

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 2nd November, 2011

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

NOTICE OF MOTION

DISSEMINATION OF INFORMATION ON GOVERNMENT EMPLOYMENT

Mr. Affey: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion.

THAT, noting that majority of Kenyans are not adequately notified of existing employment opportunities in Ministries, parastatals and private sector due to inadequate publicity; concerned that this leads to exclusion of many people from gainful employment and directly contributes to socio-economic differences which in turn deepens marginalization and undermines national cohesion; this House urges the Government to disseminate information on employment vacancies available in Government Ministries and Departments, parastatals and other sectors in all counties, locations, areas of worship and other areas easily accessible to the public and using all available media in order to accord all Kenyans equal opportunity to apply and compete for the said positions.

QUESTIONS BY PRIVATE NOTICE

THEFT OF MR. ABDI SUGOW HASSAN'S CATTLE

Mr. Affey: Mr. Deputy Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Under what circumstances were 120 head of cattle belonging to Mr. Abdi Sugow Hassan stolen in Isiolo Town on 22.09.2011?

(b) What progress has the Ministry made towards recovering the cattle?

(c) What measures are being taken to compensate Mr. Hassan for the loss?

Mr. Deputy Speaker: Where is the Minister? He is not yet in!

PREMATURE REPLACEMENT OF JKUAT COUNCIL MEMBERS

(**Mr. Koech**) to ask the Minister for Higher Education, Science and Technology:-

(a) Is the Minister aware that Council Members of the Jomo Kenyatta University of Agriculture and Technology (JKUAT) were replaced on 15th July, 2011, one year before the expiry of their term?

(b) What informed the decision and why was it done only six months to graduation?

(c) Can the Minister confirm that there is a relationship between the timing of the changes of the Council members and the expiry of the Deputy Vice-Chancellor's term?

Mr. Deputy Speaker: Where is Mr. Koech? Let us move on to the next Question by Mr. Mungatana.

POWER DISRUPTIONS IN GARSEN TOWN

(Mr. Mungatana) to ask the Minister for Energy:-

(a) Why are there frequent power disruptions in Garsen town?

(b) What efforts is the Minister making to rectify the situation?

(c) Could the Minister consider compensating the people who have lost home and business appliances due to power outages?

Mr. Deputy Speaker: Mr. Mungatana is not in!

REPAIR OF KUTUS-KARATINA ROAD

(Mr. Gitari) to ask the Minister for Roads:-

(a) Is the Minister aware that the section of Kutus-Karatina Road (C74) around Kagumo market is badly dilapidated and is the cause of multiple accidents?

(b) Why did the contractor, who started repairing the road from the Kutus side, abandon the works before getting to Kagumo Market and moved to start works from Karatina side?

(c) When will the contractor complete the spot-patching exercise and the full re-carpeting of the road?

Mr. Deputy Speaker: Mr. Gitari is not in!

ORAL ANSWERS TO QUESTIONS

Question No.1057

STALLING OF WORKS ON EMBOBOS-KUSUMEK-KAMWAURA ROAD

Where is Dr. Kones? We will come back to that Question later on.

Question No.763

LEVEL OF GIRL-CHILD ENROLMENT IN MARSABIT/ISIOLO COUNTIES

Mr Bahari asked the Minister for Education:-

(a) what the level of the girl-child enrolment and transition rate in Marsabit and Isiolo counties is at all levels; and,

(b) what Government schemes exist to encourage and promote girl-child education in the two counties.

Mr. Deputy Speaker: Where is the Minister? We will come back to that Question later!

Question No.1088

GAZETTEMENT OF LOCATIONS/SUB-LOCATIONS
IN MUTITU/NZAMBANI DISTRICTS

Mr. Kabogo, on behalf of **Mr. K. Kilonzo**, asked the Minister of State for Provincial Administration and Internal Security:-

(a) whether he was aware that the newly created locations and sub-locations within Mutito and Nzambani districts are not gazetted; and,

(b) when they would be gazetted.

Mr. Deputy Speaker, Sir, I asked this Question last week on behalf of Mr. K. Kilonzo. He has also asked me to ask the Question again this morning for he has gone to visit a dentist.

Mr. Deputy Speaker: Where is the Minister of State for Provincial Administration and Internal Security? We will come back to that Question later.

Let us move to Question No1125 by hon. Baiya!

Question No.1125

SHORTAGE OF MAIZE IN KENYA

Mr. Deputy Speaker: Hon. Baiya not here? We will come back to the Question later.

Next Question by hon. M'Mithiaru!

Question No.1154

LIST/STATUS OF ENNDA PROJECTS

Mr. Deputy Speaker: Hon. M'Mithiaru not in? We will come back to the Question later on.

Next Question by hon. Mututho!

Question No.1014

NUMBER/CAPACITY OF AIR AMBULANCES IN KENYA

Mr. Deputy Speaker: Hon. Mututho not here? We will come back to the Question later on.

Next Question by hon. Duale!

Question No.1269

DROUGHT INTERVENTION MEASURES IN ASALS

Mr. Deputy Speaker: Hon. Duale not her? We will come back to the Question later on.

Next Question by Capt. Wambugu!

Question No.1274

STATUS OF INFORMAL SECTOR INCLUSION FUND

Mr. Deputy Speaker: Capt. Wambugu not here? We will come back to the Question later on.

QUESTIONS BY PRIVATE NOTICE

Mr. Deputy Speaker: Let us go back to Question No.1 by Private Notice. Mr. Affey, could you ask your Question again?

THEFT OF MR. ABDI SUGOW HASSAN'S CATTLE

Mr. Affey: Mr. Deputy Speaker, Sir, for the second time, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Under what circumstances were 120 head of cattle belonging to Mr. Abdi Sugow Hassan stolen in Isiolo Town on 22/09/2011?

(b) What progress has the Ministry made towards recovering the cattle?

(c) What measures are being taken to compensate Mr. Hassan for the loss?

Mr. Deputy Speaker: Where is the Minister of State for Provincial Administration and Internal Security?

The Assistant Minister for Higher Education, Science and Technology (Mr. Kamama): Mr. Deputy Speaker, Sir, I just want to inform you and the House that hon. Ojode is out of the country and, therefore, he is not available.

Mr. Kabogo: On a point of order, Mr. Deputy Speaker, Sir. We know that this Ministry has several Assistant Ministers and a full Minister. Will the business of the House be gagged by the absence of Ministers? Is the Front Bench serious about the business of the House?

Mr. Imanyara: Mr. Deputy Speaker, Sir, you heard the Assistant Minister mention hon. Ojode. Is he acknowledging that the substantive Minister is incapable of answering Questions in this House? Why is he not explaining to us where the Minister is

before talking about the Assistant Minister? Should this House take it that, that office is run by hon. Ojode? If it is, why can they not elevate him to a full Ministerial rank?

Mr. Affey: Mr. Deputy Speaker, Sir, if you look at the nature of this Question, you will see that it involves animals that were driven away. These animals were stolen by some raiders from Isiolo in the month of September. The urgency of the matter was such that to date, the animals have not been recovered and the owners are in deep pain and frustration. So, there is need, one way or another, for the Government to resolve this and recover the animals for the poor citizens from Wajir South who lost their animals so that they can be comfortable. Otherwise, I do not know how else we can handle a Question like this.

Mr. Deputy Speaker: You are debating the merits and demerits of the substance itself. We do not even have the Minister. The Chair takes very seriously such total disorder; the total disregard on the part of the Government to appreciate that it has a responsibility to the people of this country and this House. It has now become, More or less, a standard operating practice for Ministers to be away or to insist that it is only one Minister or one Assistant Minister who has to answer Questions. The Ministers and Assistant Ministers are there courtesy of the Kenyan people, the taxpayers. They are paid to do that job and they should be able to answer. In the absence of even all the three of them – two Assistant Ministers and the Minister – adequate arrangements must be made by them to make sure that another Minister, in line with the spirit of collective responsibility in the Government, comes and answers to such urgent matters.

Under the circumstances, the Chair directs that this Minister and his Assistant Ministers are not going to transact any business in the House until such time that the House and the Chair get an adequate explanation for the same. I call upon the Back Benchers in here to use the provisions of the Standing Orders to make sure that these Ministers understand that they stand to lose not just the possibility of coming and transacting business here, which sometimes I kind of get convinced that they appreciate, but will lose more than that.

Next Question by hon. David Koech!

PREMATURE REPLACEMENT OF JKUAT COUNCIL MEMBERS

Mr. Koech: Mr. Deputy Speaker, Sir, I apologize for coming late.

Mr. Deputy Speaker, Sir, I beg to ask the Minister for Higher Education, Science and Technology the following Question by Private Notice.

