

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 26th October, 2005

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

QUESTIONS BY PRIVATE NOTICE

MEASURES TO ENSURE TRANSPARENCY IN KMTC ADMISSIONS

(Mr. Oparanya) to ask the Minister for Health:-

(a) Is the Minister aware that the Kenya Medical Training College (KMTC) applicants who received calling letters for various medical courses were turned away on admission day and their places taken up by new applicants?

(b) Could she table a complete list of applicants and their Kenya Certificate of Secondary Examination (KCSE) mean grades and those admitted to various courses on a district basis?

(c) What measures is she taking to make the selection process more transparent and free from external interference?

Mr. Speaker: The first Question by Private Notice is deferred. I wish to remind the House that I will give the Minister for Education, Science and Technology ten minutes just before the end of Question Time to issue a Ministerial Statement as I promised yesterday.

(Question deferred)

Second Question by Private Notice!

IMPORTATION OF SUB-STANDARD MAIZE FROM UGANDA

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

(a) Is the Minister aware that sub-standard maize is being brought into the country through Suam border at this time when farmers from Trans Nzoia are just about to harvest their crop?

(b) Is he further aware that this maize from Uganda is flooding the local market hence adversely affecting pricing of maize in Trans Nzoia?

(c) Could he consider stopping the importation of maize from Uganda and take other urgent measures to protect farmers in Trans Nzoia?

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

(a) I am aware that maize is being brought into the country from Uganda through Suam

border point.

(b) I am further aware that this maize from Uganda is affecting maize price in Trans Nzoia and the neighbouring maize growing areas.

(c) Maize marketing is liberalized but my Ministry, through the National Cereals and Produce Board (NCPB) is protecting farmers by setting standard price, thus stabilizing the market of the said crop.

Capt. Nakitare: Thank you, Mr. Speaker, Sir. I would like to inform the Minister that the maize market is liberalized but the maize that is imported into the country is contaminated with weevils and other insects. That maize is not checked by either the Kenya Plant Health Inspectorate Service (KEPHIS) or the Kenya Bureau of Standards (KBS). I would the Minister to tell Trans Nzoia farmers the steps he will take to control maize prices and the diseases that are associated with the maize that is imported from the neighbouring country without being checked.

Mr. Kirwa: Mr. Speaker, Sir, I would like to inform this House and the farmers in this country that the Government shall not allow any maize that is contaminated to be imported into the country because the KEPHIS has been given clear instructions to check that. I would also like to inform this House that the price of maize for this year's season will be announced. As I said this morning, the price will not be less than Kshs1,200 per bag but the Board of the NCPB will meet this Friday to announce when they will open the depots and the right price.

Mr. Mwandawiro: Bw. Spika, ikieleweka kwamba kuna mavuno mengi ya mahindi katika wilaya za Trans Nzoia na Uasin Gishu na Mkoa wa Magharibi, na kwamba kuna njaa katika sehemu za Ukambani, je, Serikali ina mipango gani kuhakikisha kwamba mazao yote ya wakulima yamenunuliwa na kulipwa haraka?

Mr. Kirwa: Mr. Speaker, Sir, we have taken the following steps:-

(i) The NCPB shall acquire through commercial window, Kshs1.6 billion for the purchase of maize;

(ii) We will sell 1 million bags of maize to famine relief for purposes of raising funds and assisting the rest of the country get the crop.

(iii) We have set aside in the current Budget Kshs1 billion - cumulative total is more than Kshs4 billion for the purpose of buying maize in Trans Nzoia District, the neighbouring districts and the rest of the country.

Capt. Nakitare: Mr. Speaker, Sir, you have heard what the Minister has told the people of Trans Nzoia District. I represent Saboti Constituency and I am a large-scale farmer. The maize from Uganda has a negative impact not only on the prices and contamination, but has also attracted middlemen who are involved in child abuse. They hire children who are under 10 years old to work for them.

Secondly, the farmers are at a loss because the maize that is being sold by the roadside is being sold on the fields and farms which neighbour the Kenya Seed Company Research Station and the Agricultural Development Corporation (ADC) farms. Could the Minister tell us whether it is legal for the maize from our neighbouring country to contaminate the high quality maize that the farmers grow in this country?

Mr. Kirwa: Mr. Speaker, Sir, I would like to assure this House again that we are keen on purchasing maize from our farmers to ensure that there is food security in the country and assist them to go back to production.

On child abuse, the matter does not fall within my Ministry. The hon. Member can report it to the Ministry of Labour and Human Resource Development.

ORAL ANSWERS TO QUESTIONS

*Question No.633*PAYMENT OF DUES TO
MR. MOSES ONYANGO

Mr. Owino asked the Minister for Education, Science and Technology:-

- (a) whether he is aware that Mr. Moses Ochieng Onyango, (TSC No.193291), was interdicted between 1992 and 1998 but appealed against the case and was reinstated;
- (b) whether he is further aware that even though Mr. Ochieng won the case, he has not been paid his dues for the period he was under interdiction; and,
- (c) when he will be paid.

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Speaker, Sir, I beg the indulgence of the House for the deferment of this Question. The answer we were given was not satisfactory. So, we have asked for additional information from the districts. Could this Question be deferred to Tuesday next week?

Mr. Speaker: What is your reaction, Mr. Owino?

Mr. Owino: Mr. Speaker, Sir, I am not opposed to his request.

Mr. Speaker: That is okay! The Question is deferred to Tuesday next week!

(Question deferred)

Next Question by Mr. Ndile!

Question No.147

DEATH OF MR. PHILIP NGUTHU

Mr. Speaker: Is Mr. Ndile not there? He is not there! The Question is dropped!

(Question dropped)

Question No.600

CLOSURE OF DISTRICT DEPOSIT ACCOUNTS

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

- (a) whether he is aware that in 1998 the Government closed all district deposit accounts where funds collected through "harambees" for purposes such as bursaries, assisting the disabled, orphans, the youth *et cetera* were deposited;
- (b) where the money that was in those accounts was taken to; and,
- (c) how much money was in each account.

The Assistant Minister, Office of the President (Mr. Kingi): Mr. Speaker, Sir, this Question was asked last week and we gave most of the information that was required. I would like to give the additional information that was required.

As stated earlier on, all deposits collected in the districts were being transferred to the Office of the President Headquarters through the Treasury. However, with the introduction of a new accounting system for deposits on 1st July, 1997, these deposits were being retained in the districts

and managed by the district treasury staff. The Government has formed a task force between the Office of the President and the Treasury to establish the exact amounts of loss due to each district. The task force will complete its work by 31st December, 2005. It is supposed to come up with recommendations on the correct figures to be refunded to each district deposit account. This office will therefore, seek the Treasury authority as we have done in some other instances, to have the amount written off to enable the Government refund all the correct amounts established per district. The Government has so far refunded some money to some of the district deposit accounts as per the attached schedule. The balances are also shown.

Mr. Ojaamong: Mr. Speaker, Sir, that money was deposited in district accounts in almost all the 72 district we have in this country. For the case of Teso District, could the Assistant Minister tell this House how he will alert the people whose money was deposited in those accounts so that they can know that the Government will pay them their money sooner or later?

Mr. Kingi: Mr. Speaker, Sir, I have already said that the task force will come up with proposals on how the Government intends to refund the money to the districts deposit accounts. I am sure we will inform the affected parties once the task force has completed its work so that they can be refunded their money.

Mr. Speaker: Very well! That is enough since we have discussed the Question before!

Question No.446

BENEFITS ACCRUED FROM PRIVATIZATION
OF STATE CORPORATIONS

Mr. Mwandawiro alimuuliza Waziri was Fehda:-

- (a) ni mashirika mangapi ya umma yamebinafsishwa hadi sasa;
- (b) ubinafsishaji wa mashirika hayo umeletea nchi faida gani halisi; na,
- (c) ni kazi ngapi zimeongezeka kutokana na ubinafsishaji huo.

Mr. Speaker: Is there anyone from the Ministry of Finance? Mr. Mwandawiro, they are not there! What do I do?

Mr. Mwandawiro: Bw. Spika, ninakuomba kama Swali litajibiwa kesho kwa vile Waziri hayuko.

Mr. Speaker: The Question is deferred to tomorrow afternoon!

Question No.591

RECARPETING OF NAIVASHA-KISUMU ROAD

Mr. Speaker: Is Dr. Rutto not here? His Question is dropped!

(Question dropped)

(Mr. Raila stood up in his place)

Mr. Speaker: Well, I recognise your presence!

Question No.531

NUMBER OF PARAMEDICS RECRUITED
IN EACH DISTRICT

Mr. Korir asked the Minister for Health:-

- (a) how many para-medics have been recruited in the on-going exercise;
- (b) whether she could enumerate the number recruited in each category such as the Kenya Registered Nurses and the Kenya Enroled Health Nurses, etc, in each district.

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

(a) A total of 1,046 paramedics were recruited by the Ministry in June, 2005. They are categorized as follows. Kenya Enroled Community Nurses - 557; Registered Clinical Officers - 202; Kenya Registered Health Community Nurses - 219; Medical Laboratory Technologists - 67 and Medical Laboratory Technicians - 3. This gives a total of 1,046.

(b) The category recruited and the number per district is hereby laid on the Table.

(Mr. Konchella laid the list on the Table)

The distribution list for Clinical Officers will be ready for tabling tomorrow, 27th October, 2005.

Mr. Speaker: Do you want to lay on the Table part of the list today and another part tomorrow? You know, Mr. Konchella, we do not do things part-time here. We do them conclusively and comprehensively; so, if you are not in a position, just ask the Chair for his indulgence on that issue.

Mr. Konchella: Thank you, Mr. Speaker, Sir, for that guidanc Let me request for your indulgence to lay that list on the Table tomorrow.

Mr. Speaker: Is that all right with you, Mr. Korir?

Mr. Korir: That is all right, Mr. Speaker, Sir. He should come up with a complete list.

Mr. Speaker: Very well, let the Questioner have a copy of that. The Question is deferred to tomorrow.

(Question deferred)

(Loud consultations)

Order! Order! Order! I encourage happiness, but within acceptable limits.
Next Question by hon. Masanya!

Question No.437

IMPROVEMENT OF ACCESS TO CLEAN
WATER IN NORTH MUGIRANGO

Mr. Masanya asked the Minister for Water and Irrigation:-

- (a) what plans she has to improve access to clean drinking water in North Mugirango/Borabu; and,
- (b) how much money the Ministry has set aside for the implementation of its programmes in the constituency.

The Assistant Minister for Water and Irrigation (Mr. Sugow): Mr. Speaker, Sir, I beg to reply.

(a) My Ministry is implementing rehabilitation and augmentation measures for water supply facilities in North Mugirango/Borabu to improve provision of clean water to the residents of this constituency. Rehabilitation works on Nyansiongo rural water supply in Borabu Division are ongoing, while three dams in the same division will be rehabilitated in the current financial year of 2005/2006. Water supply facilities in the other two divisions of Ekerenyio and Nyamusi are being rehabilitated through funding from International Fund for Agricultural Development (IFAD).

(b) A total of Kshs5 million was spent in the last financial year, 2004/2005, and a further Kshs10.4 million has been allocated this financial year, 2005,2006, for rehabilitation of water supplies in the North Mugirango/Borabu Constituency.

Thank you, Mr. Speaker, Sir.

Mr. Masanya: Mr. Speaker, Sir, I thank the Assistant Minister for the answer, but I am shocked to learn from him that there are a lot of rehabilitation works going on in the constituency, which I have not seen. Is there a way in which the Ministry is checking on the implementation and supervision of the rehabilitation works which the Assistant Minister is talking about?

Mr. Sugow: Mr. Speaker, Sir, yes, there is a way which the Ministry is using to monitor efficiency in the implementation of projects. Actually, for the first time this financial year, right now we are reviewing the implementation of projects for the quota that has just ended to ensure that money that had already been allocated for this quota has been utilized for the projects it was intended for. Therefore, through that efficiency monitoring, we will be able to know which projects have been implemented and which ones have not.

Mr. Abdirahman: Thank you, Mr. Speaker, Sir. The Ministry is currently carrying out a lot of reforms in the water sector, but that does not trickle down appropriately to the grassroots levels. The Ministry of Water and Irrigation right at the local or district level is not able to plan efficiently in terms of water transfer and implementation of projects. What is the link between what is happening at the headquarters and at the grassroots in terms of project planning and implementation, especially with regard to reforms?

Mr. Sugow: Mr. Speaker, Sir, that is a good question by the hon. Member. Between the grassroots and the headquarters, there are the water service boards. Those boards are actually at various levels of establishment and quite a number, nearly 90 per cent of them, have already been launched and are already getting funding for the various projects which they are implementing. Right now, the link between the Ministry and the grassroots is, therefore, the boards. But in any system, there are always teething problems.

Therefore, right now, the Ministry is not totally leaving the boards to continue implementing those projects with the water user associations at the grassroots levels. We are still monitoring the projects every now and then and where a board's capacity has not reached the desired level, we intervene as a Ministry so as to help.

Mr. Karaba: Thank you very much, Mr. Speaker, Sir. During the 1963 KANU Manifesto, they had declared the year 2000 as the year that every Kenyan would have clean drinking water. What happened to the Manifesto now that we have the NARC Government? Are we continuing with the same manifesto; are we behind schedule or are we still at it?

Mr. Sugow: Mr. Speaker, Sir, this is the NARC Government and that was the KANU Government. The manifestos are different, but right now---

Mr. Omingo: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to sit across and refer to this Government as the "NARC Government", when it is a Government of National Unity, and he is a Member of KANU?

Mr. Speaker: Indeed, what do you say about your party parentage?

