr. Poghisio): Order! What is happening? There are some interesting exchanges. Do you realise that every communication should be directed to the Chair? We cannot allow that!

Proceed, Mr. Minister!

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, this amount is not only meant for the purchase of vehicles, but also other equipment. I do not know about what the Minister for Finance might have said in the Budget. What about where vehicles are involved in accidents? Do people stop travelling? I think this is a very small Item compared with the whole Budget.

Head 373 - Border Control Points

Cap. Nakitare: Mr. Temporary Deputy Chairman, Sir, I would like to seek clarification from the Minister on the distance along the Kenya/Sudan and Kenya/Somalia borders. I would like him to tell us whether he intends to open up border posts there. That is a distance of about 800 kilometres. We all know that the influx of foreigners into this country has caused insecurity. I would like him to tell us what border control points he is trying to improve, upgrade or set up new ones.

The Temporary Deputy Chairman (Mr. Poghisio): In other words, Cap. Nakitare, is asking for the details of all border points.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, as a matter of policy, the Government has decided to strengthen the existing immigration stations within the country and even to set up new ones. For example, in Lokichoggio, the immigration officers are operating about 25 kilometres from the border. We want them to be nearer to the border. If you look at our operations at Namanga compared with the Tanzania's, the latter is nearer the border. So, we want to rectify all this. I think it is for the good of this country. We also want to improve the Malaba immigration offices. So, I think this should be more of a welcome move; that the Government has taken the initiative.

*(Mr. Wamwere crossed the Floor
without walking to the Bar
and bowing to the Chair)*

The Assistant Minister for Energy (Mr. Kiunjuri): On a point of order, Mr. Temporary Deputy Chairman, Sir. I believe Mr. Wamwere is an experienced Member of this House. But he has crossed the Floor without proceeding to the Bar. Is he in order?

The Temporary Deputy Chairman (Mr. Poghisio): Mr. Wamwere, if that happened, then you know exactly what to do! You have to walk to the Bar and come back to your seat!

*(Mr. Wamwere walked to the
Bar and bowed to the Chair)*

The Temporary Deputy Speaker: Hon. Members, we have only up to 7.30 p.m. and I want to cover some ground.

*(Heads 371, 372, 373, 374, 375,
393 and 395 agreed to)*

(Sub-Vote 016 agreed to)

SUB-VOTE 017 - POLICE

Head 091 - Provincial Administration Services

Mr. Bett: Mr. Temporary Deputy Chairman, Sir, I would like to seek clarification on Head 091---

The Temporary Deputy Chairman (Mr. Poghio): Order, Mr. Bett! We have agreed that we concentrate on the Printed Estimates document as much as possible. If you could find the page, that would be easier.

Mr. Bett: Mr. Temporary Deputy Chairman, Sir, this is Head 091.

The Temporary Deputy Chairman (Mr. Poghio): You still have to find the page!

Mr. Bett: Mr. Temporary Deputy Chairman, Sir, this is on page 22, Head 091 on Provincial Administration Services. Could the Minister confirm that Nairobi area is not included in Head 091, because it also appears under Head 095?

The Temporary Deputy Chairman (Mr. Poghio): Mr. Minister, he just needs a confirmation that Nairobi area is under a separate Head and is not benefiting from Head 091.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the allocation of funds to the police deals with provinces including Nairobi. The administration which we dealt with earlier on is for the provinces out there. So, Nairobi area is not included.

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, on page 21, Head 085 - Office of the Commissioner of Police; Headquarters, the total net expenditure has been reduced from Kshs1.08 billion, last year, to Kshs692 million this year. Given the state of insecurity and so forth, I would have expected that allocations to the police, at least, at the headquarters should have gone up.

Secondly, on Head 101 - Police Reforms - I appreciate the Ministry is allocating Kshs660 million for police reforms, but could the Minister explain the allocation of Kshs100 million for fuel oil and lubricants, and purchase of vehicles? Is this for the new vehicles you are buying? You are providing for the fuel and lubricants but you have not yet even bought the vehicles for the police reforms. My main concern is on Head 085 where you are reducing expenditure at police headquarters when, in fact, you should be increasing it.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the process of fighting crime--- Actually, fighting crime is a process. It can never be an event limited to a given period. I agree that there is a reduction in the provision for the year. But the amount by which the Kshs1 billion has gone down, is related to a repayment which was a once-for-all expenditure. That, therefore, cannot be repeated. There are expenditures of that nature, and this is one of them.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I quite appreciate what the Minister has provided in Head 085, Sub-head 101. The very last Item is indicated as "Equipment". In this

financial year, it is provided with Kshs50 million. But in the next financial year, it is anticipated that the same Item will require Kshs250 million. When you turn over the page, there is still Purchase of Office Equipment, Specialised Plant Equipment and Machinery. That has been provided with Kshs150 million. I just want the Minister to clarify what---

*(Prof. Saitoti consulted
loudly with Mr. Michuki)*

Prof. Saitoti, keep quiet!