(a) Is the Minister aware that Council Members of the Jomo Kenyatta University of Agriculture and Technology (JKUAT) were replaced on 15th July, 2011, one year before the expiry of their term?

(b) What informed the decision and why was it done only six months to graduation?

(c) Can the Minister confirm that there is a relationship between the timing of the changes of the Council Members and the expiry of the Deputy Vice-Chancellor's term?

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

(a) Yes, I am aware.

(b) The decision was arrived at after realizing there was an error in the Legal Notice of 13th June, 2008. The Government had erred in stating the effective date of the appointment of the Council as the 4th of March, 2007, instead of 4th of March, 2008. The Government Printer noticed the error and by way of a corrigendum, corrected it in the Kenya Gazette Notice of 20th June, 2008.

(c) It is not true. Whereas the Council was appointed on 7th of March, 2008, the Deputy Vice-Chancellor had been appointed on the 16th July, 2006, and his term was to expire on 16th July, 2011, after serving for five years.

Mr. Deputy Speaker, Sir, I beg to table the corrigendum by the Government Printer to allay the fears and clear the air on this matter.

(Mr. Kamama laid the document on the Table)

Thank you, Mr. Deputy Speaker, Sir.

Mr. Koech: Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for the answer, but the Council was to start working in 2008. There was a corrigendum to correct that, as indicated by the Assistant Minister. This means that the council's term was to expire in February, 2012. But, recently, there was another corrigendum correcting the first corrigendum. What informed the decision to have another corrigendum after the first corrigendum of 2008, yet the board still had a year to go? If the Assistant Minister is not aware of this, then he might have to go back and look at his records again.

Mr. Kamama: Mr. Deputy Speaker, Sir, I am not aware of the second corrigendum. If the hon. Member has it, he can forward it to me, so that I can really go to the bottom of this matter. Thank you.

Mr. Koech: On a point of order, Mr. Deputy Speaker, Sir. The reason why I raised this Question was because the council's term was to expire next year, and there was a corrigendum that the Assistant Minister is trying to deny on the Floor of the House. He claims that if he can get hold of it, then he can look at it and give a comprehensive answer. Would I be in order to request that he goes back, look at it and brings a comprehensive answer? The reason why I raised this issue is because there was another corrigendum that reduced the term of the council by one year. Could I request that this Question be deferred, so that he can bring a comprehensive answer?

Mr. Deputy Speaker: Do you wish to have some more time to answer this Question, Mr. Assistant Minister?

Mr. Kamama: Mr. Deputy Speaker, Sir, to the best of my knowledge and information, as a Ministry, we have not seen the second corrigendum. If, indeed, that corrigendum exists, then we will go and look for it and get back to the House.

Mr. Deputy Speaker: When will you do that?

Mr. Kamama: Mr. Deputy Speaker, Sir, by Tuesday next week.

Mr. Deputy Speaker: The Chair directs that this Question be listed on the Order Paper on Tuesday next week.

(Question deferred)

Next Question, hon. Mungatana!

Mr. Mungatana: Mr. Deputy Speaker, Sir, I apologize for coming late. I was held up in a meeting.

POWER DISRUPTIONS IN GARSEN TOWN

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

- (a) Why are there frequent power disruptions in Garsen Town?
- (b) What efforts is the Minister making to rectify the situation?
- (c) Could the Minister consider compensating the people who have lost home and business appliances due to power outages?

Mr. Kabogo: On a point of order, Mr. Deputy Speaker, Sir. You can see how casually hon. Members are apologizing to the Chair. The earlier one apologized for being late. Hon. Mungatana says that he was held up in a meeting. Really, most of us leave our houses--- I leave Muthaiga at 6.00 a.m. to get here at 9.00 a.m. So, is it really in order for hon. Members to treat this matter so casually?

Mr. Deputy Speaker: Indeed, it is the view of the Chair that hon. Members on both the Back Benches and the Front Benches should take the business of the House very seriously.

Yes, Minister for Energy, proceed and answer the Question. Is the Minister for Energy not here? Under the circumstances, the Minister for Energy is not---

(Prof. Saitoti stood up in his place)

Do you have any good reason why the Minister for Energy cannot answer this Question this morning? Or, would you, in line with the spirit of collective responsibility, wish to answer it on his behalf, Minister?

The Minister of State for Provincial Administration and Internal Security (Prof. Saitoti): On a point of information, Mr. Deputy Speaker, Sir. The Minister for Energy has actually travelled out of the country. Although the Assistant Minister is also not here, we will undertake to ensure that they will take the earliest opportunity to answer the Question.

Mr. Deputy Speaker: There are a number of Assistant Ministers and, unfortunately, travelling out of the country--- As a matter of fact, there was an oversight on the part of the Chair on this matter, because the sanctions against the Minister of State for Provincial Administration and Internal Security have not been lifted. So, you are, actually, not even entitled at this stage to exercise collective responsibility!

(Applause)

Nonetheless, the Chair is going to apply the same sanctions and the Minister for Energy is not going to transact any business in this House unless there is a satisfactory explanation as to why he is not in the House, or his Assistant Minister or another Minister is not in the House, to answer this Question on his behalf.

Mr. Mungatana: On a point of order, Mr. Deputy Speaker, Sir. I appreciate the sanctions against the Minister, but I also want to know when the Question will possibly come up again.

Mr. Deputy Speaker: That depends on when these sanctions are going to be lifted. It is a fact that the sanctions have to be lifted, but that is an internal matter that the Chair is going to handle.

(Mr. Imanyara stood up in his place)

Yes, what is it, Mr. Imanyara?

Mr. Imanyara: Mr. Deputy Speaker, Sir, I appreciate your ruling and I respect it, but the business of the House cannot be held hostage by the conduct of hon. Members when we have a Leader of Government Business. Could the Leader of Government Business be directed to ensure that while the Minister is serving the sanctions, another Minister answers this Question, because it is the property of the House?

(Applause)

Mr. Deputy Speaker: As you can observe, the Minister and Assistant Ministers are not in the House. The Leader of Government Business and the Deputy Leader of Government are also not in the House. Ideally, one of them must be here. That is why they are called the Leader of Government Business and Deputy Leader of Government Business.

(Prof. Saitoti stood up in his place)

Order, Prof. Saitoti! Your sanctions have not been lifted!

The Minister of State for Provincial Administration and Internal Security
(Prof. Saitoti): On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Approach the Chair and give an explanation on your own! If the Chair is convinced, the sanctions will be lifted. You can do that privately.

(Question deferred)

Next Question by Mr. Gitari!

REPAIR OF KUTUS-KARATINA ROAD

Mr. Gitari: Mr. Deputy Speaker, Sir, first of all, I apologize for coming late. I take the business of this House very seriously. I will not be late next time.

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

(a) Is the Minister aware that the section of Kutus-Karatina Road (C74) around Kagumo Market is badly dilapidated and is the cause of multiple accidents?

(b) Why did the contractor, who started repairing the road from the Kutus side, abandon the works before getting to Kagumo Market and moved to start works from Karatina side?

(c) When will the contractor complete the spot patching exercise and the full re-carpeting of the road?

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

(a) I am aware that the section around Kagumo Market along the Kutus-Karatina Road is in urgent need of repair. However, we have not received any reports of accidents in that section.

(b) The contractor did not abandon the works but moved in order to address critical areas that required urgent attention in view of limited funds.

(c) My Ministry through the Kenya National Highways Authority (KENHA) has made a provision of Kshs144 million this financial year for routine maintenance works of the Kutus-Karatina Road. Tenders have already been advertised and the winning bidder is expected to commence work in January 2012.

Mr. Gitari: Mr. Deputy Speaker, Sir, while thanking the Assistant Minister for answering my Question very precisely, I would like him to clarify to this House what criteria he used to decide some areas are more critical than others. He has admitted in part of "a" that he is aware that part of the road at Kagumo area is very pathetic.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, the contract that we awarded was for Kshs49 million in 2010/2011 Financial Year. That was the initial sum but upon evaluation, a variation order was done to increase the amount to Kshs53.9 million to cater for other sections that had already deteriorated very fast.

The entire section of the road was seen to have varying degrees of failure and, therefore, we requested the contractor to start with areas where there were very big potholes and posed a major risk not only in terms of accidents but also in terms of safety as motorists slow down to evade the potholes.

On 23rd September this year, we advertised for this section of the road. As I indicated, we have made sufficient provision that will ensure that the road returns to motorable state.

Thank you.