Mr. Sugow: Mr. Speaker, Sir, the hon. Member referred to the NARC and KANU

Governments, and the manifestos he has been referring to are those two. I am, therefore, responding to the question the hon. Member had asked. The NARC Government and KANU Government are not the same.

The Minister of State, Office of the Vice-President and Ministry of Home Affairs (Mr. Balala): On a point of order, Mr. Speaker, Sir. The policy of this Government is that of the NARC Government; it is not a KANU Government!

Mr. Speaker: What?

(Laughter)

Order! Can we come back to the Question now?

Proceed, Capt. Nakitare!

Capt. Nakitare: Thank you, Mr. Speaker, Sir. The vendetta of politics goes on, but my question here is on drinking water. You have heard what the Assistant Minister has said when answering this Question. We depend on surface river water---

Mr. Speaker: Order! Order! Maybe, at some opportune time, you should be able to understand that the Government of Kenya has three legs; the Administration, the Judiciary and the Legislature. The Administration is what is commonly referred to as the Government. The Government of Kenya is three-legged, and I suppose that we have to understand that.

Proceed, Capt. Nakitare!

Capt. Nakitare: Thank you, Mr. Speaker, Sir. Surface river water is commonly what the Ministry for Water and Irrigation is trying to---

The Minister for Roads and Public Works (Mr. Raila): On a point of order, Mr. Speaker, Sir. I do not want to challenge your view, but we have got three arms of Government; the Executive, the Legislature and the Judiciary. The Head of the Executive is the President and that is the Executive arm of the Government. As things turn out right now, there is a NARC Government in place and KANU is not in Government. The KANU Members who are here are here as individuals and they do not represent KANU. So, there is nothing like a Government of National Unity!

(Applause)

Mr. Speaker: Order! Order! I am not in the least concerned about the politics of coalitions or collision. I am concerned---

Hon. Members: Poaching!

Mr. Speaker: Order! I am concerned about the legal definition of Government; whether it is "arm" or "leg", it still is three and they still remain limbs. So, if you do not like the term "legs" or "arms", say three "limbs"! So, can we proceed now?

Mr. Kajembe: On a point of order, Mr. Speaker, Sir. The hon. Member who said he is in the Government as an individual should know that we have never had independent candidates in the elections.

(Laughter)

He should define what he means when he says "individual persons in the Government".

Mr. Speaker: He did not say that. Who said that?

An hon. Member: Mr. Raila said!

Mr. Speaker: Order! Mr. Raila was making his opinion and it was addressed to the Assistant Minister, who has not made a comment in that regard. So, can we now come to the

substance?

Proceed, Capt. Nakitare!

Capt. Nakitare: Mr. Speaker, Sir, the matter which is in question is the drinking water. Our rivers are polluted with chemical fertilizers and effluent from urban centres. Many municipalities direct sewerage waste into the rivers where we have consumers down the river. I would like the Assistant Minister to tell this House what measures he is taking to control the pollution of drinking water in the rivers.

Mr. Sugow: Mr. Speaker, Sir, the Ministry has formed catchment protection committees at the sources and at various levels of consumer organizations. Those are the committees that are supposed to monitor and be able to help in reporting such problems wherever they exist. Therefore, those catchment committees are just being launched now at various levels in different parts of the country and in time, we will be able to take action effectively against such excesses.

Mr. Masanya: Thank you very much, Mr. Speaker, Sir. You heard the Assistant Minister saying that IFAD is doing some rehabilitation activities on dams. We heard of IFAD about two years ago. Could the Assistant Minister shed some light on where IFAD is carrying out those rehabilitations?

Mr. Sugow: Mr. Speaker, Sir, the IFAD programme is for this particular financial year and as far as this particular constituency is concerned. The programme could start in the first quota or even in the second or third quota. But what I had indicated here is that IFAD will be carrying out rehabilitation programmes in this particular division of this constituency this financial year.

Mr. Speaker: Very well, that is the end of Question Time! I will now call upon the Minister--- Sorry, is Mr. Shaaban here? In fact, I had made a note that I will defer his Question, because neither the Minister nor the Assistant Ministers are there. I was informed by his Excellency the Vice-President and Minister for Home Affairs that they are not available. What do we do, Mr. Shaaban?

Mr. Shaaban: Mr. Speaker, Sir, could it be answered tomorrow in the afternoon?

Mr. Speaker: Mr. Awori, do you think it is possible?

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, given the fact that both of them are not here this afternoon, it might be rather risky to put back this Question on the Order Paper tomorrow. May I plead with the hon. Member, that we defer it to Tuesday next week.

Mr. Speaker: Mr. Shaaban, what is your reaction?

Mr. Shaaban: Mr. Speaker, Sir, I have no objection.

Mr. Speaker: To be on the safe side, I will defer it to Wednesday next week in the afternoon. Is that okay with you?

Mr. Shaaban: Mr. Speaker, Sir, it is okay.

Question No.508

DEATH GRATUITY FOR MR. WAHID
KHAN'S WIDOW

(Question deferred)

Mr. Speaker: Very well! That is the end of Question Time. The Minister for Education, Science and Technology promised to make a Ministerial Statement on the exams fiasco today. Is the Minister here?

The Assistant Minister for Education, Science and Technology (Mrs. Mugo): Mr. Speaker, Sir, the statement is not ready. I would like to request the House that we read the statement tomorrow.

(Loud consultations)

Mr. Speaker: Order! Order, hon. Members! I think the Assistant Minister for Education, Science and Technology who gave the undertaking yesterday clearly understood that he will be making it at 4.20 p.m., and it is even not yet 4.00 p.m. So, we are asking him to make it well ahead of time. I think the absence of the Minister is understandable. I will, therefore, defer it to tomorrow.

Mrs. Mugo the Ministerial Statement should be ready any time after Question Time is over. So, you must be prepared at all times. As you know, I am the Chief Scout.

Mrs. Mugo: That is okay, Mr. Speaker, Sir.

COMMITTEE OF SUPPLY

*Order for the Committee Read
Being 18th and Final Allotted Day*

MOTION

THAT MR. SPEAKER DO NOW
LEAVE THE CHAIR

Vote 12 - Ministry of Local Government

*(The Minister for Local Government
on 25.10.2005)*

*(Resumption of Debate interrupted
on 25.10.2005)*

Mr. Speaker: Hon. Mugo was on the Floor but she had concluded. Mr. Poghismo!

Mr. Poghismo: Mr. Speaker, Sir, I would like to join my colleagues in supporting the Vote for the Ministry of Local Government. As it has been said, this is a service Ministry. Therefore, when their funds are approved, their mandate is to service the more than 170 local authorities in this country. A good number of concerns have been raised, that we vote money for this Ministry, but for some reason it is not easy for it to be accountable when giving out Local Authority Transfer Funds (LATF). Unless some of the local authorities are checked, they misuse the LATF.

One of the biggest beneficiaries of the LATF is not the people who are served in the local authorities. I think there are people in the Ministry and at the provincial level who collude with officers in the local authorities. Some of them somehow return some of that money to the Ministry so that some of the people who are supposed to inspect them, overlook the mistakes made at the local authorities. So, it is very difficult to audit these local authorities since there seems to be some kind of collusion.

Mr. Speaker, Sir, in West Pokot, for example, where we have three local authorities; Pokot County Council, Chepareria Town Council and Kapenguria County Council, it is about time that we

saw heads roll especially in areas where we see there is total misuse of funds. There are audit reports. I would like to urge the Minister, that where audit reports have been made, he should really take action.

Why is it that there has been misappropriation of funds in certain areas and nothing seems to have been done? A good number of people supported the move by the late Minister for Local Government, Mr. Maitha, for going around the country. At that time also a good number of very good officers were victimised. Some of them were not only suspended but were expelled by just road side declarations. How valid can these road side declaration be, that a Minister would go to a local authority and says: On my word, I have dismissed so and so. Since then, no letters have followed that action and those officers have remained dismissed. I think that is the kind of terror that would go with the authority of the Minister. I think some of those people who were victimised, their cases should be looked at by the Minister and reviewed. Some of those who have not received dismissal letters should continue with their work.

Mr. Speaker, Sir, there are several services that the Ministry of Local Government can provide. If the Minister and his officers do not start to factor in some of these services in their budget, many people in the rural areas will suffer. I think they should have the ability to support some of the nursery schools in the rural areas. They should support nursery school teachers and help them even with training. Some of those services would go directly to the societies.

We live in a place where most people are either pedestrians or cyclists. When we plan our towns and trading centres - this Ministry is in charge of the plans - there are two things we should be budgeting for. One is the cycling and the walking paths along the road because bicycles are becoming a nuisance in the rural areas in this country. If they would plan the cycling paths and also-

Capt. Nakitare: On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to say that cyclists are a nuisance and yet they are actually contributing towards the development of this country through the *boda boda* transport?

Mr. Speaker: What did he say?

Capt. Nakitare: He said they are a nuisance to the public.

Mr. Poghisio: Mr. Speaker, Sir, the hon. Member is almost becoming a nuisance.

Mr. Speaker: Order! Order hon. Members! I have stated here many times and, I repeat, we must be honourable Members. We must use a language that is befitting to hon. Members.

Mr. Poghisio you will have to withdraw that remark. In the same breadth, Capt. Nakitare, you do not have to, all the time, take away time from hon. Members on timed debates. I must tell you this; if you do not know what a point of order is, please try to get it from the records. I have, in fact, made a ruling on what a point of order is. So, please give hon. Members a chance to debate unless you really see something which is out of order. Mr. Poghisio, you must withdraw and apologise.

Capt. Nakitare: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Capt. Nakitare, I am on my feet. You have acquired a reputation of intolerance, including to the Chair. I will give you the last chance. There is always remedial action. Please, try to remedy your ways.

Mr. Poghisio, you will withdraw and apologise.

Mr. Poghisio: Mr. Speaker, Sir, I apologise and withdraw. He did not go there yet. He was just about.

Mr. Speaker: You will get an extra two minutes which I took to make the ruling.

Mr. Poghisio: Mr. Speaker, Sir, if you construct cyclists paths, then they do not become a problem to the traffic. It is in that context that I meant that they are a nuisance.

The other thing which needs to be considered in budgeting is the setting aside of relaxation public parks where families can go and have time together. These are places where you can even put playing grounds for children. We are getting squeezed and squeezed. We are having in our cities more concrete than green. This is the Ministry that can beautify our towns and villages and maintain public parks. These are just going to be replicas of Uhuru Park in Nairobi. This has not been reflected in this Budget. This Ministry is year in, year out putting the same issues on paper and not being creative to the extent that it improves our municipalities and towns.

Mr. Speaker, Sir, the Minister has requested that the money for paying councillors be increased. He has been so generous in September and October. The generosity period will end in November and then the reality will set in from the county councils and the other local authorities. Where will they get money to continue paying the councillors? For example, if you allow the Pokot West County Council to double the salaries of its councillors to Kshs14,000, where will it get the money? At the moment, the council is not able to pay its councillors. So, you will leave them with a big problem. I do not think this was given very much thought. The Minister needs to be very serious on this matter. It is the casual nature in which the Minister said these things that makes me think that there is something afoot.

Corruption is alive and well in the Ministry of Local Government. The Minister needs to go around the country and look very hard at the audit reports that have been prepared. That is a challenge to him. I know that there are people who have been with him for too long and are not changing. The Provincial Local Authorities Officers do not seem to be doing anything. The Minister needs to look into this issue. These are some of the things that create wastage in the Ministry. The Minister needs to show that there are changes in the Ministry.

Mr. Speaker, Sir, I want to talk about the cess that is collected from markets and other places. There are certain markets that are in West Pokot and are also claimed to be in Turkana District, for example, Lorgon near the Turkwel Gorge. The Minister should clarify whether people in this area are not being double taxed. They are being taxed both on the West Pokot side and on the Turkana side. The West Pokot County Council should be allowed to take the rates.

Decisions in the councils are made by resolutions. These resolutions need to be looked into very carefully. These resolutions make very important decisions and yet some of them are done by coercion. Some of these resolutions are taken by a few people and they are sent to Nairobi with the collusion of the officers at the province. We should look at some of the resolutions that have been made. Some of them may not be good for projects. The resolution system needs to be reviewed because it does not take into account the people who opposed them.

Mr. Speaker, Sir, I support this Vote. The Ministry is expanding. I am told that the Government is intending to create more districts. When you create more districts, you create more county councils and local authorities. I am not sure that the Government has taken into consideration the fact that, that will be creating a bigger problem for this country. The fact that we are just expanding because it is a demand at this particular point, this Ministry is going to be facing more problems. If you create more local authorities, you will create more budgetary problems. We should consider rationalising the creation of districts.

Finally, I would like to bring to the fore the fact that many county councils, for example, the Municipal Council of Kapenguria, have not received any money for sewerage projects. Kapenguria is a big town and it needs to have a sewerage system. I can see that there is a bus park, but there is no sewerage facility in the town. The Ministry should consider putting in place a sewerage system in the town.

Mr. Speaker, Sir, our source of income is livestock. In conjunction with the other relevant Ministries, the Minister should ensure that the collection of cess from livestock movements is co-

ordinated. For example, in conjunction with the Ministry of Livestock and Fisheries Development, the Minister should ensure that the old holding grounds are rehabilitated, so that animals can be held there for fattening, so that they can fetch more money when they are taken to the market. Some areas like West Pokot depend so much on livestock. This Ministry should even fund the maintenance of some of the holding grounds which are under the county councils, so that livestock can be improved for purposes of marketing. I would like to request the Minister to tour these areas. If the county councils are not able to collect enough money, what mechanism has the Minister put in place to assist the councils to pay the councillors regularly? We agreed here that the councillors be paid from the Consolidated Fund, but that has not been approved. The councillors give a lot of their time and effort and they do not get a constant salary. Some of the county councils should benefit from the affirmative action.