The Minister for Education, Science and Technology (Prof. Saitoti): I am just quiet!

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I request you to order Prof. Saitoti to allow the Minister to respond!

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, the amount for the purchase of vehicles and other transport equipment is exactly in the same principle that we have explained in the other Heads. It relates to the police force. I have already explained the other specialised equipment. It includes hardware and software. It is specialised equipment for specialised purposes. For example, if we need gun detectors, that is equipment of a specialised nature. It must be stated in that manner.

The Temporary Deputy Chairman (Mr. Poghisio): Eng. Okundi has not spoken.

Mr. Kombe: Mr. Temporary Deputy Chairman, Sir, under General---

The Temporary Deputy Chairman (Mr. Poghisio): Order, Mr. Kombe! Your name is not, Eng. Okundi!

Eng. Okundi, please, proceed!

Eng. Okundi: Mr. Temporary Deputy Chairman, Sir, Under Head 003, I would like to request the Minister to confirm if he has budgeted for---

The Temporary Deputy Chairman (Mr. Poghisio): Which page?

Eng. Okundi: Mr. Temporary Deputy Chairman, Sir, it is on page 19. I would like to ask the Minister to confirm if he has budgeted for new police stations or posts. If so, how many and where?

The Minister of State, Office of the President (Mr. Michuki): No, Mr. Temporary Deputy Chairman, Sir.

Mr. Moi: Mr. Temporary Deputy Chairman, Sir, I would just like the Minister to clarify on Head 097, Police Dog Unit, page 24. You will see purchase of certified seeds, breeding stock and live animals, Kshs4.1 million. What exactly are you getting? Secondly, he has allocated Kshs800,000 for rations for dogs and none for horses. So, what are the horses going to eat?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, this is a very interesting question. I want to inform this House that we have become exporters of trained dogs, and this is becoming a source of additional income for the police. People are coming here to buy dogs. Therefore, the need for seeds is very obvious. As to the allocation to horses, I know the hon. Member is a lover of horses. But we may not be reciprocating the same within the police force.

Capt. Nakitare: On a point of order, Mr. Temporary Deputy Chairman, Sir. Is the Minister in order to mislead the House that the horses at Gilgil, under the Anti-Stock Theft Unit, are not police horses? I have on several occasions brought medicine to deworm them; from overseas. Why can they not have a budget for them?

The Temporary Deputy Chairman (Mr. Poghisio): Order, Members! If it is not in the Heads so far mentioned, let us not proceed along that line, because we shall be just generating

another general debate.

Mr. Moi: Mr. Temporary Deputy Chairman, Sir, I appreciate what the Minister said about us now exporting police dogs. But he says again here, "purchase of police dogs and horses," and this costs Kshs4.151 million. I know the horses they have and it is a sad case. So, I want to know exactly which horses they are planning to buy and from where. Is it local or overseas?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, there are people who breed horses. When the time of purchase comes, we will look around locally here to find out whether the breeds are suitable. If they are, we will buy those and attach them to the Anti-Stock Theft Unit.

The Temporary Deputy Chairman (Mr. Poghio): Hon. Members, we have not even touched the Development Expenditure. If we keep arguing on one or two things forever, we may not finish the other Vote. Let us just seek quick clarifications, let us not make them too long.

Mr. Mwenje: Mr. Temporary Deputy Chairman, Sir, on Item 095, on training, this is in Nairobi. I thought the training was done in Kiganjo? Secondly, Item 747 is the Anti-Terrorism Police Unit. You will recall that the Anti-Terrorism Bill has been pending. Could the Minister tell us what happened to that Bill, because the police dealing with terrorism cannot operate without this Bill?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, I do not know what to say about that. If the issue had been raised during the debate, I would have addressed it then. Since I cannot quantify that in terms of the figures here, I do not know what to say.

*(Heads 003, 007, 008, 009, 085,
086, 091, 092, 093, 094, 095,
097, 101, 104, 105, 106, 107,
108, 109, 110, 111, 112, 150,
301, 302, 388, 389, 390, 394,
396, 397, 398, 747 and
586 agreed to)*

(Sub-Vote 017 agreed to)

SUB-VOTE 019 - GENERAL SERVICE UNIT

*(Heads 088, 102, 103, 303
and 304 agreed to)*

(Sub-Vote 019 agreed to)

(Vote R01 agreed to)

VOTE D01 - DEVELOPMENT EXPENDITURE

SUB-VOTE 010 - GENERAL ADMINISTRATION AND PLANNING

Mr. Billow: On a point of order, Mr. Temporary Deputy Chairman, Sir. If you read out so

many Heads together, it becomes very difficult for us to follow. Could you, please, read two or three of them at a time? In this particular case, we have to refer to two different sets of books so that we can get the details.

The Temporary Deputy Chairman (Mr. Poghisio): I think what you are raising is important, but these Heads are under the same Sub-Vote. What do we do? We cannot separate the Heads in a Sub-Vote and so, we will proceed that way.