Mr. Kiuna: Mr. Deputy Speaker, Sir, while I appreciate the answer given by the Assistant Minister, this is not the first time the Ministry of Roads has come up in this House and said that they are going to rectify a certain section of the road. This is not the first time Members have complained on the risks on the major highways. I have an area in my constituency from Mwisho wa Lami to Kisiriri. We have talked with the Ministry and they said they that they have allocated money for that road. I would request the Minister to tell this House whether they have a timeframe for work on the sections or areas which they feel are badly off and need urgent repairs so that people can be reassured of their safety.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I want to correct the hon. Member that the fact that roads are being repaired every now and then, is indeed, the process all over the world. As roads are used, they also get worn out and have to be repaired from time to time. Therefore, the fact that we are repairing roads is a natural process that must take place. However, as you know, the procurement process in Government sometimes takes

long. As you have seen, we advertised in September and we have the funds. Before we advertise, give the relevant period for people to respond to the bids and give time for the appeals, it means these contracts can only take off from January.

Mr. Deputy Speaker, Sir, the lengthy period in procurement has sometimes been a major obstacle especially in areas where we have seen emergency required in restoring the roads. However, on the section of the road that he has mentioned, I will undertake to look into it and ensure that we are able to commence the works as soon as possible.

Mr. Kiuna: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House when he says that he is going to look into that section---

Mr. Deputy Speaker: Which section?

Mr. Kiuna: Mr. Deputy Speaker, Sir, Mwisho wa Lami to Kisiriri knowing very well---

Mr. Deputy Speaker: Where?

Mr. Kiuna: Mr. Deputy Speaker, Sir, in Molo.

Mr. Deputy Speaker: That is not the substantive Question! If you want to ask a question on a road in Molo, you ask the question on the road in Molo. The Assistant Minister came here prepared for a road in Kutus-Karatina. The fact that he has volunteered some information does not give you the right to turn the whole Question into Molo area.

Mr. Kiuna: On a point of order, Mr. Deputy Speaker, Sir. I was supporting the Member for Kirinyaga Central because that Question he raised received the same answer the Assistant Minister gave before. Will I be in order to request the Assistant Minister to tell this House exactly after what specific time the road in Kirinyaga will be finished?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, you agree with me that that is an entirely different Question. In the meantime, as I have said, we have already advertised and have opened the bids. As soon as we are sure, there will be no appeal upon awarding the contract to whoever wins, then I will give that. As of now, we do not have a particular contractor who has won this contract. This is what I would have used before the House to say when it will start and exactly who will be doing the contract.

Mr. Deputy Speaker, Sir, as I have indicated, we already advertised in the *Daily Nation* newspaper of 23rd September, among many other roads in central and other places in the country. As soon as we finish the evaluation, I will be able to give the information that has been sought.

Mr. Washiali: Mr. Deputy Speaker, Sir, part "a" of the Question talks of multiple accidents on a section of this road. On many Kenyan roads, the Ministry of Roads has gone ahead and indicated areas where we have black spots where we have had notorious accidents. They have even gone ahead to put skeletons to indicate the black spots. Some causes of road accidents are out of the design of roads. What is the Ministry doing to correct areas with black spots especially some that only require pumps? What is the Ministry doing to correct areas that have had perennial accidents?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, it is true that the Ministry of Roads is working hard to ensure that we enlighten the public on areas that require extra caution partly arising from the number of accidents we have had in those sections. Popularly, we have come to call these areas the black spots. The best area in way of an example would be the section called Salgaa. Many of you will recall that before we realigned the road,

we had a steep road and then at the tip, you had to do a corner. You will recall that five years back, we had an Akamba Bus that plunged and killed over 20 people. When we designed the new road, we ensured the road was straight. By doing that, we have reduced the number of accidents on that road.

However, on other sections of the road, we have come to see and appreciate that bumps cannot solve the issue of road accidents because in that case, it would mean all our roads will have bumps yet we want to have smooth surface roads. We will ensure that we put the road signs. Allow me to say that every time we have erected these road signs, they are all stolen because most of them are made of metal or aluminum. Even the guard rails that are supposed to prevent motorists from falling off into a river or a cliff that is nearby are also stolen. Therefore, we have challenges but we hope that as leaders together with the Ministry, we should be able to work hard to ensure that we have a solution to the perennial road accidents in the country.

Mr. Imanyara: Mr. Deputy Speaker, Sir, if you heard the Assistant Minister correctly, he said that the deaths that have occurred in this particular section of the road were as a result of the design of that road. Now that there is admission by the Assistant Minister that the cause of the accidents that resulted in the death of so many Kenyans was bad design of that road, could the Government take responsibility for compensating the various Kenyans who have died on this section of the road?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, there is no such thing as good design. Designing and engineering keep on improving every now and then. Even what we call good today, in a few years' time, it may not be the best. Therefore, the design of the road by itself cannot cause an accident.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. I merely took up from what he said; that before they aligned the road, many accidents had occurred and many people had died. It is an acknowledgement. Those deaths need not to have happened if the road had been put up in the manner it is now. There would have been no need for realignment of this road, which has caused the deaths of so many Kenyans. The Assistant Minister is admitting that the accidents were as a result of the Government's failure to realign the roads during construction. All I am asking is, in light of this admission, whether the Government could consider compensating the families and victims of all those who have perished at that scene.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I have admitted that we have improved the design of that section of the road but in no way we would say that it is the design that caused the accidents. We have previously said – and I want to repeat – that most of the accidents were caused by human error, and particularly over speeding. If the problem was the design, then all the vehicles that used that section of the road would have ended up in the same position.

Mr. Deputy Speaker: Last question, hon. Gitari!

Mr. Gitari: Mr. Deputy Speaker, Sir, the Assistant Minister has clarified that there is a tendering process going on, and that we will see contractors around Karumwa in January. We cannot wait for Kenyans to die along that road. We cannot wait for another two months before the contractors go to the site, while our *boda boda* cyclists die on that road. Is there any emergency kitty to cater for that section of the road? We cannot wait for two months. If it is not possible, I can mobilize our youth so that we can go and do our work on that road and nobody will ask us anything. I want him to clarify to this

House. We cannot wait for two months. It is too long. We are losing our youths along that road.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I have indicated that the initial contract sum was Kshs49 million, and that we did a variation order of Kshs14 million to ensure that the additional works are catered for. Therefore, the contractor who has been awarded this contract should be able to resume work and ensure that the worst sections are taken of as we wait for January.

Mr. Gitari: On a point of order, Mr. Deputy Speaker, Sir. Would I be in order to ask the Assistant Minister to clarify whether the contractor will be on site before January?

Mr. Kinyanjui: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Fair enough! Ordinary Question by Dr. Kones.

Dr. Kones: Mr. Deputy Speaker, Sir, let me start by apologising for coming late. This is not something which is common for me. It was really because of traffic jam.

ORAL ANSWERS TO QUESTIONS

Question No.1057

STALLED WORKS AT EMBOMOS- KUSUMEK-KAMWAURA ROAD

Dr. Kones asked the Minister for Roads:-

(a) whether he is aware that the construction of the road from Embobos to Kusumek/Kamwaura has stalled due to lack of funding; and,

(b) how much money the Government has allocated in the 2011/2012 Budget to ensure completion of the road.

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

(a) I am aware that Road UR124 that connects Embobos in Konoini Constituency and Kusumek/Kamwaura in Molo Constituency has been identified as a security road by the local users. Funds for opening up the road are, therefore, under the Ministry of State for Provincial Administration and Internal Security.

(b) I am not able to confirm how much money has been allocated for completion of this road since it has not been captured in our Development Budget Vote. My Ministry is in consultation with the relevant Ministry. The hon. Member may wish to follow up the matter with the Ministry of State for Provincial Administration and Internal Security.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. Both the old and the current Constitutions have created the doctrine of collective responsibility. So, if a Question reaches the Government and the Government acknowledges that the Question falls under another Department, rather than coming to the House and declaring that the Question should be directed to the other Department of Government, is it not the mandate or requirement of that Minister to re-direct the Question through internal mechanisms, so that we do not waste parliamentary time by having Questions being referred to another Ministry when they are perfectly aware that this Question should be answered by another Ministry?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, the responsibility of directing Questions to the relevant Ministries falls within the Office of the Clerk of the National Assembly. On the issue of the road in Question, it is a security road.

Mr. Deputy Speaker: Order! Order, Assistant Minister! The responsibility of directing Questions to the relevant Ministries does not entirely fall within the Office of the Clerk of the National Assembly. If you get a Question directed to you and you are convinced that it should have been directed to another Ministry, you should re-direct it to the relevant Ministry and inform the Office of the Clerk of the National Assembly. In such a case, it is assumed that you discussed the matter and agreed that, indeed, that is where the docket belongs.

Proceed!