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

The Minister of State, Office of the Vice-President and Ministry of Home Affairs (Mr. Balala): Mr. Speaker, Sir, the Budget for the Ministry of Local Government is highly commendable. It is a big Budget of Kshs7 billion. However, I am very disturbed by the breakdown of the Development Budget. I have seen how the money has been distributed throughout the country. I have seen the amount of money that has been given to Coast Province. It has been given Kshs78 million only, which is almost the same amount of money that has been given to Murang'a District. Coast Province is the host of the second capital of the Republic of Kenya. I am very disturbed to see that Mombasa District has been given only Kshs5 million and yet the second capital of this country is Mombasa City. Are we going to develop Mombasa as a gateway to Kenya and Eastern Africa by giving it Kshs5 million?

When I look at the Development Estimates, I can see that a lot of money has been earmarked for markets. Certain markets are being constructed for Kshs10 million to Kshs15 million Budget and yet, the Mwembe Tayari Market, which is the older market in Kenya, burned down in 2003 and until today we have not received any insurance report. We have not received any report as to when the market will be reconstructed. There are no plans to repair the Mwembe Tayari Market. The vendors in that market are suffering. They are supposed to pay school fees and do other things and yet, they do not know what is going to happen.

Mr. Speaker, Sir, there is corruption in the Municipal Council of Mombasa. Somebody has sold the "air" of the market to a private developer. The private developer has bought the roof of the market to build a parking for his tower. Structural engineers have confirmed that, that building cannot hold any other building on top. The residents of Mombasa and the vendors of Mwembe Tayari Market are not being considered. Nobody is addressing these issues. Grabbers of land and markets were so many in the previous Government, unfortunately, the Ministry of Local Government has not taken any action against any land grabber in Mombasa. The Minister has also not taken action to repossess public toilets in Mombasa which have been grabbed by tycoons. They have used them to develop towers and skyscrapers.

Mr. Speaker, Sir, when I look through the Development Budget of other districts, there are upcountry bus parks. Mombasa being an urban centre has neither a lorry park nor a bus park for upcountry buses. All the main roads and highways of the city are congested because of buses and trucks. We do not have matatu parking points and that is a problem. We have to ensure that Mombasa reflects a good image of this country as it has always been.

The other point is on sewerage and sanitation services. Only 10 per cent of Mombasa City has a sewerage system. The remaining 90 per cent is not covered and we do not have plans to do that. I understand that the French Government has proposed, through the Ministry of Finance, to fund a sewerage and sanitation project. However, that project seems to have stalled. We do not

know what is happening. The water company that was recently formed has family members of one individual in the council. We have complained about it. The public has raised those issues and nobody is responding to the needs of the public. The bus company that got the monopoly in Mombasa got it in a wrong manner. Tenders in the council are not done in a transparent manner. Corruption is rampant and nobody is doing anything. We want to plead with the Minister for Local Government to take action in Mombasa so that people can feel that they are heard when they raise these issues.

Mr. Speaker, Sir, the noble idea of the Constituency Development Fund (CDF) by this Parliament is greatly appreciated by the people of Kenya. The CDF projects are being developed through consultation with the people. However, in urban areas, municipal councils have failed. They have become barriers of development of the CDF projects. There is no harmonisation. The council is not willing to discuss how to harmonise their role and the supplementary role of the CDF. The jurisdiction of Mombasa as a district and a municipality falls squarely under the City Council. Unfortunately, there is no harmonisation. There is always a tug of war to get even piped water in Mombasa. The Minister needs to take action on the issues of the council that do not allow harmonious implementation of the CDF projects.

Most of us at the Coast Province are squatters. We do not have land! However, land is available and people are paying rent to absentee landlords. The council and the Government should put mechanisms in place to repossess that land possibly through buying it and give it to a majority of Kenyans who are poor. The idea that land is a racist issue should not be acceptable to this Republic. We are not a racist country or Government. We, therefore, want the Minister for Local Government to look at the issue of land and squatters in Mombasa Island because it is unique.

Mr. Speaker, Sir, the issue of by-laws is sometimes contradictory. They are not what the people want. They are always oppressive and they have nobody who checks them. If the local authority decides that they would have a new by-law and pass it, the public have no other means of redress. For instance, there are by-laws to charge hoteliers, pick-ups and lorries in the city. For whatever parking fees they will charge, we will support them to collect revenue. However, they should not oppress the public.

Recently, there have been a number of fires in hotels in Mombasa and the neighbouring districts. Even though Mombasa is the centre, we do not have adequate fire-fighting facilities. Sometimes we do not have water because it is scarce in Mombasa. We cannot, therefore, effectively rescue the assets of Kenyans when there is fire in that area and the entire Coastal region. It is a point of concern and the Fire Brigade needs to be strengthened in the Coastal region, Mombasa and areas where investment is high. Mombasa has the highest investment ratio.

Mr. Speaker, Sir, recently the Kenya Anti-Corruption Commission (KACC) visited a number of cities and produced reports accusing individuals and chief executive officers in the local authorities. However, we have not seen anybody being prosecuted. We are wondering what is happening. Are those reports meant to camouflage what is happening? Action should be taken so that it becomes an example for the top leaders of the local authorities so that people can believe that there is no corruption. Kongowea Market is a good example. It is the regional hub of wholesale marketing. I can assure you that we can collect a lot of revenue from the market. I have the experience as a former Mayor of Mombasa. However, corruption in Kongowea Market, and in most of these major markets, denies the local authority revenue for its upkeep and development of project.

Mr. Speaker, Sir, every year, local authorities get money from the Local Authorities Transfer Fund (LATF). However, we have not felt the impact of the money from the LATF. About Kshs5 billion is allocated for LATF, but we have not seen any major impact. However, we have

seen the impact of the CDF money, which is 2.5 per cent and people are grumbling about it. Why can we not see the impact of a bigger amount of money like the LATF in the development of infrastructure at different levels of the local authorities, particularly in the municipalities? These are the main centres of our economy. For example, the roads in Nairobi receive about Kshs900 million from the LATF. If that amount can be used for roads in Nairobi, we will not have a major problem of roads with potholes. In Mombasa, we receive about Kshs300 million from the LATF. If that money is used properly only for one infrastructural project, it will definitely have an impact.

Mr. Speaker, Sir, on the issue of land rates and revenue generation for local authorities, as much we are given the latitude to charge land rates, there should be a balance between charging and killing investors and businesses. By allowing the Kenya Revenue Authority (KRA) to collect revenue while the documentation in the local authorities is not appropriate, I think we are hurting the community. When you go to Mombasa Municipal Council and you want to pay your land rates, you will be asked to bring a receipt of ten years ago. Where would you get such a receipt when they have lost it? I believe that so much can be changed in the Local Government.

With those few remarks, I beg to support.

Mr. Omingo: Thank you, Mr. Speaker, Sir, for giving me this chance to support this vote. I would like to commend the Minister for Local Government for having presented this Budget to get approval for sufficient funds to develop our cities and towns. Recently, the Minister for Local Government announced a salary increment for councillors in a bid to woo them to whatever side of the divide. However, he did not categorically state how that money was supposed to be collected. We are not going to lie to Kenyans by promising them salary increments when we do not know where we will get the money to pay them. That will amount to a heavy burden on taxpayers and local authorities' levies by paying councillors. When we brought a Motion here to have the councillors paid from the Consolidated Fund, the Government opposed it. The Minister now finds it convenient to increase the councillors' salaries but he has not told Kenyans and Parliament how he is going to do it. That is indirect taxation of our rate payers. That is not acceptable. The burden will be great on the poor suffering Kenyans. The poverty levels will, of course, increase.

Mr. Speaker, Sir, it is interesting to note that our towns are not properly planned. Even where there is proper planning, the environment is totally unbearable, in the sense that you find litter all over. I would, therefore, request the Ministry of Local Government in conjunction with the Ministry of Environment and Natural Resources, to at least, endeavour to either outlaw or ban the use of polythene sheets which block our sewerage systems, causes harm to animals that swallow them and acts as mosquito breeding grounds as they retain water for long when it rains. They promote the spread of malaria and hence raising medical bills.

When the NARC Government came to power, it adopted a zero-tolerance to corruption policy, promising Kenyans that corruption in this country would be a thing of the past. Kenyans and particularly Nairobians, suffered immensely. They could not answer to a call of nature because the "big boys" in the previous regime grabbed all the public toilets. I have not seen a single thing done by this Ministry to bring back the glory that was lost by this City through corruption. Those in the current Government have entrenched themselves in corruption. They could have "grabbed" more public toilets if they were available. Unfortunately for them, all the public toilets had been "grabbed" by those in the previous regime. However, I believe that they are still practising the same corruption that used to exist in the previous regime.

Mr. Speaker, Sir, the issue of the Local Authority Transfer Fund (LATF) is very sensitive. You realise that when we started receiving money through the Constituency Development Fund (CDF), the impact was felt at the grassroots level. I want to implore the Minister to strengthen the audit teams at the various local authorities, so that they can account for the monies that our

councillors receive and to ensure that the money disbursed to them is used for the intended purpose; service delivery. Some councillors collude with their town clerks and treasurers to prepare falsified budgets which they use to pay their allowances. Also, you would find that the councillors allocate the funds they receive to various small projects which never take off. That, in itself, is wastage of public resources. Whatever little money that remains, can therefore, not be used to build even a classroom or a toilet. However, you find some local authorities allocated as little as Kshs10,000 for a project. It is important that the Minister sets up minimum standards of what you can apply for and how to apply the resources that will be availed.

Mr. Speaker, Sir, Gucha County Council is a young local authority without a sewerage system. However, you will realise that the budgetary allocation to that local authority is very insufficient. A town like that one without proper sanitary planning is exposed to outbreak of diseases. That kind of environment could lead to a lot of calamities which we can avoid if we are to provide for the tidying up of the towns and ensure that whatever we do is for the well-being of our people.

I have gone through the Ministry's Development Vote. There appears to be a very interesting coincidence. That there are so many bus parks being built. I want to implore the Minister to check that particular Item with a view to establishing whether there is any mischief or vested interest. Also, the money being voted under that particular Item must be seen to have been used properly because, when a deal appears to be too good, anybody needs to think twice. In this case, I would like to request the Minister to look into that particular Item, because there is provision for too many bus parks. I doubt whether we really need them.

Besides, the President told us one time that Kenyans must be our own auditors. We need to open up to public scrutiny. For instance, there is a provision of Kshs16 million for construction of a bus park in Kitui Town. The local people should be told who will construct that bus park, its actual worth and establish whether it has been done. The situation is pathetic. The expenditure of the 2.5 per cent of the national Budget that goes to the Constituency Development Fund is monitored closely by the clergy, the Press and the opponents of sitting hon. Members of Parliament in each constituency. However, when it comes to money from the LATF, we just kind of gloss over issues and forget that we are supposed to be accountable. So, I am asking the Minister to look into the issue of bus parks. It is an interesting coincidence that every county council requested for funding to put up a bus park and they were automatically allocated that money. So, that aspect needs to be looked into.

Mr. Speaker, Sir, if we really want to know the issues affecting our local authorities, we should try to find out why councillors do not perform well. It is because they, most of the time, go without pay. There are temptations to divert the resources of local authorities. It was for this reason that we tried to convince the NARC Government to pay them from the Consolidated Fund. The idea was to off-load the burden of paying their salaries from rate payers and motivate them to deliver. Unfortunately, the Motion was shot down by the same Government. Now, the Minister is graciously allowing the councillors to pay themselves from the sweat of old women who are extremely poor. The clerks to the councils are overly powerful. Therefore, the Minister needs to bring to Parliament an amendment to the Local Authorities Act, so that we can provide guidance on how to handle this matter. The clerks to the local authorities control almost everything in those bodies. Most of the money belonging to local authorities is misappropriated. I do not think we have properly dealt with them.

In conclusion, I appreciate the fact that the Government is a fair distributor of the national resources. Talking of equitable distribution, I find it totally unacceptable when I look at the revenue generated in different local authorities. If commensurate amounts of money were to be ploughed

back to local areas, then most districts do not receive their rightful share of the national cake. For instance, in Gucha District, where I come from, whatever allocation was given to the county council is totally inadequate.

Therefore, I request the Minister to look into this case during the Supplementary Estimates and provide for a sewerage system for Gucha Town. I know that the Minister, who is the leader of FORD(K) will be sympathetic enough and provide Gucha Town with a working sewerage system, including water. Apparently, River Gucha flows through Gucha District, but we do not have water. The fish in Lake Victoria enjoy water from Gucha when the residents of Gucha have no water. What an irony! So, I would like the Minister to address the water problem of Gucha Town and see what he can do for purposes of improving the well-being of our people.

With those few remarks, I beg to support.

The Assistant Minister, Office of the President (Mr. M. Kariuki): Thank you, Mr. Speaker, Sir, for giving me the opportunity to support this Vote.

Mr. Speaker, Sir, let me say at the outset that local authorities are very fundamental in any economy, because that is where the bulk of the resources in a country are supposed to be invested. We see a lot of resources in our local authorities partly from the income generated from the tax collection by the local authorities, which is tremendous, and from the LATF money that is invested by the Ministry.

What I find amazing is that we have not found it necessary to have a controller and auditor-general specifically detailed to deal with local authorities in view of the enormous amounts of money that are invested in this particular sector. In many other countries, we have a controller and auditor-general dealing with local authorities. Here, we have put the emphasis on parastatals. The parastatals are soon going to be privatised, and I think there is need to look ahead in terms of ensuring greater accountability in our local authorities to have a controller and auditor-general in charge of local authorities.