Head 931 - Cabinet Office

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, with regard to Head 931 - Cabinet Office, Kshs72 million has been provided for training expenses. Could the Minister clarify as to who are being trained and what training is this?

Head 770 - Western Kenya Flood Mitigation Project

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, with regard to Head 770, a sum of Kshs40 million has been allocated for the Western Kenya Flood Mitigation Project. However, I do not see any capital expenditure that is intended to provide for the actual flood mitigation. Could the Minister explain this?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, I addressed the provision for emergencies in my speech yesterday, particularly in flood prone areas such as Budalangi and the Kano Plains. However, it is meant to assist and alleviate the burden on the people in the area.

As far as training expenses are concerned, the training of civil servants, either locally or overseas, falls under the Cabinet Office. Therefore, the Kshs72 million is precisely for that purpose.

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, that entire Head of Cabinet Office, including training amount of Kshs72 million, is a recurrent expenditure. Why is it within the Development Vote? That is the question I had asked the Minister. Is this not a way of concealing it?

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, this money is not recurrent in that sense. It is a once-and-for-all expenditure being a grant from a foreign source. A foreign source will not undertake to finance Recurrent Expenditure.

QUORUM

Mr. Keter: On a point of order, Mr. Temporary Deputy Chairman, Sir. We are discussing a very important Vote. Do we have a quorum in the House?

The Temporary Deputy Chairman (Mr. Poghisio): No, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Chairman (Mr. Poghisio): Order, hon. Members! Please, sit down! We now have a quorum!

Hon. Members: Where? *Wapi?*

Mr. Mukiri: On a point of order, Mr. Temporary Deputy Chairman, Sir. You have just made a ruling that there is quorum. I do not know what is bothering some hon. Members.

Mr. Keter: Where is that quorum?

The Assistant Minister for Finance (Mr. Obwocha): What is troubling you my brother, Mr. Keter? We want to work!

The Temporary Deputy Chairman (Mr. Poghisio): Order, hon. Members! Let us proceed.

*(Heads 001, 038, 931, 283, 771, 770,
298, 377, 556, 783, 603, 005, 006
and 010 agreed to)*

(Sub-Vote 010 agreed to)

SUB-VOTE 012 - ADMINISTRATION POLICE SERVICES

Head 011 - Field Administration Police Services

The Temporary Deputy Chairman (Mr. Poghisio): Hon. Members, because of time, we have to report progress. This is the last Sub-Vote for this Ministry.

Mr. Billow: Mr. Temporary Deputy Chairman, Sir, under Head 011 - Field Administration Police Services, Item 3110100 - Purchase of Building - Kshs150 million, Item 3110200 - Construction of Buildings - Kshs100 million and Item 3110300 - Refurbishment of Buildings Kshs149 million--- All those figures, including Head 085, Item 3110100 - Purchase of Building - Kshs600 million, would it not make a lot of sense if the Minister would have been more specific on the details, so that we are not left begging on what type of buildings they are and where they are buying them from.

The Minister of State, Office of the President (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, in my introductory remarks yesterday, I referred to that figure of Kshs600 million. It is meant to build houses in Nairobi and other parts of the country. I also mentioned that we had acquired, at least, about 1,000 houses. So, the programme of housing the police force is a major issue. It is in public domain and the public are concerned about it. We have to provide money in order to, at least, try to alleviate the problem. It is a very big problem.

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Poghisio): Order! Overruled!

*(Heads 011, 014, 371, 372, 373,
003, 085, 086, 092, 088, 102
and 103 agreed to)*

(Sub-Vote 012 agreed to)

(Vote D01 agreed to)

(Question put and agreed to)

*(Resolution to be reported
without amendment)*

(The House resumed)

(Mr. Deputy Speaker in the Chair)

REPORT

Vote 01 - Office of the President

Mr. Poghiso: Mr. Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding Kshs16,079,720,550 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2006, in respect of Vote 01 - Office of the President, and approved the same without amendment.

The Minister of State, Office of the President (Mr. Michuki): Mr. Deputy Chairman, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Assistant Minister for Finance (Mr. Obwocha) seconded.

(Question proposed)

Mr. Billow: Mr. Deputy Speaker, Sir, now the House is about to approve Kshs35 billion for the Office of the President. It is, indeed, a very large Ministry, with very many departments. I would like to urge the Minister to redeem the image of this Ministry from one that has been involved in corruption and mismanagement to a most efficient Ministry in terms of addressing insecurity and all other matters under its docket. I would want this office to change, given the amount of **[Mr. Billow]** money we are about to give it.

*(Several hon. Members stood
up in their places)*

Mr. Deputy Speaker: Order! Order, hon. Members! I will not allow any more debate! As you know, the House ought to have adjourned at 7.30 p.m. Therefore, I will now put the Question.

(Question put and agreed to)

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, we have now come to the end of today's business. The House is, therefore, adjourned until Tuesday, 19th July, 2005 at 2.30 p.m.

The House rose at 7.45 p.m.