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I stand corrected. As I indicated, consultations are ongoing. We will ensure that we inform the hon. Member accordingly.

Mr. Deputy Speaker: When are you likely to have the consultations concluded, so that the Chair can give appropriate direction as to when the Question should be listed on the Order Paper?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, by Thursday next week, we should be able to give an appropriate answer.

Mr. Deputy Speaker: Fair enough! The Chair directs that this Question be listed on the Order Paper on Thursday next week.

Mr. Kinyanjui: I am most obliged, Mr. Deputy Speaker, Sir.

(Question deferred)

Mr. Deputy Speaker: Next Question.

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

Mr. Deputy Speaker: On the same matter?

Mr. James Maina Kamau: Mr. Deputy Speaker, Sir, it is not on the same matter. Since the Assistant Minister is here, I would like to know what happens when you bring a Question to this House, you are given an answer but nothing happens thereafter.

Mr. Deputy Speaker: Order! Order! You raise such points of order after Question Time and seek clarification from the Minister.

Next Question, hon. Bahari!

Question No.763

LEVEL OF GIRL-CHILD ENROLMENT
IN MARSABIT/ISILO COUNTIES

Mr. Bahari asked the Minister for Education:-

(a) what the level of the girl-child enrolment and transition rate in Marsabit and Isiolo counties is at all levels; and,

(b) what Government schemes exist to encourage and promote girl-child education in the two counties.

The Assistant Minister for Education (Prof. Olweny): Mr. Deputy Speaker, Sir, may I, first, apologise for coming late.

Mr. Deputy Speaker, Sir, I have so far answered this Question but you gave orders that the hon. Member goes and looks at the data that I presented here and come up with supplementary questions, if any.

Mr. Deputy Speaker: Are you sure that that is the direction given by the Chair?

The Assistant Minister for Education (Prof. Olweny): Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Yes, hon. Bahari.

Mr. Bahari: Mr. Deputy Speaker, Sir, from the additional information that the Assistant Minister gave, it appears like this Ministry is tired of these Questions. What I have here includes, among other things, Free Primary Education (FPE) funds, the bank accounts of all the schools, the Economic Stimulus Package and everything else that the Ministry has done in this country. This shows that the Ministry is incapable of attending to this Question. My Question is very specific. I asked the Question because girl-child education is very important, particularly so in the ASAL areas. The answers that we have been given are all very general even though my Question is very specific to the two counties because I know that the transition rate is very low. Could the Assistant Minister be kind enough to see what he can do, in terms of affirmative action, particularly for these two counties? He knows very well that they have not done much for the girl-child in these two counties.

The Assistant Minister for Education (Prof. Olweny): Mr. Deputy Speaker, Sir, this Question has been here for almost six months. Every time I bring an answer, the hon. Member insists that it is not the right answer. I have given all the information that the hon. Member wanted, including the percentages and the policies. He then asked for more information, including information on who have been trained, who is paying them and what funds we are giving to the various schools in the two counties. I have provided all that information. So, the information I have given him is about all that we are doing in those two counties. If this information is not enough, then I do not know what the hon. Member wants. If I cannot give him what he wants, then why can we not invite the Permanent Secretary (PS) to come to the Committee, so that he can avail all the information that the hon. Member wants? I have done my best.

Mr. Bahari: Mr. Deputy Speaker, Sir, the Assistant Minister thinks that he has done very well on this Question. He has given this House the bank accounts of all the schools in upper Eastern where they disbursed free primary education funds. How useful is that with this Question?

Mr. Kabogo: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has suggested this matter be forwarded to the Committee, so that the PS who most likely has more information will appear before it. Would it then not be in order to refer this matter to the Committee, so that it is properly addressed?

Mr. Deputy Speaker: Indeed, yes. This Question has been with us for quite a long time. The Chair does appreciate that the reason why we have Departmental Committees is to be able to go a lot further than we are able to do it on the plenary of the House. The Chair directs that this Question be directed to the Departmental Committee on Education, Research and Technology. The Committee should come back to the House and bring an appropriate report, after having carried out the right scrutiny exhaustively.

Mr. Koech: On a point of order, Mr. Deputy Speaker, Sir. Just to thank you first for that direction and really truly request that Parliament ensures the facilitation of hon.

Members. You have rightly directed so many issues to relevant Departmental Committees, but sometimes we are subjected to difficulties on travelling to various parts of this country to get the information.

(Applause)

Mr. Deputy Speaker: In the event you feel that you are frustrated, the Office of the Deputy Speaker, who is also the Chairman of the Liaison Committee, is always open for you to come and engage to make sure that you get the right position.

Mr. Letimalo: On a point of order, Mr. Deputy Speaker, Sir. The enrolment and transition rate of the girl-child is very low. It is not only confined to the two counties. This is a problem that is affecting the entire ASAL areas. Now that the Chair has referred this Question to the relevant Departmental Committee, I wish that they will cover the entire northern Kenya, so as to be able to solve the problem.

Mr. Deputy Speaker: Order. This is exactly what happens to Members of Parliament when they come here and are caught with their pants down. You have got your constituencies and responsibilities. You do not stand here to hijack the efforts made by a fellow Member of Parliament for his own constituency or county. If you want the same to be done for your area, deal with it in a separate way. Put in a Question or come up with a Motion. You have all these possibilities and opportunities for yourself. The Chair directs that this Committee deals with this Question expressly only for the purpose of the content of the substance of this Question.

Next Question, hon. K. Kilonzo!

Question No.1088

GAZETTEMMENT OF LOCATIONS/SUB-LOCATIONS
IN MUTITO/NZAMBANI DISTRICTS

Mr. Kabogo, on behalf of **Mr. K. Kilonzo**, asked the Minister of State for Provincial Administration and Internal Security:-

- (a) whether he is aware that the newly created locations and sub-locations within Mutito and Nzambani districts are not gazetted; and,
- (b) when they will be gazetted.

The Minister of State for Provincial Administration and Internal Security (Prof. Saitoti): Mr. Deputy Speaker, Sir, may I, first of all, begin by apologizing to you and to the House for my late arrival which made it difficult for me to be able to address Question No.1 by Private Notice which was asked by Mr. Affey.

I have already intimated to you the circumstances that made me late.

Mr. Deputy Speaker: It is on the basis of that, that your sanctions are lifted.

The Minister of State for Provincial Administration and Internal Security (Prof. Saitoti): Thank you, Mr. Deputy Speaker, Sir. On this first Question, I did discuss with Mr. Affey. We agreed that I answer this Question tomorrow afternoon because there are a number of salient features related to it that I need to gather. If that one is granted, I will be quite happy now to move on to answer Question No.1088.

The first---

Mr. Bahari: On a point of order, Mr. Deputy Speaker, Sir. The Minister seems to have allocated himself time when he will answer the Question. I thought it is the responsibility of the Chair to do so.

Mr. Deputy Speaker: Hon. Minister, can you proceed and deal with Question 1088. It is the Chair that directs, but not you.

The Minister of State for Provincial Administration and Internal Security (Prof. Saitoti): Thank you, Mr. Deputy Speaker, Sir. Indeed, I have taken note of the fact that it is the Chair that directs the Minister to answer Questions.

Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware. The Ministry has not created any location or sub-locations within Mutito and Nzambani districts within the last two years.

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

Mr. Deputy Speaker: Order! Could you allow the Minister to answer the Question in its whole totality?

Mr. Kabogo: Mr. Deputy Speaker, Sir, it is an important point of order.

Mr. Deputy Speaker: What is your important point of order?

Mr. Kabogo: Mr. Deputy Speaker, Sir, the time of this House is very valuable. This Minister was not in the House. We dealt with this matter and you deferred this matter, so that he comes up with the proper criteria of creating locations. So, really going to part (a) or part (b) of the Question is not the business of the House today. So, may I ask the Minister to go straight and lay the criteria on the Table of the House and if he does not have it, let him say so.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. I do recall I was in the House that day. The reason that you ordered this Question deferred is because the Minister started by saying “No, I am not aware.” So, is it in order for him to rise and start again to answer the Question that was rejected by the Chair on the basis that he could not stand and say: “No, I am not aware”?

The Minister of State for Provincial Administration and Internal Security (Prof. Saitoti): Mr. Deputy Speaker, Sir, I am sure that the tradition in this House has all along been that the Minister is required to answer the Questions the way they appear on the Order Paper. If you look at this Question No.1088, it has got parts (a) and (b). It is very clear what is being sought there, whether the---

Mr. Deputy Speaker: Order! Hon. Minister, indeed, it is becoming abundantly evident that you have not acquainted yourself to the Standing Orders. The Chair suggests that you go back to your office and acquaint yourself with the required answer. Look at the HANSARD and then come back with an appropriate answer on the same because it is the same Speaker who was on Chair at that time. I remember that very well. Under the circumstances, I think I will have to direct this Question to be listed on the Order Paper tomorrow afternoon. In which case, you have ample time between now and then, for you to acquaint yourself. Do you have any reservations about tomorrow?