Mr. Speaker, Sir, as an hon. Member said here, the management and accountability of the monies disbursed to local authorities through the LATF leaves a lot to be desired. You do not see a single project within the local authorities in a year, despite the enormous funds that they are getting from the Ministry. The amounts of revenue that they collect from taxes from the small traders is hardly enough to meet the salary bills for the local authorities. I think we need to look deep into the management styles of our local authorities to ensure greater accountability and better governance.

Mr. Speaker, Sir, let me also say something about the by-laws. For a long time in many local authorities the by-laws precede Independence. The by-laws for Nairobi City Council (NCC) date as far back as 1950s when we did not have a Constitution. The Municipal Council of Nakuru by-laws predate Independence. There is an apparent conflict between the by-laws, Constitution and other written laws.

I would really invite the Minister to think of establishing a task force to look into the constitutionality of the various by-laws within our country. If I can give a simple example from the Municipal Council of Nakuru by-laws, there is a common offence for women found to be moving around town after 7.00 p.m. It targets women in particular and says: "Loitering for immoral purposes." This by-law never targets men. It basically targets women. The inference here is that any woman found in town, whatever time after 7.00 p.m. is deemed to be out for purposes of prostitution. This by-law is unacceptable in a modern democracy where the rights of the gender are supposed to be treated equally. So, the need for a task force to look at the viability of the by-laws is long overdue and should have been carried out well after 1963.

In terms of the target for revenue collection within the local authorities, it is, indeed, amazing that the Municipal Council of Nakuru is the only local authority that charges a tax on *boda*

boda operators. Way back in the early 1970s the Founding Father of this nation, the late Mzee Jomo Kenyatta removed licences for bicycles. I am happy that most local authorities have lived to observe that particular provision. It is only in the Municipality of Nakuru where *boda boda* operators are made to pay taxes. I am calling upon the Minister to ensure that the operators in Nakuru are treated like the rest in the Republic of Kenya by waiving these taxes.

I think it is time we empowered our people, particularly, those who do small businesses in towns. It is really unfair to try to get blood out of a stone. It is sad that a poor woman who roasts maize in town is made to pay Kshs20 for that small business. I think these are the areas we should be considerate on. We should empower our people by making sure that we waive taxes for the poor traders that are running small businesses.

[Mr. Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, I think the increment of salaries for councillors have been long overdue. That is the greatest thing that has happened to this Government in the recent past. Last year, I stood here to vote with the Opposition to say we had to increase the salaries for the councillors. I think I was a lone voice in the Government and I did vote. I am very happy that one year later the Minister has seen the need to hike the salaries for councillors. It is a great thing and I commend him.

(Applause)

Mr. Temporary Deputy Speaker, Sir, if you look at our town centres, we need to decongest the number of people in the local authorities markets and those on the streets. It is such a large number. We need to have a strategy to decongest town centres by opening up market spaces outside the city and town centres where our people can do some useful business. If you look at our bus stages and markets, there is hardly room even to move. This is because every other person who wants to start a small business, comes to the bus stops and city centres where he or she can get customers easily. We need to have a plan and strategy to decongest the town and city centres to be able to open up other areas where our people can do business.

I know it has not gone down well with the hawking fraternity to be removed from the streets of Nairobi City. It is inevitable that we have to keep our city and town centres clean, but we must also be able to secure spaces where we can open new markets for our people to do business.

Mr. Temporary Deputy Speaker, Sir, our towns are some of the dirtiest today around the world. This is because there is no proper supervision of the cleaners who are supposed to clean them. Nairobi City cannot match a city like Dar-es-salaam or Kigali for that matter, where you cannot even see a single paper on the street. The streets are very clean. They give an area, say, half a kilometre, to two cleaners who are supposed to keep that place clean within 24 hours. If dirt is found in that particular area, they are relieved of their jobs. So, we must endeavour to make our cities and environment clean, so that we can compete with other international cities across the world.

Mr. Temporary Deputy Speaker, Sir, there is a serious problem of garbage trucks within the local authorities. The Municipality of Nakuru has only one of them. I know there are serious problems within the NCC. I think in the next budget, I would urge the Minister to factor in some funds where the local authorities will be able to secure garbage trucks as part of the efforts to make

our environment and cities clean.

Fire engines have also been a major problem. We have had fires here in Nairobi oftenly and we get a fire engine coming two hours after the event. I think the non-availability of sufficient and modern vehicles is a challenge that we have to face. I ask the Minister to look into this direction, so that our towns can be saved from the constant fires and the amount of damage that we are getting.

Mr. Temporary Deputy Speaker, Sir, finally, it is important as the Ministry carries out transfers of chief officers, to look at the lower cadre of officers, the heads of departments like the public health and environment. This is where corruption is. If you remove a town clerk and leave the next layer of officers, and yet those are the vehicles of corruption, you will not be able to fight corruption. I would suggest to the Minister very strongly that, that lower cadre of staff be removed together with the top one, so that we can fight corruption.

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

Mr. Kipchumba: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to give my comments on this Vote.

It is important that the Minister ensures that the accounts of all municipalities and county councils are up-to-date. This is because part of the problem is that the personnel that deal with accounts in most of these municipalities and councils are either inadequate or not well-trained. It will be difficult to expect the Controller and Auditor-General to undertake the auditing of the same if, indeed, the basic accounts have not been done. Some of the councils that we have in this country have actually never done any accounts. Therefore, it is important to get a base line as to when we can close up, so that we do not, in perpetuity, continue to demand accounts from county councils, when it will be very difficult, indeed, to reconstruct the same.

Mr. Temporary Deputy Speaker, Sir, I want to make a request to the Minister again. Most of the roads in our municipalities are in a very pathetic state. Probably, the county councils and municipalities have no capacity to undertake reconstruction or maintenance of the roads. If that is the case, it is important, probably, that Government considers relocating this important function from the Ministry of Local Government to the Ministry of Roads and Public Works. This is because most of the engineers are actually housed under the Ministry of Roads and Public Works. Therefore, to expect the Ministry of Local Government to provide engineers to undertake these jobs when they do not have the capacity is, indeed, expecting too much.

Mr. Temporary Deputy Speaker, Sir, I will give an example. Since the NARC Government took over leadership, no inch of tarmac has been done in Eldoret Municipality and yet, every year, people pay rates and levies. There is also the Kenya Urban Transport Infrastructure Project (KUTIP) money that is budgeted for major municipalities in this country, including Eldoret Municipality. We have an estate called Kapsoya. It is a well planned estate with good supply of water and electricity, but it has a very pathetic road. I spent almost all the money we got from the Ministry of Roads and Public Works to repair that road. The road is only two kilometres long, but it cannot sustain the amount of traffic that uses that road. If that road cannot be tarmacked--- We are putting all our money, which could have been used elsewhere, to maintain that simple road. I request the Minister to follow-up that money. There is no point of putting murrum on a municipality road. It cannot last a week because of the amount of traffic that uses it.

On the same breath, we have schools, including secondary schools. I have a secondary school where we have spent over Kshs12 million and it is not complete yet. The school is in the same Kapsoya Estate. I have requested for action to be taken very many times, but nothing has been done. It is time this Ministry became serious. There is no point of sinking Kshs12 million in a project and it remains uncompleted. Long time ago, this Ministry used to be very serious. It used to give a lot of money to primary and secondary schools in municipalities. Currently, as we talk, I have

schools in Eldoret Municipality which have no facilities. We only use money that we are given under the Constituencies Development Fund (CDF). I want to understand how municipalities spend their money. Otherwise, there is no point of having this Ministry. If it cannot provide services, it should be split and part of it should go to the Ministry of Roads and Public Works to deal with roads. Part of it which deals with water should be taken to the Ministry of Water and Irrigation. The collection of rent and rates should go to the Ministry of Lands and Housing. This Ministry has totally lost its role! I want to urge that, if the Minister does not pull up his socks, this Ministry should be dissolved, so that its activities can be undertaken by other Ministries.

Mr. Temporary Deputy Speaker, Sir, we are all aware that, when we are identifying projects under the CDF, the Act demands that two councillors must be part of the CDF committees. But when councillors are identifying projects for the purposes of accessing Local Authority Transfer Fund (LATF), hon. Members are not aware. While we have been very generous and included the councillors in our CDF Act, I do not know how they identify their projects. What is so secretive about identification of projects in local authorities, so that hon. Members could be aware and coordinate them? That way, we cannot duplicate projects. Hon. Members will not fund projects that have already been funded. If that is not corruption, I would like to know what it is?

Mr. Temporary Deputy Speaker, Sir, we have estates in our municipalities. We have an estate in Eldoret where we borrowed some money and the municipality has been unable to service the loan. The Housing Finance Company wants to take over, but that will deny the municipality some revenue. I would like to ask the Minister - and I hope he is listening - not to take over Pioneer Estate in Eldoret. That estate should be left for the municipality to get some revenue. That revenue must be used well.

Mr. Temporary Deputy Speaker, Sir, an hon. Member has talked about planning. If there is one area where this Ministry has totally failed, it is in planning. It does not know what planning is. The employees are also quite incompetent! All they do is to allow people to build houses the way they want. We should designate some areas in towns to build flats, bungalows and maisonettes. That way, you will know the location of the facility that you want to buy. It makes the whole town untidy and disorganised! You have bungalows, flats and everything else you can think of in the same place. In estates and cities all over the world, towns are well planned. If you build a bungalow in the middle of flats, you will never get sunlight. You will never get fresh air. You will not even know whether it is day or night. I do not know what the Planning Department does in this country. The worst culprit is the City of Nairobi. We see estates being built everyday. I am not sure whether permission is sought from Nairobi City Council (NCC).

Mr. Temporary Deputy Speaker, Sir, as I said, if this Ministry cannot do its job, it is time to own up and say: "The Ministry of Local Government is unable to do anything!" That way, the Minister will be given another job. Let us talk about the hawkers in Nairobi. There is nowhere in the world where a city can operate without hawkers. Hawkers must be treated as human beings and Kenyans who are seeking to earn a living. Hawking is a trade. It is a training for entrepreneurship. The Minister promised to set up some designated areas for hawkers. We have not seen much of that. It is time the Minister translates his vision into action. We cannot continue talking forever. If I am a hawker in this country, I would never vote for this Government again. It does not make sense to bring into power a government that encourages poverty all over the country. Hawkers are very important people in the development of any country. They provide employment and services which cannot be provided by other established businessmen. Therefore, we should not look at hawkers as criminals and chase them all over the country. You promised to give them a place to operate from, but you have given them a place without toilets. It is a shame for the Minister to push those hawkers to an area without facilities.

Mr. Temporary Deputy Speaker, Sir, yesterday, I saw county council employees still towing vehicles. That is a barbaric act! It is condemned all over the world. Nairobi is the only city that still encourages the towing of vehicles when people fail to pay parking fees. Just penalise them! I thought we are a civilised society. If a person has parked his car and has not paid parking fees, he should be made to pay Kshs100 instead of Kshs50! That is the surest way of ensuring that people conform to the law.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Kipchumba, your time is up!

Mr. Kipchumba: Mr. Temporary Deputy Speaker, Sir, I beg to support.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Thank you, Mr. Temporary Deputy Speaker, Sir. My good friend, Mr. Kipchumba, has said that he wishes to be a hawker. But the other day, I saw him hawking oranges in the streets of Nairobi.

(Laughter)

Mr. Temporary Deputy Speaker, Sir, I support this Vote. This is a Ministry which, apart from the Ministry of Education, Science and Technology and Ministry of Health, should be given the largest share of the Budget. The Ministry of Local Government is very critical in terms of planning our urban centres and provision of services. I have listened to many of my colleagues lamenting about LATF, CDF and a possible harmonisation of the two. If we want to share good practices, I would volunteer to my colleagues that in my constituency, councillors do not budget and spend their Local Authorities Transfer Fund (LATF) without consulting with the Member of Parliament and neither does the Member of Parliament budget and spend the Constituency Development Fund (CDF) without consulting his councillors. By doing this, we do not duplicate the expenditure on projects. This is something that any Member of Parliament who works well with councillors within his jurisdiction can do. The problem is that some of us look down upon councillors and do not want to deal with them and certainly being fellow human beings, they resent being looked down upon.

Mr. Temporary Deputy Speaker, Sir, I want to make a few suggestions that I think the Minister for Local Government can do to improve service delivery and order in the sector that he is concerned with. The first one is audit. All public firms apart from State corporations are audited by the Controller and Auditor-General. The funds expended by public corporations are audited by the Controller and Auditor-General (Corporations). There is a big gap when it comes to local authorities and the people opposed to various local authorities as internal and external auditors hardly do a good job.

I also want to suggest that in the ongoing reforms, we create a special audit arm under the Controller and Auditor-General that specifically deals with local authorities where the funds we send to them and those they collect can be properly audited and accounted for.

Mr. Temporary Deputy Speaker, Sir, the second issue I would want to suggest is on the planning and growth of urban centres. If you drive around the countryside you will see that anybody who owns a property that touches on a road, even if it is an unclassified road, wakes up in the morning and starts building a shop to the extent that we have shops everywhere. This undermines the environment, provision of security and services and above all, distorts the aesthetics of the countryside. I also want to suggest to the Ministry that they go back to what used to be in the 1960s and 1970s where every county council or municipality designated special markets where plots are properly planned, sold or allocated so that we have markets growing in areas where it becomes easier to provide amenities like electricity, water, telephones and so on.

Mr. Temporary Deputy Speaker, Sir, you have seen when you travel to your own

constituency, from Kisumu up to Kakamega it is like an endless, disjointed and ill-planned market with shops everywhere. There is no plan and order. I think this is something that I will urge the illustrious chairman of my party to look into and make sure that we have properly planned growth centres. Local authorities can deny people who build shops along roads without plans licences, access to facilities like water and so on. I do believe when the Kenya Power and Lighting Company (KPLC) installs powers in such shops, they do so in concurrence with the local authorities.

Mr. Temporary Deputy Speaker, Sir, the third issue I want to mention is fire-fighting equipment. A lot of local authorities in this country are ill equipped to fight fires, whether they are fires that may start in business or industrial premises. I would want to urge the Minister to set some minimum basic requirement for every local authority even if it means to tap some source from LATF and buy fire-fighting equipment for local authorities so that they can be ready to fight such disasters. You have seen that sometimes when we have fires in Bungoma, fire engines come from Kisumu. You can imagine how long it takes from Kisumu to Bungoma to fight a fire. By the time the engine arrives the fire has even stopped smouldering and everything is consumed. This will help our preparedness for fighting disaster.

Mr. Temporary Deputy Speaker, Sir, one other thing that local authorities can partner with other Ministries and departments is the issue of the environment. I would want to urge the Minister to set minimum standards of tree planting and beautification of all urban centres whether they are markets, towns or cities so that there is mandatory tree planting, cleaning, identification and designation of dump sites and, above all there is mandatory provision of sewerage facilities. This will help protect the environment.

Mr. Temporary Deputy Speaker, Sir, more importantly, I think the Ministry of Local Government in liaison with the Ministry of Environment and Natural Resources must address the issue of plastics. Everywhere you go plastics are an eyesore. They are flying everywhere and this is something that local authorities can be compelled by law to find ways and means of how to control the proliferation of plastics flying everywhere. These plastics, of course, contaminate water sources and so on and so forth. Above all, I have said here and I say it again that the Government must find a way of banning the use of plastic packages and go to proper packaging which can disintegrate and decompose quickly whenever they are littered away.

Mr. Temporary Deputy Speaker, Sir, recently, the Minister for Local Government gave a token allowance increment to councillors and you saw the musical response that we got here. Members of Parliament turned this good event into a political gimmick and brinkmanship of all sorts. I want to say it here that even with that little increment, our fellow councillors who are politicians like ourselves are not sufficiently remunerated. This is why they constantly fall into temptations to misappropriate funds and missupply goods. Sometimes they outrightly steal funds meant for development and this can be cured by increasing their remuneration. I would want to urge the Minister to find ways and means of giving better pay to councillors whether you call them allowances, salaries or whatever. At least, they deserve a little better than what they are getting today. Councillors are the grassroot politicians. Wherever a Member of Parliament is not available the first point of call is the councillor and we need to empower them so that they are able to live with dignity and in sufficient capacity in their areas of jurisdiction.

Mr. Temporary Deputy Speaker, Sir, parking in Nairobi and indeed other towns is something that hon. Members have talked about. I want to suggest to the Minister that other than going through the embarrassment and ridiculous enforcement methods of towing and clamping cars, a city like Nairobi can organise such that all motorists living in Nairobi pay a standard monthly toll for parking. If this is done, you can park wherever there is a parking lot knowing that you have already paid your due to the council and this will save us from the embarrassments we go through.

For those vehicles that come from outside the boundaries of the city, a special arrangement can be made where they pay some toll. For those who come in regularly, they can pay also a monthly toll so that they are given a pass to allow them to park anywhere that there is a parking space and it is designated so that we do not have these problems that we continue experiencing. This will solve two problems. One, this will cut down the bloated employment levels of the city council. You have those men and women dressed in yellow running up and down the streets molesting and accosting motorists. Wherever you park your car they are with you. Some of them do not even want to collect money for the city council but for themselves. If this was done, revenue collection will go up, it will be more orderly and will limit fraud in the parking areas.

Mr. Temporary Deputy Speaker, Sir, let me finish by saying that we are all happy with the performance of the Ministry, the Minister and his staff. I would want to urge him that as he continues with the reforms, he should look for qualified clerks to councils and post them, particularly those trained in accounting and law so that they can provide better services.

With those few remarks, I beg to support.

Mr. Rotino: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. In supporting the Vote for the Ministry of Local Government, I wish to, first of all, congratulate the Minister for what he is doing. However, there is still a lot to be done in that Ministry. I think that when the Ministry of Local Government was created, it was supposed to be a government within a government. Therefore, this Ministry has a lot of work to do.

When visitors come to this country, the first thing they see is a city or town. The city reflects what a country is. It also reflects what the people one is going to meet look like. When somebody lands in Nairobi or Mombasa, what he sees when he drives from the airport is a reflection of the people he will meet in the town and the rural areas. So, this Ministry must work to ensure that the face of this country is good. Any person visiting our country must be able to see beauty and cleanliness. A reflection of our people must be seen in these things.

Mr. Temporary Deputy Speaker, Sir, there is mushrooming of small towns which have no plans in this country. If you drive to the outskirts of our cities and major towns, you will see very many small satellite towns coming up with no planning and yet we have town councils within those centres. People are putting up substandard buildings which, I fear, in case of an earthquake, will all come tumbling down. You cannot see the left or right of these buildings and they have power-lines passing just above them. Something really needs to be done so that good planning in our towns is maintained. We have professionals employed by the Ministry of Roads and Public Works who are supposed to help *wananchi* in planning and building those houses. The Minister needs to streamline this so that order can prevail in our towns.

Every two years, we have elections of mayors and chairpersons of councils. This practice needs to be got rid off so that when a mayor or chairperson of a council is elected, he or she has five years to serve. The situation now is that we are permanently treated to campaigns. After two-and-a-half years councillors start electing their chairmen and so campaigns go on endlessly. We should be able to allow these people to serve for five years so that we can see whether they can deliver. The Minister should tell us, when he will be responding, whether he has plans to change this practice.

Most of my colleagues have talked about the Local Authorities Transfer Fund (LATF). This fund is now being compared with the Constituencies Development Fund (CDF). However, what CDF has achieved in the last two-and-a-half years cannot be compared with what LATF has achieved for the many years it has been in existence. Why is this the case? It is because money is given to people who have knowledge on how to spend it. Money is given to town clerks and yet the councillors who are supposed to be politicians do not even know when the money will be got, how

it will be spent and so on. What do you expect to happen when the money is given to people who have no salaries let alone allowances? You will surely expect them to come up with shady projects which cannot be implemented. That is how the money is misused.

In my own district, we get around Kshs26 million, but you cannot see what the money has been used for. I want the Minister to consider the use of LATF money. Perhaps, he could hand over the money to the CDF so that it can be managed properly or design another method that would ensure that the money is used appropriately. It is a lot of money and we want to see what the money is used for.

With regard to fire stations, my colleagues have said it here that there are a lot of fires erupting all the time. In most towns in this country, we do not have fire stations. We, however, have not seen any assistance from the Ministry to the municipal councils with regard to establishing fire stations. I want to request the Minister to allow private fire stations to come up. He should also encourage the setting up of the private fire stations because they will be of great help in the event of fire break-outs.

Mr. Temporary Deputy Speaker, Sir, something has to be done to amend the by-laws within municipal councils because most of them are outdated. Perhaps, a committee could be formed to look into this matter. I hope the Minister is really thinking about this because it is something that is disturbing the minds of many. The existing by-laws were set long time ago and need to be reviewed, but nobody seems to be working on them.

I cannot end my contribution without talking about the allowances that have been awarded to councils. I remember that in 1994 I brought a Motion in this House seeking to increase the allowances given to councillors from Kshs3,500 to Kshs7,000. This amount stagnated there up to recently when the Minister saw it fit to increase the allowances. I want to thank him for doing that. Whether it is a move related to the referendum campaigns or not, that is immaterial. The fact remains that the councillors have been given an allowance. However, the money that the Minister has increased is very little. Really, Kshs15,000 for our councillors is not enough. I want to emphasise to the Minister that even if the money is little, it should be regular. Let the money be drawn from the Consolidated Fund if possible. It is better to get as little as Kshs5,000 at the end of every month than being promised a lot of money which you will never see at all. For example, my councillors in West Pokot have not earned anything for the last four to five months. That is why when there is a campaign, you will see them go round looking for somebody who can give them money. The truth is that these are people who have no money and that is why corruption is rampant within the councils. Fake projects are organised by councils so that they can loot the LATF money.

Land rates are an important way of getting revenue for the local authorities. However, they ought to be reviewed every year and their collection audited.

In concluding, I want to tell the Minister that corruption within the local authorities is rampant. It is, in fact, rampant in two offices: The Treasurer and the Town Clerk. The town clerk, the treasurer and the chairperson collude to loot the local authorities. Auditors must be regular in auditing the books of accounts of local authorities. I am sure, and if I had time I could even lay on the Table information with regard to this, that auditors who leave the provincial headquarters to go and audit projects at the local authorities level are always compromised by these three officers. I can give evidence of West Pokot where the treasurer, town clerk and the chairperson collude with the investigators. This practice must be checked if the Ministry of Local Government really needs to be efficient.

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

Mr. Marende: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to add my voice to what hon. Members have contributed towards this Vote. On the face

of it, the Minister has made a kill for a Vote of about Ksh7.5 billion. This is an important Ministry in the Government, that provides very essential and critical services. However, having said that, I see a lot of rhetoric and lip-service that has, in my view, become the hallmark of this Ministry over the years. There are many things that the Minister had said in his contribution, that we have heard before. For instance, the Minister said that he aims at reclaiming the glory of Nairobi as the "city in the sun." We have heard that before in this House, and indeed, promises have been made that street children and street families would be removed from our roads and centre of our city. We have also demanded that the city centre be decongested so that we have organised flow of traffic in the CBD.

Recently, just about in June last year, during this Session of Parliament, the Minister said that the flow of traffic would be streamlined in a matter of six months. However, instead of that, we are seeing the situation getting worse. Nairobi residents, like many residents in other urban areas, are losing valuable time idling in streets because their cars are stuck in traffic jam. It is important that this issue is addressed immediately. It is also important that this Ministry repackages itself as fast as possible and becomes more action-oriented.

We have heard it before and the Minister, indeed, emphasised this in his contribution again, that he seeks to ensure that there is higher performance, greater accountability and transparency. However, these situations have become worse, whereas we are receiving lip-service.

Recently, we heard of the scandal concerning Adopt-A-Light, yet the Minister has not come out clearly to talk about the issue. The Ministry has not brought to light those who are responsible for any wrongdoing, in respect of that case. It is important that the Ministry moves fast to ensure that there is transparency and accountability in its procurement processes. Indeed, this Minister has been commended previously, and even during this debate, for being corruption-free, able and industrious. However, it is important for him to note that as much as he brought here, during the 8th Parliament, the list of shame, that is all history. History does not talk. The clock of history continues to tick and it is important that he, therefore, watches his steps, lest his name becomes an addition to the list of shame. It is important that the Minister ensures transparency, accountability and that he also lives and serves by example.

Mr. Temporary Deputy Speaker, Sir, I have in mind, a case of a little township in my constituency called Luanda, which is all but a township. This authority has sought to have elections and manage its affairs properly, but we have evidence on the ground that the Minister, somehow interfered with the elections, such that the authority is not properly managed. It is important that the Minister himself---

The Minister for Local Government (Mr. Kombo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to mislead the House that there have been no elections in Luanda Town Council, when indeed, elections took place and we even have a Chairman for the county council?

Mr. Marende: Mr. Temporary Deputy Speaker, Sir, I wish the Minister had listened to me. In my contribution, I did not say that there have been no elections in Luanda. I said that the elections of Luanda County Council have been interfered with. There were elections, but they were interfered with, and I stand by that.

Dr. Kibunguchy: On a point of order, Mr. Temporary Deputy Speaker, Sir. You heard the hon. Member say that elections at Luanda County Council were interfered with. Could he substantiate that?

Mr. Osundwa: Sit down! That is his constituency!

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Osundwa. That is tribal behaviour and we will not tolerate it here!

Mr. Marende, you have been challenged on what you said, so it is upon you to substantiate

the information.

Mr. Marende: Mr. Temporary Deputy Speaker, Sir, yes, I am in a position to substantiate it. Elections were held just one-and-a-half years ago in Luanda Township. In those elections, one councillor was elected as Chairman and they were subsequently challenged in court and held once again, and a different councillor was elected as Chairman. I spoke to the lawyer who held brief and conducted the case in the Kisumu High Court and he told me that his fees was paid by the hon. Minister for Local Government. That is interference.

The Minister for Local Government (Mr. Kombo): On a point of order, Mr. Temporary Deputy Speaker, Sir. If the hon. Member is sure that I made the payment, he should produce evidence.

The Temporary Deputy Speaker (Mr. Khamasi): Minister, you are right! Mr. Marende, you are treading on a very dangerous path. Unless you have a document to prove the allegation, you have to withdraw it.

Mr. Marende: Mr. Temporary Deputy Speaker Sir, I did not carry the document with me, but I confirm that I had a direct conversation with the lawyer who was concerned.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Marende, that is not sufficient. If you do not have anything to substantiate your allegation, just withdraw the remark and proceed with your contribution.

Mr. Marende: Mr. Temporary Deputy Speaker, Sir, I did not anticipate that it would be necessary for me to produce documented evidence and therefore, under those circumstances, I withdraw.

The Temporary Deputy Speaker (Mr. Khamasi): Alright, you can proceed!

Mr. Marende: Mr. Temporary Deputy Speaker, Sir, finally, I want to---

(Loud consultations)

The Minister is interfering with me as I make my contribution.

The Temporary Deputy Speaker (Mr. Khamasi): Order, let us listen to the hon. Member!

Mr. Marende: Finally, I want to say that it is necessary that the Ministry makes progress to ensure that local authorities are sufficiently empowered so that they can deliberate on all matters at the local level, rather than being controlled from the head office at Jogoo House.

With those few remarks, I beg to support.