The Minister of State for Provincial Administration and Internal Security (Prof. Saitoti): Mr. Deputy Speaker, Sir, I did go through the HANSARD of the deliberations as regards to this matter when my Assistant Minister was answering it. But at the same time, given the fact that we have (a) and (b), there are some very fundamental things that I want to---

Mr. Deputy Speaker: Order! Hon. Minister, the way out of the matter is that a direction was given by the Chair. Go and read just the direction. That is the information you need to bring to the House. That has to do with the criteria if I may refresh your mind again which is going to cut across the country in terms of population, area and all the other related information.

Prof. Saitoti: Mr. Deputy Speaker, Sir, I have no reason whatsoever to challenge anything at all on that order. I greatly oblige.

Mr. Deputy Speaker: The Chair directs that this Question be listed on the Order Paper tomorrow afternoon. Are you comfortable with tomorrow afternoon?

Prof. Saitoti: Mr. Deputy Speaker, Sir, I will be quite happy with next Tuesday.

Mr. Deputy Speaker: Fair enough! The Chair directs that the Question be answered next Tuesday.

Mr. Kabogo: Mr. Deputy Speaker, Sir, given that the Minister is a very busy man, we could allow him Tuesday, but I can give him the benefit of the HANSARD which I have here so that next time, he may want to refer to the record of the House.

Mr. Deputy Speaker: Fair enough! The Chair directs that this Question be listed on the Order Paper on Tuesday next week.

(Question deferred)

Question No.1125

SHORTAGE OF MAIZE IN KENYA

Mr. Deputy Speaker: Hon. Baiya! Is hon. Baiya out of the House on any Parliamentary business? Is he a Member of the CIOC? Yes, he is! The Chair directs that this Question be listed on the Order Paper on Tuesday next week.

(Question deferred)

Question No.1154

LIST AND STATUS OF ENNDA-FUNDED

Mr. M'Mithiaru asked the Minister for Regional Development Authorities:-

(a) whether he could provide a list of the projects funded using the Kshs2.3 billion allocated for projects under the Ewaso Ng'iro North Development Authority (ENNDA) in the 2010/2011 Financial Year, the districts where the projects are located as well as the cost of each project; and,

(b) what the status (in terms of completion) of each of the projects is.

The Assistant Minister for Regional Development Authorities (Mr. ole Metito): Mr. Deputy Speaker, Sir, first I apologize for coming late.

I beg to reply.

(a) I wish to table the list of the projects funded by the Ewaso Ng'iro North Development Authority (ENNDA) using the 2010/2011 budgetary provision of Kshs2.3 billion. In the identification of the projects, the region was categorized into four zones, each zone comprising of a number of counties as per the write-up below.

(b) The location, cost and status in terms of completion of each project is as shown in the list. The list is so detailed and I have discussed it with the Member. I beg to table it.

(Mr. ole Metito laid the document on the Table)

Mr. M'Mithiaru: Mr. Deputy Speaker, Sir, indeed, I have seen the list of the projects undertaken by the Ewaso Ng'iro North Development Authority. I reckon that in the last financial year, this was the highly funded regional authorities out of the six. Out of the Kshs2.3 billion allocated, how much was disbursed by the Treasury and how much has been used so far in the projects that he has listed?

Mr. ole Metito: Mr. Deputy Speaker, Sir, in the Printed Estimates of the last Financial Year 2010/2011, ENNDA was allocated Kshs2.3 billion. However, the Authority only received Kshs1.8 billion. With regard to the Kshs500 million that was never received, we had appealed to the Treasury and to Parliament through the relevant Parliamentary Committee to have the money re-allocated for the projects that were budgeted for by ENNDA. We received the whole of Kshs1.8 billion, but not all of it was utilized because some projects that were budgeted for have not yet started, but they are going to start. We received Kshs1.8 billion out of the Kshs2.3 billion.

Mr. Imanyara: Mr. Deputy Speaker, Sir, I have great respect for this Assistant Minister who is also a great friend of mine. Not too long ago the Assistant Minister, the Member for South Imenti and I, toured this area and confirmed that the list of the projects that he had had misallocated the sites of these dams. Having looked at the answer that he has given this morning, again, I see that the same has been repeated in relation to Kianjuri Dam which is listed as being in Meru Central while the Assistant Minister knows from visiting the site that it is not.

Could he give the House the correct information particularly on a matter like this where he and I have been to that area and can confirm that this dam is not in Central Imenti or Meru Central District?

Mr. ole Metito: Mr. Deputy Speaker, Sir, first of all, I really want to thank the Member for Imenti Central for the good time and support that they gave us on the ground. We have a Budget of Kshs86 million for Kianjuri Dam, which has not yet started because it is a big dam of 12 metres high with an approximately 1.2 million cubic metres of water. We are awaiting approval from NEMA, the Kenya Forest Service and the Kenya Wildlife Service.

About the location of the site, if it is not in Imenti Central, then that is a mistake. The dam has not yet started, but it is going to be done as proposed. I will correct my records and put the dam in the correct area or we take it to Imenti Central.

Mr. Ruteere: Mr. Deputy Speaker, Sir, the record that the Assistant Minister has is not correct in very many aspects. He talked about John Nthia as being in Buuri and being allocated Kshs16 million. The last time we visited the area with the Assistant Minister, this was allocated Kshs19 million and that list was tabled here. Today, he is

giving it Kshs16 million. I am wondering where he is getting that figure. Again, Subuiga is not in Imenti North, but in Buuri. The records are not correct. Could he correct the records and table the correct records in terms of the places where these projects are, so that we can ascertain that money is not being misallocated?

Mr. ole Metito: Mr. Deputy Speaker, Sir, I visited these projects as the Member has said, but I listed the projects in terms of constituencies because North Imenti---

Mr. Ruteere: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead the House that he has listed the projects in terms of constituencies when the column shows they are listed in terms of districts?

Mr. ole Metito: Mr. Deputy Speaker, Sir, in my answer, I have put districts/constituencies. I just wanted to give the information that North Imenti is a constituency, but it has two districts, one of them being Buuri District. It is true that the project is in North Imenti constituency, but in one of the districts, Buuri, within North Imenti Constituency. So, I think we are both right.

Mr. Letimalo: Mr. Deputy Speaker, Sir, I would like the Assistant Minister to note that the information that he has given here is not correct. He is referring to some parts of Isiolo North as being in Samburu East. The information here is inaccurate. This Authority covers a very big area. This is specifically an area that has a scarcity of water. Is an allocation of Kshs1.8 billion really sufficient for this Authority to meet its objective of providing these communities with water?

Mr. ole Metito: Mr. Deputy Speaker, Sir, I agree that, that is the biggest Authority out of the six and it covers ten counties which are very big and most of them are in dry areas. The Authority covers 39 per cent of the land mass of this country. But our needs have never been equal to our resources. So, the little we get--- In fact, this is the first time we have received the highest budget allocation of Kshs1.8 billion. It is because it was part of the Economic Stimulus Programme monies that were given to that Authority. So, with the little that we are getting, the Authority is making the best use of it. But it cannot be enough.

Mr. Kombo: Mr. Deputy Speaker, Sir, I am looking at the schedule of the projects and in Zone A, the projects on water pans got Kshs230 million, and none of the projects have been undertaken. It shows zero work done in that area. What happened to that money? Were those projects not necessary in Zone A? Otherwise, why would you allocate Kshs230 million and no work has been done at all?

Mr. ole Metito: Mr. Deputy Speaker, Sir, that is not true. If you look at the first water pan, Ackam, it is complete. If you look at Kilometric pan, it is 70 per cent complete. But I agree that most of them have not started and the reasons are given in the last column. Those pans already existed and we are doing rehabilitation. Most of them are in Nyandarua County, which is relatively a wet area. So, by the time we were planning, the pans had some water and that delayed the commencement of the work. But as I have said in my last remark, they will all be completed latest in the third quarter of this financial year. We are waiting for the water to subside. If the water will not subside, we have a plan of draining it through the nearby canals and do the rehabilitation of the dams.