Mr. Chekitony: Thank you, Mr. Temporary Deputy Speaker Sir for giving me this opportunity to contribute to this Motion.

QUORUM

Mr. Osundwa: On a point of order, Mr. Temporary Deputy Speaker, Sir. It appears as if hon. Members have lost interest in this Vote, and therefore, there is no quorum.

The Temporary Deputy Speaker (Mr. Khamasi): I appreciate that. Of course, there is no quorum. I order the Division Bell to be rung.

*(The Division Bell
was rung)*

The Temporary Deputy Speaker (Mr. Khamasi): Order! We now have the requisite Quorum. Where is Mr. Osundwa? The Chair has said before that it is not the right behaviour for

hon. Members to notify the Chair about lack of Quorum, then they walk away.

Hon. Members: Name him!

The Temporary Deputy Speaker (Mr. Khamasi): It is not a question of the Chair naming anybody. It is a matter that is causing a lot of concern. Sooner than later we may make a ruling from the Chair about such hon. Members. Once you notify the Chair that there is no Quorum you must stay in the Chambers. There is no point in walking out after you notify the Chair about lack of Quorum.

Proceed, Mr. Chepkitony.

Mr. Chepkitony: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this Motion. This is a very important Ministry. Our local authorities have been riddled with corruption in the past. I would like to congratulate the Minister for the efforts he has made to try and control corruption in the Ministry. I have seen some changes, but the Ministry has still not eliminated corruption entirely.

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

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

Mr. Temporary Deputy Speaker, Sir, one thing that I have always wondered about concerning our local authorities is whether they have budgets and whether they operate within their budgets. You will find that they have allocated LATF for certain projects, but eventually they do not fund those projects. When you try to follow up the issue you are told the money was borrowed and utilised elsewhere. That money is never returned to that project. You wonder whether this Ministry is serving any purpose.

I thought that local authorities are supposed to deliver services to residents. They are supposed to practise good governance and show leadership in their respective areas. You will find that instead of promoting service delivery, their performance has fallen far below the expected standards. The town clerks normally collude with the treasurers, chairmen and councillors to use this money. Service delivery has become a second priority.

Mr. Temporary Deputy Speaker, Sir, it appears there is no town planning in our towns, municipalities and even in Nairobi. There is no dynamism. We are not progressing. You will find that in new towns the roads are very narrow and poorly maintained. Local authorities do not plan for growing towns which are surrounded by private land. They just leave the owners to subdivide their land and to decide what to do with that land. Local authorities or town councils should be ahead of individual land owners. They should go to various areas and plan so that the land owners who do not comply with the town plan can sell their land to those who will develop their land as per the plans.

The water supply in most of these growing towns is not adequate. There is no sewerage and refuse collection is non-existent. There are no markets, bus parks or bus stages. Vehicles are just parked along the road. Public utilities like schools and health centres are very old. New ones have not been built for a long time. There are no streetlights.

In most of the towns you will find that buildings have not been painted for many years. The buildings are very rusty. You wonder what the local authorities are doing. Sometime back before one was issued with a licence the public health officer would go round, carry out inspection, write a report and issue a certificate to say that the buildings were well painted. After this the licences

would be authorised. Nowadays that is not the case. People paint buildings when they want. We must maintain cleanliness and improve the image of our towns.

Mr. Temporary Deputy Speaker, Sir, hawking is another problem. In Eldoret Municipality you will find hawkers flocking in all the streets after 5.00 p.m. You cannot drive through those streets because they are full of hawkers. We have to introduce discipline in the way we run our towns and do business. We cannot sustain ourselves through hawking in towns. We should set aside areas for hawking and make the other business areas non-hawking zones.

With those few remarks, I beg to support.

Mr. Arungah: Mr. Temporary Deputy Speaker, Sir, thank you for giving me this opportunity to contribute to this Vote. Let me state from the outset that I support the Vote. The Minister, who happens to be the Chairman of my party, has been given a big challenge because the Ministry of Local Government is a government within a government. So, he has been given a wonderful opportunity to demonstrate what he is made of. If he can streamline the Ministry of Local Government; he can be a very good presidential material for this country.

Secondly, the Ministry is a very good example of a devolved Government as envisaged in the new Draft Constitution, and even the Bomas Draft. If the councils succeed, it means that what we are seeking to do will come to some kind of fruition. So, it is very important that the Ministry succeeds.

Let me add my voice to those who have spoken earlier, and who have commended the Minister for increasing the allowances for councillors. Councillors have a very heavy responsibility on the ground. As Members of Parliament, we all know what we go through when we visit our constituencies. I can assure you that those are the issues our councillors are subjected to on a daily basis. Whereas I appreciate the increased allowances, I am a little bit disheartened because nothing is being done to increase revenue in those councils to pay the councillors. I hope they are looking into that.

Mr. Temporary Deputy Speaker, Sir, I would like to comment on the issue of Local Authorities Service Delivery Action Plan (LASDAP) and, in particular, its very process. My understanding is that officers from local authorities are supposed to go round the country, talk to communities and identify projects to be funded. Unfortunately, that does not happen on the ground. I have a case where Butere/Mumias County Council covers five divisions. A one-day meeting has been called at the divisional headquarters. I have an area of 148 square kilometres and residents are expected to travel from various areas and come to that one point to air their views. That is not possible! There should be a better method. If possible, those meetings should be organised at ward level so that, many people can attend them and say what they want to be funded.

Secondly, there is a problem with the method of disseminating information. Many of my people do not read newspapers. They have been called to a meeting through a newspaper advertisement. They may not get the information. They will not know they are needed to contribute, so that whatever they want is done for them. I know my Chairman will soon be visiting Khwisero. He will be very disappointed to find out that, in the whole divisional headquarters, for the last three years, there has not been a single council project. If he was here, I would have told him that, when he goes there, he should prepare some answers because he will be taken to task as to why, three years later, not a single project has been undertaken at Khwisero.

Mr. Temporary Deputy Speaker, Sir, one source of funds for local authorities is the revenue collected from markets. I have been confronted several times by the ladies who sell their wares in the markets. They ask me: "Why is the council collecting money from us? What services is it giving to us, when we stay out here the whole day braving all the vagaries of weather?" When there is rain or sunshine, they are there! There are no sheds. The question is: What is the money they are giving

to the council for? They pay taxes and do not get any services. That is a question the Ministry needs to answer. Every market should have some sheds for those ladies because they suffer in the process of selling their wares.

The Butere/Mumias County Council collects about Kshs14 million from those markets. That is about 10 per cent of the potential of that area. Unless we learn to monitor how that money is spent, I think we are just collecting tax money and giving it to individuals. There has to be a method of monitoring how much money has been collected. The people who go out to those markets to collect those taxes decide how much they will give to the councils. Unless that issue is addressed, we are in for trouble.

Mr. Temporary Deputy Speaker, Sir, we have a problem of town planning. Today's markets will be tomorrow's towns. Today's towns will be tomorrow's cities. If you walk across the country, you will find it very difficult to believe that there are planners in this country. I will give you an example of the only market that I know. I have a wonderful physical plan that was done in 1992. If you go to Khwisero now and see the kind of structures that have been built, there is no resemblance with the plan. I think it is the responsibility of the municipalities to ensure that those markets are planned well. That way, people will know where to put up shops, slaughterhouses, bus parks and so on. As it is now, somebody just wakes up after being paid retirement benefits, puts up a shop anywhere without seeking any approval from anybody. You do not even have to go to Khwisero. Just go to Zimmerman! You will see the kind of chaos I am talking about. In my view, it is the responsibility of municipalities to ensure that our cities are planned.

Mr. Temporary Deputy Speaker, Sir, associated to planning -and I am glad the officers are here - we should go out and help our people to plan. What is the rationale of having 100 shops in the same market selling sugar, tea and so on? Half of them are closed but people are still building shops. We are not helping those people. We are destroying them. We can come up with a policy and say: "If you want to put up a shop at a given place, we have five shops there. Put up something that is not existing!" That way, we shall be helping our people! We should not let them invest their money in shops, which are going to be closed after six months.

One of my colleagues talked about the participation of Members of Parliament in the programmes of county councils. I do not see the harm. At one time, I made an effort to attend a meeting at Butere/Mumias County Council and it was not possible. I was told that the Act - I cannot remember which one - does not allow that. At the Constituencies Development Fund (CDF) level, we are supposed to include councillors. I do not think Members of Parliament will take anything away from the councillors by attending their meetings. All we need to know is what they have planned so that, when we are providing money through CDF, we do not duplicate projects as my colleagues mentioned earlier on. In the case of Butere/Mumias, I have five councillors. Each one of them gets an average of Kshs400,000. They split that amount into 20 projects. At the end of everything, you do not see anything. My colleagues have rightly asked: "What does Local Authorities Transfer Fund (LATF) money do?" It is spread so thinly that you do not see what it does on the ground. We should come up with a policy where, councillors in a given ward are made to pool their resources together and complete one project in one area. The following year, they can do one major project in a different ward. That way, they will show what they have done with LATF money. But, currently, it is very difficult to know how that money is spent.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about corruption. The Minister for Local Government has been a serious anti-corruption crusader.

With those few remarks, I beg to support.

Mr. Bahari: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to join my colleagues in contributing to this Vote of the Ministry of Local Government.

Like previous hon. Members have said, it is important to acknowledge that the Ministry of Local Government is very significant if it preforms its responsibilities as is required. Any institution or Ministry must justify why it exists otherwise taxpayers have no responsibility to keep Ministries that do not justify their existence. Kenyans pay rates to various local authorities. In return, they expect services to be delivered. Unfortunately, these services are not forthcoming and Kenyans continue to pay rates and other taxes unfairly. I do not see how this can be justified as we progress in democratising this country. This is how revolutions come up in countries around the world. You invite trouble for yourself by asking citizens to make payments in exchange of services, which you fail to provide. In the long-run, citizens start questioning why you should continue existing. This Ministry has an excellent framework that they have presented into this House. It is high time that they moved to the field to implement what they keep promising this House and Kenyans every year.

Mr. Temporary Deputy Speaker, Sir, councils are facing serious mismanagement. It is the individuals in these councils who run the show. Most councils have ceased to be institutions where professionalism is upheld. It is either the chairmen or the clerks who do what they want to do. This is basically because nobody is supervising them. Even the systems that were put in place by law are dead. Hon. Members have complained about how inspectors, who are sent to carry out inspections in the councils, are compromised. I do not remember a time when this House had an opportunity to review the audits of local authorities. There are over 175 local authorities in this country. The Public Accounts Committee (PAC) cannot handle that number. They are sometimes unable to handle the accounts of certain Ministries. It is high time this House came up with a specific committee that will be charged with the responsibility of looking into the accounts of all the 175 local authorities. This is an extremely important matter. We keep discussing local authorities year in, year out, when the Vote of this Ministry is brought before this House.

Mr. Temporary Deputy Speaker, Sir, I know that the Minister has on several occasions indicated that his Ministry officials are coming up with a game plan on how to handle issues of most councils. However, this game plan has not been implemented. Kenyans are tired of this. It is important that we move with speed to ensure that we implement performance contracts as has been done in most parastatals. This must involve the chairmen and the Accounting Officer, who is the clerk. These performance contracts have not been put in place in councils. Without further delay, this Ministry must move with speed and ensure that the clerks to various councils have well-defined performance contracts, so that the chairmen can help the clerk to push other councillors to implement what they have agreed on with Ministry officials. It is on the basis of that, that they can either justify their existence or non-existence. Every time the Ministry wants to move in and perhaps disband councils, political issues come up and we are told it might not be suitable to disband local authorities. However, if we are not providing the other alternative, how can we continue when we know that things are not running as they should? Therefore, it is extremely important to de-link the political and the administrative wings or strengthen the administrative wing of the councils so that they become transparent for the benefit of local communities.

Mr. Temporary Deputy Speaker, Sir, if everything was on course, it is quite obvious in the minds of Kenyans that local authorities would be a source of empowerment for the people of this country. Kenyans will really see the benefit of devolution. However, with time, this has completely failed. Even when resources are allocated from the Consolidated Fund, by way of the Local Authorities Transfer Fund (LAFT), we have ended up using those resources to pay salaries and debts, which cannot be verified. There is no one who has made attempts to verify those debts. In the process, that ends up being an avenue of siphoning funds from the local authorities and the Treasury. It is important that the Ministry insists on two things; that if local authorities have to justify their existence, they must be able to pay for their administrative expenses and meet their

recurrent costs. The LATF money should principally be for development purposes. Over time, that has been ignored and we have ended up paying debts that have not been verified. Although the Minister has good intentions, his Ministry needs to rise to the occasion and address this issue with the seriousness it deserves.

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

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

Mr. Temporary Deputy Speaker, Sir, I recall that, in some of our local authorities where we have game reserves, a lot of revenue is generated. I doubt what the Ministry is doing to put in place a structure to ensure that those game reserves, which act as the main source of income for certain councils, are professionally managed. The Ministry may not have the necessary expertise to advise. They should be able to link this up with---

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Bahari, sorry, your time is up!

Mr. Bahari: Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to support.

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members, let me now call upon the Minister to reply.

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Speaker, Sir, I would like to donate five minutes of my time to Mr. Syongo.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Syongo, you can take up the first five minutes of the Minister.

The Assistant Minister for Trade and Industry (Mr. Syongo): Mr. Temporary Deputy Speaker, Sir, I would like to thank the Minister for donating five minutes of his time.

I stand here to support the Vote of the Ministry of Local Government because of one fundamental reason; that this Ministry is the engine that will drive the policy on devolution, which the people of this country have overwhelmingly endorsed as the basis for their future development, planning, implementation and achievement of their desires as we move towards civilisation. Not only is devolution as a policy going to give more democratic space for local communities, but will also develop the leadership skills for those communities. There can be no question that service delivery is always better when it is done so closer to the people so that the intended beneficiaries can interrogate the systems of delivery and insist on accountability at those levels.

Mr. Temporary Deputy Speaker, Sir, the local authorities, therefore, are, indeed, a prelude to future district governments, if we achieve a new political dispensation in the country. There is need for the Ministry to harmonise the units within local authorities. I have in mind a situation where we have county councils, but within them, there are urban councils, town councils and municipal councils. As a basis for preparing---

(Loud consultations)

Mr. Temporary Deputy Speaker, Sir, can you protect me from the very loud consultations behind me?

The Temporary Deputy Speaker (Mr. Khamasi): Order! Order, Mr. Abdirahman and company!

The Assistant Minister for Trade and Industry (Mr. Syongo): Thank you, Mr.

Temporary Deputy Speaker, Sir. If we really believe in devolution, I think there is need for us to have a look at the units within county councils. Do we need all these units? Should we not have one strong and efficient county council, delivering services to all the people? That is the challenge I would like the Minister to consider.

Mr. Temporary Deputy Speaker, Sir, there is also need to develop human resource capacity, particularly the managerial skills of both the political and professional cadre within the local authorities. We need special training programmes. When I was younger, there used to be, for example, Certified Public Accountant (CPA) training within the Local Government branch. You train as an accountant, but you specialise in local government accounting. You would train as a Certified Public Secretary (CPS), but with a bias towards managing local authority institutions. I think we need to re-look at them. I urge the Minister to consider bringing this back so that we can have efficient and well-trained human resources to manage these very important future institutions of governance and service delivery to our people.

Mr. Temporary Deputy Speaker, Sir, the question of revenue collection and its management has been talked about. I think it is time the Minister considered giving the KRA authority to collect monies for all the local authorities.

Finally, I just want to urge the Minister to encourage local authorities to consider themselves as promoters of investment in their areas of jurisdiction. That is an area that is always ignored and yet it is very important. Without investors, local authorities cannot survive.

With those remarks, I beg to support.

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Speaker, Sir, I want to take this opportunity to thank the hon. Members who have contributed to this Motion. They gave us many valuable suggestions. We will take note and, in the coming months and years, we will ensure that we listen to the voices of the elected leaders as they have been expressed in this House.

Mr. Temporary Deputy Speaker, Sir, some Members, however, made very wild allegations. I honestly feel sorry about them. I am particularly thinking about a Member who made a claim that Cabinet Ministers, including myself, are planning to take part of the Maasai Mara National Park. I think that was a very wild allegation and I feel sorry for that kind of behaviour.

The Minister of State, Office of the President (Mr. ole Ntimama): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to mention about the excision of the Maasai Mara National Park, yet I did not talk about it on the Floor of this House? He should actually refer to what I said on the Floor of this House. There is nothing wild about what I said outside this House, but I did not say it here. He is wrong to try and bring it here!

The Temporary Deputy Speaker (Mr. Khamasi): Order! Order, Mr. ole Ntimama!

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Speaker, Sir, I did not know that a wild statement is only wild when it is made outside the House, and it becomes civilised in another area. I think a wild statement is a wild statement. Those statements do not help the management of the councils at all.

But coming back to the positive contributions, many issues were raised about Nairobi and we have taken note. But I want to say that there are changes taking place in Nairobi. In fact, a friend of mine was being driven from Nakuru and he fell asleep. He woke up as they reached Kangemi. He asked the driver where they were. When the driver told him they were in Kangemi, he did not believe it because he had been used to the heaps of rubbish and garbage at Kangemi. So, when he did not see those heaps of rubbish, he thought he was in another city somewhere else and not in Nairobi.

Mr. Temporary Deputy Speaker, Sir, with those kind of changes, sometimes it is important that leaders appreciate. When somebody is doing well and you keep putting them down, you

discourage the good things they are intending to do. I think the management of Nairobi City Council at this point in time should be congratulated. They have taken serious steps in beautifying the city. They are trying to make the city green.

Mr. Ndolo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to mislead the House that comments were made about Nairobi while we know that no Member from Nairobi has contributed to this Motion?

The Temporary Deputy Speaker (Mr. Khamasi): Now, what is your point of order, Mr. Ndolo? Whose mistake is it? Continue, Mr. Kombo!

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Speaker, Sir, that is laughable!

The beautification of Nairobi City is something that all of us should appreciate. We cannot pretend that nothing is happening.

Mr. Temporary Deputy Speaker, Sir, an hon. Member suggested that we expand the Central Business District (CBD). We have taken note and, indeed, we have already taken that action. The CBD now starts from Bunyala Road Roundabout and goes all the way to Westlands. So, we have indeed expanded the CBD area and it is not just within the City Centre alone.

On the question of lighting of the streets, we have a very ambitious programme which has been hampered by court cases. Nonetheless, we have moved on and, today, you can see that the City is lit in various places. We have a programme to light the slums and, before the end of this year, you will see high mast lights in Mathare and other slum areas. I want to inform the hon. Members that we have not just done this because of the Fourth Afro Cities Conference. We are doing it because we believe that this City has to change.

Mr. Temporary Deputy Speaker, Sir, we are planting trees along all the streets that lead into the City, namely, Thika Road, Uhuru Highway, Airport Road and Langata Road. Hon. Members will have noticed that we are digging holes and we are about to plant trees. We are working on a model kiosk together with the private sector and, soon, you will find that the hawkers or those who want to work in the City are using well modelled kiosks and still maintain the beauty of the City.

The re-location of the hawkers was an issue that was dealt with at length. The NARC Government has a human face and that is why we have been systematic in what we are doing. We are working at the same time on building some markets. We have gone to tender and we have a programme of building ten markets that will take into account the problem of the hawkers. Nairobi is the gateway into this country, we have taken note and we are doing our best. It is not just Nairobi, but Mombasa as well. Those who go by air to Mombasa have noticed that when you arrive from the Airport into Mombasa City, we have put a completely new face in place. I am saying this because hon. Balala thought that we are concentrating too much on Nairobi alone and not thinking about Mombasa at all. These are some of the things that we are doing for all our cities.

Mr. Temporary Deputy Speaker, Sir, I want to talk about the councillors' allowances. It is very hypocritical that hon. Members who have said their brothers, the councillors, are being poorly paid and we should do something through the Consolidated Fund, are the same ones who are saying that the councillors' allowances have come at the wrong time. This is hypocritical. I have said it before, and I want to say it again, that, as a Government, we will continue to work regardless of the times. The fact that we have the referendum debate cannot stop us from working. I gave the allowances to the councillors after a year's research. I appointed a committee that was chaired by Mr. Joe Aketch and it worked for one year. In the end, the committee produced a report and on the basis of that report, we were able to increase the councillors' allowances. In fact, they asked for a lot more, but as a Ministry, we looked at the affordability. The question of where the councils would get the money was constantly asked. After our research, we were convinced that because of the

reforms that we have put in place, most of our councils are now able to collect more revenue than before. On that basis, we know that they will afford to pay the councillors.

If anybody has any doubt, he or she should look at the Nairobi City Council. For a long time, we had demonstrations in the streets of Nairobi because the workers had not been paid. People have now forgotten about that and they do not hear about those demonstrations any more. This is not because we have given the Nairobi City Council money from the Exchequer. This is because, with the reforms, it is now collecting more money and it is able to pay its workers. The other councils too, will be able to do so.

Mr. Temporary Deputy Speaker, Sir, I think there is a misconception about LATF. Many hon. Members do not know that 40 per cent of the LATF, as per the Act, is used towards paying salaries and allowances. The LAFT money that is being received today is more than it was last year because LATF is a percentage of the Government's revenue. As the Government collects more revenue, so does the LATF go up. Councils now have received more LATF money and the percentage that will go to allowances is higher. We looked at all these records and found out that the councils have more money from LATF, there is more revenue being collected and we were convinced that they will afford to pay the councillors. That is why we gave these allowances. The hon. Members should cheer and look forward because we are giving support to a cadre that is so important in this country. This is a leadership cadre at the grassroot that bears a lot of burden when some hon. Members are in Nairobi and not in the constituencies. Hon. Members have to rely on the councillors. Instead of fighting it out and politicising the whole issue, we should support the councillors.

I have heard suggestions from some of my colleagues like hon. Rotino, who has suggested that we should look into ways of institutionalising the councils and money comes from the Consolidated Fund. These are suggestions that we will look into but the law, as it stands today, does not provide for that. We will take these suggestions on board and make sure that things happen for our future leaders.

Mr. Temporary Deputy Speaker, Sir, local authorities are important for development. They are important in terms of making sure that the money and the power go to the people themselves. That is why, through the Local Authorities Service Delivery Action Plan (LASDAP), we have a participatory system in which we involve everybody. We will look into the issue of harmonising LATF and the CDF because we serve the same population and we do not want to compete on who should be doing what at what time. These are things that we are going to do. The Government recognises the importance of local authorities and that is why we have already put in gear programmes that will ensure that we devolve more power and resources to the local authorities. With the new dispensation of the new Constitution through district governments, a lot of good things will happen in this country. I hope that the councils and all those who believe in making sure that the grassroots participate in decision-making support the new dispensation, so that we can move forward.

I want to say something about the infrastructure. Issues were raised about the infrastructure. The Ministry appreciates the concerns that were raised by the hon. Members. However, I want to re-affirm our total commitment in improving the infrastructure. We have, therefore, directed that 20 per cent of the Local Authorities Transfer Fund (LATF) money has to be spent on infrastructure. We think that this will change the situation, especially in our big towns.

I also want to take this opportunity congratulate the Nairobi City Council. If you go to Eastleigh, you will find that many roads have been constructed. Those roads had not been tarmacked for the last 24 years. Yesterday when my very good friend, Mr. Ojode, was contributing, he said that he has not seen roads in several places. When he came to sit down I asked him why he

did not talk about Eastleigh. He said: "I knew that, but I could not mention the good things that you have done. I had only to go for the bad ones." These are some of the things that we are doing. We will also do the same for other areas.

Another area that we got useful suggestions on is the planning of our cities, towns, markets and the local authorities. This is an area where we are definitely weak. We must admit it! However, we will take on board what has been suggested by hon. Members. Already, at the Ministry, we have asked that every local authority gives us its masterplan. We are trying to make it a conditionality, even for LATF, that without a masterplan, they cannot get the money. These are things that we are going through. We hope that haphazard planning will be a thing of the past. However, we have a shortage of competent planners and this is an area that we will worry about.

Mr. Temporary Deputy Speaker, Sir, I can talk about financial management and the weaknesses. Good ideas were expressed about the auditing of the local authorities. We have taken note of that. As we do the reforms, we will make sure that the accounts that are produced are also audited on time and by competent people.

Mr. Temporary Deputy Speaker, Sir, capacity building has been a major problem in local authorities, whether we are talking about the councillors or the chief officers; it has been a weakness. Part of that weakness has been because the administration of local authorities has been politicised. Competent people have shied away from the local authorities because they do not want to be involved in the politics of the area. We are trying to sort out these things. That is why, in the last five months, we have had staff moving around. When we transfer the chief officers, we are trying to build some of them who have not been there. This also helps us to see whether we can get a cadre of workers that is competent within local authorities. When we transfer, I would like to ask hon. Members not to panic and rush to ask why we have transferred them. We are doing it for the good of the local authorities and our areas. That panic should be done away with.

Mr. Temporary Deputy Speaker, Sir, the issue of corruption was again raised by many hon. Members. It is true that we live in a society that has problems of corruption. As a Ministry, we are now dealing very firmly with people found to be involved in corrupt practices in local authorities. The days when someone would be accused of corruption in one place and be transferred have ended. If you are corrupt, we send you home. We do not transfer you to another area.

Lastly, the Ministry is committed to improving service delivery in local authorities everywhere. Beginning from 1st October, 2005, the Nairobi City Council, the Municipalities of Mombasa, Kisumu, Nakuru and Eldoret have been put on performance contracts. There will be a lot coming out of those areas because they have to demonstrate, on an annual basis, what they were employed to do.

Mr. Temporary Deputy Speaker, Sir, I again thank hon. Members for the support they have given to the Ministry.

With those few remarks, I beg to move.

COMMUNICATION FROM THE CHAIR

INVITATION TO COCKTAIL PARTY
IN HONOUR OF UN CONFERENCE
ON DESERTIFICATION

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members are informed that Mr. Speaker has invited them to a cocktail party in honour of the United Nations Conference on

Combating Desertification (UNCCD). All hon. Members have been invited to this reception that will be held in Parliament Gardens at the rise of the House. So, you are all invited.

(Resumption of Committee of Supply)
(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]

GUILLOTINE

APPLICATION OF GUILLOTINE - LAST ALLOTTED DAY

The Temporary Deputy Chairman (Mr. Poghisio): Hon. Members, we are now in the Guillotine Procedure. That is in accordance with Standing Order No.142(7). It says:-

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

That is the Standing Order on which we are going to proceed.

VOTE 12 - MINISTRY OF LOCAL GOVERNMENT

THAT, a sum not exceeding KShs746,924,620 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 12 - MINISTRY OF LOCAL GOVERNMENT.