Mr. M'Mithiaru: Mr. Deputy Speaker, Sir, at a glance, if you look at the projects that the Assistant Minister has laid down in Zone A, that is Meru, Nyandarua and Nyeri, it shows a very skewed arrangement of projects and allocations and that the money has not been spent. So, is the money enough? Will it be available and, if so, we have seen

that he has mixed up the project in that particular zone. The Assistant Minister has even visited the area. But the people on the ground still say that they are not aware of where those projects are. Could the Assistant Minister undertake that the money will be available and re-visit the ground so that his people can confirm where the projects are located?

Mr. ole Metito: Yes, Mr. Deputy Speaker, Sir. I can confirm that the money is available for projects that have not yet taken off. I will ensure that those projects are on site as identified before.

Question No.1014

NUMBER/CAPACITY OF AIR AMBULANCES IN KENYA

Mr. Mututho asked the Minister for Medical Services:-

(a) how many operational air ambulances are in Kenya and whether he could indicate their respective owners, capacity and the evacuation equipment in them; and,

(b) how many helicopters the Ministry has in comparison to the Kenya Wildlife Services (KWS), the Kenya Police, the Kenya Army, the Kenya Pipeline and private individuals who lease them for emergency and medical evacuation.

Mr. Mututho: I do apologize for coming in late and also seek your indulgence to pass my condolences to the families, relatives and friends of two people who were burnt to death last night in Naivasha following a tragic fire accident.

The Assistant Minister for Medical Services (Mr. Kambi): Mr. Deputy Speaker, Sir, I beg to reply.

(a) There are five operational air ambulances in Kenya whose capacity and respective owners are as follows:-

(i) Cessna 551 Citation Bravo with a capacity of eight passengers and it is owned by AMREF.

(ii) Cessna 208 B Grand Caravan with a capacity of 13 passengers and it is owned by AMREF.

(iii) Beechcraft Super King Air/B200 with a capacity of ten passengers and is owned by AMREF.

(iv) Aerospeciale Ecurevil B2 helicopter with a capacity of four passengers and is owned by AMREF.

(v) Helicopter B0-105 with a capacity of four passengers and it belongs to the Kenya Police Air Wing.

The evacuation equipment in them is as follows:-

Cardiac monitor, defibrillator, ventilator, pulse oximeter, automated sphygmomanometer, automatic suction unit, scoop stretcher and full body size vacuum mattress, infusion pump, endotracheal intubation equipment, chest drainage equipment, traction splints and neck collars, extrication device, neo-natal transport incubator, pediatric and neo-natal resuscitation equipment, oxygen masks with non-rebreather reservoirs, airways and nasal cannulae, spinal board, scoop stretcher, glucometer, oxygen cylinder and diagnostic set.

(b)The Ministry of Medical Services has one serviceable helicopter (air ambulance) Eurocopter BQ105 CBS placed in the Kenya Police Airwing. Currently, it is grounded due to operational and maintenance limitations on the part of the Ministry. In comparison, other owners have helicopters as follows:-

The Kenya Wildlife Services (KWS) has two helicopters. The Kenya Police Air Wing has seven. The Kenya Defence Forces has 37 (utility not scout or attack) and private individuals who can lease theirs to emergency and medical evacuation are estimated to be ten.

Mr. Mututho: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for an attempt to answer this Question. But even looking at his own answers, there are very serious difficulties in believing that Beech Craft King Air B200 can carry ten passengers. We are not talking about passengers. We are talking about air ambulances. But that notwithstanding, if you look at Helicopter BO-105, why is that not owned by the Ministry of Medical Services? That, to our understanding, is the same helicopter that is used by the Commissioner of Police? Is he confirming that all this equipment--- With your indulgence, this is not an answer! It does not reflect what we are asking! We are asking about air ambulance and he is talking about passengers. This is a very serious matter, particularly, where the whole Ministry does not have a single air ambulance. I seek your direction!

Mr. Kabogo: On a point of order, Mr. Deputy Speaker, Sir. In support of the point of order by Mr. Mututho, you have heard about the leasing of equipment when the Assistant Minister was reading. This equipment list suggests that all those planes that he has talked about are equipped with the equipment and yet, it is in public knowledge that the ambulance he is referring to at the Kenya Police Air Wing has never ever been an ambulance. It has never carried one sick patient. It is being used by the Kenya Police Air Wing. Right now, it is grounded; it has never worked. May we ask the Assistant Minister to go back and get the correct information? This is an important issue and you can see that there is not even one helicopter in the whole Republic that is purely used as an ambulance and is owned by the Government. They have 56 in the army. This is a very serious matter. May we refer it back to the Assistant Minister to go and do his homework?

Mr. Kambi: Mr. Deputy Speaker, Sir, this helicopter was donated to us by the German Government, and due to logistic problems, we gave it to the Ministry of State for Provincial Administration and Internal Security. They have been using it. It is true that it has been used by the police. This was a gift to us. As far as an air ambulance is concerned, we do not have even one helicopter and this is due to the budgetary constraints my ministry has been experiencing.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. With due respect, the Assistant Minister took almost ten minutes to answer this Question when he was listing the air ambulances. Now he stands up and owns up that they do not have even a single one. Is it in order, really, for an Assistant Minister to stand up, look the hon. Members straight in the face and say what he is telling them is pure humbug?

Mr. Mututho: On a point of order, Mr. Deputy Speaker, Sir. You have heard the Assistant Minister aggravate the situation by admitting that the helicopter in question was a gift. That is true. It was a gift to Kenyatta National Hospital (KNH) and not to his own ministry. Then they decided to take it to the police for servicing. Now, that helicopter has

never flown a single patient since it has been grounded almost all the time. The fact is that the Assistant Minister is deliberately trying to mislead this House that we have an ambulance, when the truth is that we do not have a single air ambulance owned by this Government, or by the military, the police or any of its agents.

Mr. Kambi: Mr. Deputy Speaker, Sir, I have said we were given one ambulance, which was directed to the Ministry of Medical Services; it was supposed to be used by KNH. However, it was taken and used by the Ministry of State for Provincial Administration and Internal Security, specifically the police. As we are talking, this helicopter is grounded at the Wilson Airport. It has done only 600 hours, and it needs to be overhauled. There is a budget of about Kshs20 million for its overhaul.

Mr. Deputy Speaker: Order, hon. Members! It is important for us to appreciate the wording of the Question itself. The Question was: “How many operational air ambulances are in Kenya and could the Minister indicate their respective owners, capacity and the evacuation equipment in them?” The Assistant Minister has gone ahead and described all of them. He has not said how many are owned by the Government. He has said how many are in the country. He has gone ahead and said there is only one, which is for the Government; within the same answer, he says it is not operational. Ask your supplementary questions but also be conscious of the wording of the Question itself.

Mr. Kabogo: On a point of order, Mr. Deputy Speaker, Sir. I happen to be involved in the aviation industry. I raised a point of order here that the Assistant Minister read out equipment. In his answer he said that all the aeroplanes that are mentioned here operate with this equipment, which is not true. Which of these aeroplanes have this equipment? That is the question which he must be able to answer.

Mr. Deputy Speaker: Order! Listen very carefully! The answer says: “The evacuation equipment in them is as follows--” The Assistant Minister did not say that all this equipment is in one evacuation helicopter. He has listed all the helicopters but has not given an answer on what equipment every helicopter has.

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Do not keep on rising on your feet until the Chair is through with what it is saying.

That is the gist of the Question itself. It says: “Indicate their respective owners, capacity and evacuation equipment in them.” It did not say: “in each of them.” He has answered the Question.

Mr. Kabogo: On a point of order, Mr. Deputy Speaker, Sir. The essence of asking for the equipment is to know whether we have aircraft that can help sick passengers. So, really, it serves no purpose, if you allow me, for the Assistant Minister to generalize and say “in them”, because it is not them that go together. So, may I seek the indulgence of the Chair for the Assistant Minister to go back, then come and tell us which of these ambulances has the necessary equipment to help this country? I seek the indulgence of the Chair.

Mr. Deputy Speaker: You asked that as a supplementary question. You have not asked for the indulgence of the Chair.

Mr. Kabogo: Mr. Deputy Speaker, Sir, I am guided. May I ask?

Mr. Kambi: Mr. Deputy Speaker, Sir, I said earlier that this is normally the equipment that is in some of these helicopters, and not the one for the Government. I was very clear.

Mr. Mututho: On a point of order, Mr. Deputy Speaker, Sir. I take exception to the fact that we are taking this issue lightly here. Anybody, including Members of Parliament and the Speaker of the National Assembly, could be injured - God forbid - and require an ambulance. We have a situation here where the Assistant Minister does not know what equipment is on these air ambulances. Would I be in order to suggest that he goes back, so that he can come here later and, at least, tell us that if you get injured in Tsavo or Naivasha and you require air evacuation, there will be no air facility and you will have to travel by road, because there is no equipment fitted in any of these helicopters? That is notwithstanding the fact that the Government is on a massive Kshs1 trillion Budget; it does not have a single air ambulance!