(Question put and agreed to)
VOTE 02 - STATE HOUSE

THAT, a sum not exceeding Kshs555,963,050 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 02 - STATE HOUSE

(Question put and agreed to)

VOTE 03 - DIRECTORATE OF
PERSONNEL MANAGEMENT

THAT, a sum not exceeding Kshs1,502,051,750 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 03 - DIRECTORATE OF
PERSONNEL MANAGEMENT

(Question put and agreed to)

VOTE 04 - MINISTRY OF FOREIGN AFFAIRS

THAT, a sum not exceeding Kshs2,705,807,205 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 04 - MINISTRY OF FOREIGN AFFAIRS

(Question put and agreed to)

VOTE 05 - OFFICE OF THE VICE-PRESIDENT
AND MINISTRY OF HOME AFFAIRS

THAT, a sum not exceeding Kshs4,164,453,208 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 05 - OFFICE OF THE VICE-PRESIDENT
AND MINISTRY OF HOME AFFAIRS

(Question put and agreed to)

VOTE 06 - MINISTRY OF PLANNING
AND NATIONAL DEVELOPMENT

THAT, a sum not exceeding Kshs854,919,430 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 06 - MINISTRY OF PLANNING
AND NATIONAL DEVELOPMENT

(Question put and agreed to)

VOTE 07 - MINISTRY OF FINANCE

THAT, a sum not exceeding Kshs16,756,622,185 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 07 - MINISTRY OF FINANCE

(Question put and agreed to)

VOTE 08 - DEPARTMENT OF DEFENCE

THAT, a sum not exceeding Kshs11,586,968,480 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 08 - DEPARTMENT OF DEFENCE

(Question put and agreed to)

VOTE 09 - MINISTRY OF REGIONAL
DEVELOPMENT AUTHORITIES

THAT, a sum not exceeding Kshs413,218,385 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 09 - MINISTRY OF REGIONAL
DEVELOPMENT AUTHORITIES

(Question put and agreed to)

VOTE 14 - MINISTRY OF TRANSPORT

THAT, a sum not exceeding Kshs4,619,110,850 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 14 - MINISTRY OF TRANSPORT

(Question put and agreed to)

VOTE 15 - MINISTRY OF LABOUR AND
HUMAN RESOURCE DEVELOPMENT

THAT, a sum not exceeding Kshs495,494,675 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 15 - MINISTRY OF LABOUR AND
HUMAN RESOURCE DEVELOPMENT

(Question put and agreed to)

VOTE 16 - MINISTRY OF TRADE
AND INDUSTRY

THAT, a sum not exceeding Kshs1,060,938,140 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 16 - MINISTRY OF TRADE
AND INDUSTRY

(Question put and agreed to)

VOTE 17 - MINISTRY OF JUSTICE
AND CONSTITUTIONAL AFFAIRS

THAT, a sum not exceeding Kshs347,000,000 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 17 - MINISTRY OF JUSTICE
AND CONSTITUTIONAL AFFAIRS

(Question put and agreed to)

VOTE 18 - MINISTRY OF GENDER, SPORTS,
CULTURE AND SOCIAL SERVICES

THAT, a sum not exceeding Kshs938,821,045 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 18 - MINISTRY OF GENDER, SPORTS,
CULTURE AND SOCIAL SERVICES

(Question put and agreed to)

VOTE 19 - MINISTRY OF LIVESTOCK

AND FISHERIES DEVELOPMENT

THAT, a sum not exceeding Kshs1,647,862,880 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 19 - MINISTRY OF LIVESTOCK
AND FISHERIES DEVELOPMENT

(Question put and agreed to)

VOTE 21 - MINISTRY OF ENVIRONMENT
AND NATURAL RESOURCES

THAT, a sum not exceeding Kshs1,466,535,700 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 21 - MINISTRY OF ENVIRONMENT
AND NATURAL RESOURCES

(Question put and agreed to)

VOTE 22 - MINISTRY OF CO-OPERATIVE
DEVELOPMENT AND MARKETING

THAT, a sum not exceeding Kshs375,079,980 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 22 - MINISTRY OF CO-OPERATIVE
DEVELOPMENT AND MARKETING

(Question put and agreed to)

VOTE 24 - MINISTRY OF EAST AFRICAN
AND REGIONAL CO-OPERATION

THAT, a sum not exceeding Kshs220,914,570 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 24 - MINISTRY OF EAST AFRICAN
AND REGIONAL CO-OPERATION

(Question put and agreed to)

VOTE 25 - STATE LAW OFFICE

THAT, a sum not exceeding Kshs297,473,445 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 25 - STATE LAW OFFICE

(Question put and agreed to)

VOTE 26 - JUDICIAL DEPARTMENT

THAT, a sum not exceeding Kshs758,102,060 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 26 - JUDICIAL DEPARTMENT

(Question put and agreed to)

VOTE 27 - THE PUBLIC SERVICE
COMMISSION

THAT, a sum not exceeding Kshs90,939,865 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 27 - THE PUBLIC SERVICE
COMMISSION

(Question put and agreed to)

VOTE 28 - KENYA NATIONAL
AUDIT OFFICE

THAT, a sum not exceeding Kshs532,435,420 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 28 - KENYA NATIONAL AUDIT OFFICE

(Question put and agreed to)

VOTE 29 - NATIONAL ASSEMBLY

THAT, a sum not exceeding Kshs2,777,044,880 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 29 - NATIONAL ASSEMBLY

(Question put and agreed to)

VOTE 32 - MINISTRY OF INFORMATION
AND COMMUNICATIONS

THAT, a sum not exceeding Kshs364,988,635 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 32 - MINISTRY OF INFORMATION
AND COMMUNICATIONS

(Question put and agreed to)

VOTE 33 - ELECTORAL COMMISSION
OF KENYA

THAT, a sum not exceeding Kshs893,248,740 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 33 - ELECTORAL COMMISSION
OF KENYA

(Question put and agreed to)

VOTE 34 - KENYA ANTI-CORRUPTION
COMMISSION

THAT, a sum not exceeding Kshs600,000,000 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 34 - KENYA ANTI-CORRUPTION
COMMISSION

(Question put and agreed to)

VOTE 45 - NATIONAL SECURITY
INTELLIGENCE SERVICE

THAT, a sum not exceeding Kshs2,600,000,000 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 45 - NATIONAL SECURITY
INTELLIGENCE SERVICE

(Question put and agreed to)

VOTE 46 - MINISTRY OF TOURISM
AND WILDLIFE

THAT, a sum not exceeding Kshs834,481,585 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 46 - MINISTRY OF TOURISM
AND WILDLIFE

(Question put and agreed to)

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, I beg to move that the Committee of Supply do report to the House its consideration of the Resolution and its approval of the same without amendment.

The Assistant Minister for Foreign Affairs (Mr. Wetangula) seconded.

(Question put and agreed to)

(The House resumed)

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

REPORTS

Mr. Poghiso: Mr. Temporary Deputy Speaker, Sir, I beg to report that the Committee of Supply has considered the following Votes:

Vote 12 - Ministry of Local Government: Kshs746,924,620

Vote 02 - State House: Kshs555,963,050

Vote 03 - Directorate of Personnel Management: Kshs1,502,051,750

Vote 04 - Ministry of Foreign Affairs: Kshs2,705,807,205

Vote 05 - Office of the Vice-President and Ministry of Home Affairs: Kshs4,164,453,205

Vote 06 - Ministry of Planning and National Development: Kshs854,919,430

Vote 07 - Ministry of Finance: Kshs16,756,622,185

Vote 08 - Department of Defence: Kshs11,586,968,480

Vote 09 - Ministry of Regional Development Authorities: Kshs413,218,385

Vote 14 - Ministry of Transport: Kshs4,619,110,850

Vote 15 - Ministry of Labour and Human Resource Development: Kshs495,494,675

Vote 16 - Ministry of Trade and Industry: Kshs1,060,938,140
Vote 17 - Ministry of Justice and Constitutional Affairs: Kshs347,000,000
Vote 18 - Ministry of Gender, Sports, Culture and Social Services: Kshs938,821,045
Vote 19 - Ministry of Livestock and Fisheries Development: Kshs1,647,862,880
Vote 21 - Ministry of Environment and Natural Resources: Kshs1,466,535,700
Vote 22 - Ministry of Co-operative Development and Marketing: Kshs375,079,980
Vote 24 - Ministry of East African and Regional Co-operation: Kshs220,914,570
Vote 25 - State Law Office: Kshs297,473,445
Vote 26 - Judicial Department: Kshs758,102,060
Vote 27 - Public Service Commission: Kshs90,938,865
Vote 28 - Kenya National Audit Office: Kshs532,435,420
Vote 29 - National Assembly: Kshs2,777,044,880
Vote 32 - Ministry of Information and Communication: Kshs364,988,635
Vote 33 - Electoral Commission of Kenya: Kshs893,248,740
Vote 34 - Kenya Anti-Corruption Commission: Kshs600,000,000
Vote 45 - National Security Intelligence Service: Kshs2,600,000,000
Vote 46 - Ministry of Tourism and Wildlife: Kshs834,481,585

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolutions.

The Minister for Water and Irrigation (Ms. Karua) seconded.

(Question proposed)

Mr. Muturi: Mr. Temporary Deputy Speaker, Sir, I wish to congratulate the Minister for Local Government for having successfully steered these Votes. I wish also to record my astonishment at the fact that various Ministers who were well aware that their Ministries' Votes would be up for Guillotine never even made the slightest attempt to be present.

Nevertheless, I congratulate the Minister who has ably steered this debate.

Mr. Oloo-Aringo: Mr. Temporary Deputy Speaker, Sir, I also want to congratulate the Minister for the successful manner in which he has piloted the application of Guillotine procedure. However, I want to caution that this should be the last time that we are using Guillotine as a method of approving the Votes. It denies us scrutiny of what Ministries and Departments of Government are doing. We feel strongly that it does not lead to transparency. It is true that it is provided for under the present Constitution. Those are some of the obnoxious parts of the present Constitution.

It is also true that we inherited this practice from the classical Westminster parliamentary model. However, in Britain, where this model was borrowed from, they have now abandoned the Guillotine as a method of approving Votes. They have done away with the blanket approval of Votes because that is how things get stolen. It is here that they conceal all the scandals we hear of like the Eldoret Airport and the Anglo Leasing saga. All these scandals are hidden in this Guillotine. Therefore, much as I support these Votes, this should be the last time that we are applying the Guillotine.

Mr. Temporary Deputy Speaker, Sir, in the Draft Constitution that was written at Bomas of Kenya, we abolished the Guillotine. Indeed, we were going to bring an Act of Parliament called the Budget Law which would have made things more transparent. I thank the Minister for Local Government and his colleagues, but we must not hide under the application of Guillotine to do those things that we are trying to run away from.

Mr. Arungah: Mr. Temporary Deputy Speaker, Sir, I want to commend the Minister for

Local Government for having done a good job this afternoon. I want to inform him that two years down the road, there is nothing I can show in Khwisero Constituency from the Ministry of Local Government. I hope next year there will be something in the constituency that we can attribute to his Ministry.

Mr. Mbau: Mr. Temporary Deputy Speaker, Sir, I want to join my colleagues in congratulating the Minister for Local Government for ably steering the guillotine of the various Votes. I want to agree with my colleague, hon. Oloo-Arango, that this should be the last time that such a thing should happen. I agree with him that, indeed, it is provided for in the proposed Constitution. That is why we are urging everybody to reject the current Constitution and adopt the proposed one.

I support.

Capt. Nakitare: Mr. Temporary Deputy Speaker, Sir, I stand to congratulate the Minister---

(Mr. Mbau consulted loudly)

Mr. Poghiso: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for Mr. Mbau to campaign in the House? Matters concerning "bananas" and "oranges" should not be brought to the House!

The Temporary Deputy Speaker (Mr. Khamasi): I think you are right, Mr. Poghiso. Mr. Mbau, you have to adhere to the Standing Orders. Please, do not raise such an issue again.

Capt. Nakitare: Mr. Temporary Deputy Speaker, Sir, I want to congratulate the Minister for going through all those figures. In their formation, guillotine is now a routine shield for protecting unforeseeable problems. We would have liked to have Supplementary Estimates to scrutinise the Ministries and their expenditure. However, this was a job well-done and we hope that the Government will use the funds for the benefit of all Kenyans.

I support.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Mr. Temporary Deputy Speaker, Sir, I also want to congratulate the Minister for the able manner in which he has steered the Ministry's Vote, plus the Guillotine. I also want to point out that the Guillotine method is well known, and is used throughout the Commonwealth jurisdiction. If the Committees of this House were working properly, they would know that there is nothing that stops them from summoning Ministers whose Votes are likely to go to guillotine, for scrutiny first. If we reduced our overseas trips, we would do a better job.

I support.

Mr. Rotino: Mr. Temporary Deputy Speaker, Sir, in supporting the Minister for the good work he has done this afternoon, I would like to note that we have approved the Guillotine with no quorum in the House. We have given the Government a lot of money, yet we did not scrutinise it. It is a shame that some Ministers were not here during the Guillotine. They should be assured that, next time, the exercise will not go on, unless we have a quorum. This is a shame; that we approved the Votes the way we did!

I support.

The Minister for Water and Irrigation (Mrs. Karua): Mr. Temporary Deputy Speaker, Sir, we want to appreciate the comments of hon. Members, but also to remind them that there is collective responsibility. Looking at the Government side, I see that there is adequate representation and all the

Ministries are represented.

I support.

Mr. G.G. Kariuki: Mr. Temporary Deputy Speaker, I would like to congratulate the Minister for conducting the Guillotine successfully. This House needs to change its attitude in terms of its deliberations, especially when we are deliberating on the Votes of the various Ministries. It appears as if hon. Members are compelled to accept anything that comes to this House, especially the Ministries that have to go through Guillotine. Hon. Members are talking as if they have no power. This House belongs to hon. Members and they should be the last to complain about any procedure in this House. We are the people who are in charge of all the procedures. We determine the rules of the game in this House, and therefore, if there is anything that is going wrong, it is up to us to look into it.

I support.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members, it is now time to interrupt the business of the House. The House is, therefore, adjourned until tomorrow, Thursday, 27th October, 2005 at 2.30 p.m.

The House rose at 6.05 p.m.