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. In fact, when you look at this Question, it has the words "their respective". The word here is "respective," which means each of them in terms of owners, capacity and evacuation equipment in them. The "them" shows the totality; the operational word here is "respective". So, the Assistant Minister will be evading the Question if he does not specify those parameters in every one of them.

Mr. Deputy Speaker: Mr. Assistant Minister, could you give the specific equipment in each of the air ambulances?

Mr. Kambi: Mr. Deputy Speaker, Sir, apart from the helicopter which was given to the Ministry of Medical Services to be used by KNH, all this equipment is attached to the helicopters with AMREF.

Dr. Khalwale: On a point of order, Mr. Deputy Speaker, Sir. May I remind the Government that it is not a crime to be poor anywhere in the world? One just finds himself in that situation. There are 37 helicopters with the army. The rich of Kenya have access to these other helicopters that he has listed. Could he tell us when they are going to convert some of those 37 helicopters to public use, so that they can be used by the poor people of Kenya? We know the rich have access to the ones you have listed. Could you tell us how many you will now convert to public use, so that the rich enjoy and the poor can also get service?

Mr. Deputy Speaker, Sir, finally, on a point of just accuracy, when the Assistant Minister tells us about the capacity which is supposed to be in a helicopter ambulance, he talks about the sitting capacity of eight passengers. This House cannot allow that. He should tell us how many stretchers those helicopters can accommodate. That is because we remember that, during the last Parliament, six Members of Parliament perished and an attempt was made to bring them to Nairobi. A former Provincial Commissioner (PC) who survived had to be put in between seats. I was very embarrassed at Wilson Airport when we received them.

Mr. Deputy Speaker: Mr. Assistant Minister, are you sure that the passengers you are talking about are not passengers on stretchers; they are passengers on seats?

Mr. Kambi: Mr. Deputy Speaker, Sir, not all patients need stretchers. There are some who can be carried on those seats and others can be carried on stretchers.

Mr. Kigen: Mr. Deputy Speaker, Sir, it is the concern of Parliament to know the capacity of stretchers in the event that there is need to carry more than one patient at a

time in the same aircraft. Is it in order for the Assistant Minister to tell us whether there is need for stretchers in those aircrafts or not? We are asking the capacity of stretchers in those aircrafts. How many? Can you tell us? Stop avoiding the question.

Mr. Kambi: Mr. Deputy Speaker, Sir, the stretchers are convertible. So, in case of a need, they are converted to stretchers.

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. I do not know whether you heard the Assistant Minister say that the stretchers are convertible. Can you visualize a stretcher being converted? What is it converted to? Is the Assistant Minister in order not to respond to this question? Perhaps, he has never entered a chopper. Perhaps, we should allow him to enter into a helicopter so that he can understand what we are asking him.

Mr. Kambi: Mr. Deputy Speaker, Sir, I think entering a chopper---

Mr. Deputy Speaker: Order! Order, Mr. Assistant Minister! You can have a chair that is convertible into a stretcher but, for God's sake, not a stretcher that is convertible to a chair; unless you want to turn it around again. But, nonetheless, the Chair is convinced that this Question does not have the answer that essentially rests the concerns of everybody here. You probably need to have much more thorough information on this. So, the Chair directs that this Question be listed on the Order Paper on Wednesday next week in the morning. You will have ample time to get all the information that you need. You have been asked very many supplementary questions. There have been many concerns and points of orders. You can understand that this is a matter of life and death.

(Question deferred)

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. I want to thank you for that direction. As you give him more time, I want him also to appreciate that those air ambulances may be more necessary in the border areas like Mandera and Turkana. They are not only meant for the people, but also the security forces that are usually engaged in combat. At one time, I had to travel in a police helicopter with a police officer who was injured in combat, and the fellow was just in pain throughout. Is it in order for the Government not to take care of its forces, especially now when we are engaged in a war?

Mr. Mututho: On a point of order, Mr. Deputy Speaker, Sir. Thank you, again, for sensing the seriousness of this matter. Now that you have given him more time, could he also give us the registration number of those helicopters or aircrafts that he is talking about and, further, tell us, perhaps, how many hours they have done if he cannot get the number of patients?

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. As he does so, he told this House that the chopper was donated by the German Government. But due to logistical problems, it could not be utilized for the purpose for which it was donated. Could the Assistant Minister also tell us the logistic problems that he encountered and why he did not refer them to the donor agencies so that they can be addressed? That way, the chopper could serve Kenyatta National Hospital?

Mr. Deputy Speaker: The Chair has already given direction on the same. The Assistant Minister has all he needs in terms of information and, more so, now that the Defence Forces of the country are engaged in a conflict in distant places. It is probably

even more urgent for you to look at this Question from all the dimensions and the concerns.

Mr. Kambi: Most obliged, Mr. Deputy Speaker, Sir.

Question No.1269

DROUGHT INTERVENTION MEASURES IN ASALS

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

(a) what drought intervention measures the Ministry has taken in the drought-stricken ASAL areas since May 2011;

(b) whether she could provide a list of all the water projects started under the drought intervention programme in ASAL constituencies; and,

(c) how much money was spent in the respective intervention measures.

Mr. Duale: Mr. Deputy Speaker, Sir, I have been given these documents now and they relate to the whole of northern Kenya and ASALS. With your indulgence, I want this Question to be deferred so that I can consult each and every hon. Member to see whether these facts are there on the ground.

Mr. Deputy Speaker: Can you table that for the benefit of the Chair?

(Mr. Duale laid the documents on the Table)

The Assistant Minister for Water and Irrigation (Mr. Waititu): Mr. Deputy Speaker, Sir, it is okay, although, I was ready to answer him.

Mr. Deputy Speaker: Hon. Assistant Minister, you cannot be ready to answer a Question with an answer this bulky, and expect the hon. Member to go through it in a short time and prosecute it adequately. The Chair directs that this Question be listed on the Order Paper next week on Wednesday morning. In the meantime, the hon. Member can study the document.

Dr. Nuh: On a point of order, Mr. Deputy Speaker, Sir. Time and again, we have petitioned the Chair on matters regarding Question Time. That is because this House has, many at times, been inconvenienced by Ministers ambushing hon. Members with answers, as late as when we walk into the Chamber. Since the Standing Orders do not give a timeline as to when answers are supposed to be ready for hon. Members to peruse, with your kind indulgence, could we get a direction and ruling from the Speaker on how and when hon. Members are supposed to be supplied with written answers, so that we can execute answers and interrogate them well? This House should not be inconvenienced by deferring Question just because answers have been supplied late.

Mr. Deputy Speaker: Indeed, yes, your concerns are noted and the Chair also sees any matter that---

Mr. Lekuton: On a point of order, Mr. Deputy Speaker, Sir. I would also like the Assistant Minister to break down the information into constituency level and not districts. That is on the drought emergency funds.

Mr. Deputy Speaker: The Question itself is suggestive of the same. Part “b” of the Question asks:-

“Could the Minister provide a list of all the water projects started under drought intervention programme in the ASAL constituencies?”

So, the presumption is that you are going to be specific on every constituency on this. Nonetheless, the Chair directs that this Question be listed on the Order Paper one week from now, and assumes that you will have made available to the Questioner all the information the he needs.

The Assistant Minister for Water and Irrigation (Mr. Waititu): Mr. Deputy Speaker, Sir, considering that the answer has to go back to the district so that it can be broken down into constituencies, and you know some of the districts traverse the constituencies, I would seek your indulgence to give me one more week, so that the answer comes in two weeks.

Mr. Bahari: On a point of order, Mr. Deputy Speaker, Sir. Now that he is requesting for more time and part “b” of the Question is about the projects started, could he also, in the same report, to save on time, specify what is the status; whether or not the projects are complete?

Mr. Deputy Speaker: The Chair can only give direction on a Question as listed by the hon. Members. It is not an open-ended matter. Should you wish to have specific answers on these things, including all the time lines you are talking about then list them in that language. Nonetheless, the Chair directs that this Question appears on the Order Paper---

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. I appreciate the one week you have given to the Assistant Minister.

Mr. Deputy Speaker: I have not yet given a final decision on that.

Mr. Ethuro: Thank you, Mr. Deputy Speaker, Sir. I now have an opportunity to request you. Given that we are talking about drought interventions in emergency situations, our problem is the fact that the answer came just now. We are ready to prosecute this matter because it is urgent. Tomorrow would be ideal. The Government should not require more time to specify a constituency or a county. This is information in the public domain unless this House is encouraging the Government to be thoroughly incompetent not to deliver on things that they can do in the next, say, 12 hours.

Dr. Nuh: On a point of order, Mr. Deputy Speaker, Sir. I would like to lend a hand to my brother, Ekwe, on the same matter because we are able to prosecute this matter even as soon as tomorrow and the Assistant Minister can still find the answers within his office by tomorrow. The question raised by Mr. Bahari is just to give an intention of the kind of supplementary questions that would be asked and to prepare him, so that he equips himself to provide us with the status of these projects and not only to tell us of the projects that have been started. He should not come here and complain again that he did not expect those issues.

Mr. Deputy Speaker: Order, hon. Members. The Questioner is Mr. Duale and he needs more time to peruse and scrutinize this. The Chair is convinced that there is need for more time. The Assistant Minister seeks an intervention to have this matter deferred for two weeks for him to get even more thorough and give it on a line item based on constituencies. Are you comfortable with two weeks, Mr. Duale?

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

Mr. Deputy Speaker: Order, Mr. Ethuro!

Mr. Duale: Mr. Deputy Speaker, Sir, given the nature of this question and the emergency that it involves and also the fact that I have even waited for two months, I will be very comfortable if this Question comes on Wednesday, next week. That will give enough time for hon. Members to ask questions.

Mr. Deputy Speaker: Fair enough! You do not have to provide any answer other than what you have provided now. The Chair directs that this Question be listed on the Order Paper next week on Wednesday morning.

The Assistant Minister for Water and Irrigation (Mr. Waititu): Most obliged, Mr. Deputy Speaker, Sir.

(Question deferred)

Question No.1274

STATUS OF INFORMAL SECTOR INCLUSION FUND

Mr. Wambugu asked the Deputy Prime Minister and Minister for Finance:-

- (a) what the status of the Informal Sector Inclusion Fund is;
- (b) how much money has been disbursed by the Fund to respective constituencies as at August 2011; and
- (c) what the procedure for applying for funds from the Fund is.

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

(a) The Minister for Finance, during the 2010/2011 Budget Statement, established a revolving fund of Kshs3.8 billion to meet the objectives of addressing youth unemployment and encouraging micro and small enterprises as key drivers of economic growth and development. To implement the Fund, the Office of the Deputy Prime Minister and Ministry of Finance entered into credit facility agreements with banks selected through a competitive tender process and launched a Fund on 14th March, 2011. The first tranche of Kshs300 million was disbursed to each of the three participating banks on 24th June, 2011. Out of this amount, Kshs250 million was to be lent and Kshs50 million was to be used for capacity building for both banks and the borrowing entities. The banks are required to match the contribution by the Government at a minimum ratio of 1:5, for the credit and the ratio of 1:0.5 for capacity building.

(b) The criteria for lending the funds were not on a constituency basis, but on the ability of the borrower to meet the lending requirements of the participating banks. As at 31st August, 2011, the three participating banks had disbursed a total of Kshs9.6 billion to 48,244 borrowers. This works out to an average of Kshs198,099 per borrower and to a ratio of 12.7 lent out by the participating banks for every one shilling lent by the Government.

(c) The procedure for applying funds from the Fund includes:

1. The banks matching contribution ratio to the Government of Kenya loan at a minimum ration of 1:5 for the credit and 1:0.5 for capacity building.

2. Any person wishing to apply for the funds from the Fund requires to approach any of the three banks to apply using the stated criteria.

3. Participating banks then meet their normal lending requirements in order to qualify for the MSE Loan. The three banks are: The Co-operative Bank, the K-Rep Bank and Equity Bank.

Mr. Wambugu: Mr. Deputy Speaker, Sir, I asked this Question because some time last year, the Deputy Prime Minister and Minister for Finance, in this House, said that he was going to disburse Kshs3.8 billion towards the informal sector. In his 2011/2012 Budget Speech, another Kshs1 billion was added to that kitty. However, early this year, there were various groups that were formed in the constituencies claiming that they were the ones mandated by the Ministry to disburse those funds. He came to this House and said that there was nothing like that and they were going to apprehend those groups, so that they could be charged in a court of law. How many of those marauding groups have been apprehended up to now? Have they been charged in a court of law?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, the hon. Member is correct. We have had various concerns from various constituencies of groups that are collecting funds and purporting to be disbursing the funds. It is for this reason that the Ministry of Finance wrote to the Permanent Secretary in the Office of the President in charge of Provincial Administration and Internal Security instructing them to issue warnings to members of the public and also instruct the police to ensure that all those people undertaking those activities are apprehended. Further to that, early in the year, we carried an advert, that is, on 14th April, 2011 that sought to clarify this position and inform members of the public. I also wish to take this opportunity to encourage Members of Parliament to disseminate the right information to members of the public and also encourage them to visit the banks we have enlisted here. If you have any information on members of the public who are still collecting funds, we will be more than happy to get that information.

Mr. Imanyara: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for acknowledging that, indeed, the concerns of this House regarding the so-called marauding criminals was brought to the attention of the Ministry concerned to take appropriate action. Is he satisfied that a warning letter is sufficient given that these people are known? It would have been better to require the Attorney-General to institute prosecutions, so that you are able to tell this House that, indeed, actual and concrete steps have been taken rather than blunt warnings by the District Commissioners (DCs) who may themselves be involved in this collusion. I say this because in my own constituency of Central Imenti, we had such a group and I brought this to the attention of the DC, but rather than stop them he said that as long as they were a registered organizations, they could continue. So, are you satisfied that requesting the Ministry in charge of internal security to give a warning is sufficient deterrence when these activities are still continuing?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I believe that the letter by itself might not be sufficient. However, as we have indicated, we also ran an advert in the *Daily Nation* and other newspapers. I wish to state that the Office of the Deputy Prime Minister and Ministry of Finance cannot directly arrest and prosecute these people. It is for that reason that we have sought the assistance of the Ministry responsible.

The Question, however, did not entail the information the hon. Member is asking for. In the event that he wants us to table the list showing the number of people arrested, we would be happy to do so.

Mr. Kioni: Mr. Deputy Speaker, Sir, thank you for giving me this opportunity. I want to reiterate again that, in that programme, a number of Kenyans in the constituencies have been conned by groups that came and said that they had the authority to register people for that facility. That means that the Ministry did not disseminate proper information to the people so that they can know they are supposed to go directly to the banks to apply for that money, other than go through other intermediaries.

Mr. Deputy Speaker, Sir, the answer by the Assistant Minister talks about Kshs3.8 billion being part of what was provided for in the 2010/2011 Budget. Over the page, the amount of money that has been disbursed amounts to Kshs9.6 billion. Could he explain how the Fund has grown to Kshs9.6 billion? He should also make it clear to Kenyans that, that is not free money. It will have to be repaid. That is because what is circulating out there is that the money is free and it will not be repaid. He should also explain the technical language that has been used in part (a). When you say that the banks are required to match the contribution by the Government to a minimum ratio of 1.5 for credit and 1.05 for capacity building, what does it mean? This is for the benefit of us and those who are listening because this matter has a lot of interest in the countryside.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I want to clarify the first question on how the Fund grew to Kshs3.8 billion to Kshs89.6 billion. I have indicated that the Government was to contribute Kshs3 billion and for every shilling that the Government contributed, the other banks should contribute Kshs5. So, if the Government gives Kshs3, then the banks collectively would multiply by five. That is basically what we mean. So, Kshs3 is what the Government was bringing and then, the Kshs0.8 million would go to capacity building. One of the areas that has been found wanting in terms of MSEs is that, if you give them money without proper training, they will not be able to repay the money. So, it would be critical to ensure that we train them before we give them the money. Therefore, for that reason, the Government said that for every shilling, we give 0.5 of a shilling for training. So, that became an important criterion for banks to qualify. The three that I have indicated are the ones that qualified.

Lastly, on the same question, the money is to be repaid to the banks. That is why it was very necessary for the Government to ensure that it gives money to the banks which have a good track record in that sector of the economy. As you may be aware, K-Rep Bank, Equity Bank and Co-operative Bank of Kenya have a good track record in terms of ensuring that their loans are repaid. Therefore, that is not free money to Kenyans. That money must be repaid.

Dr. Laboso: Mr. Deputy Speaker, Sir, I want to ask the Assistant Minister the following question: Those special funds that the Government comes up with like Women Enterprise Development Fund, Youth Enterprise Development Fund and the Informal Sector Fund, have had numerous Questions coming to this House asking how the funds are utilized and whether they reach the people they were intended to, particularly when you use the channel of banks. Most of the time, when people go to those banks, they are given so many conditions. I thought the Government wanted to avoid all those conditions by making it a special fund. What measures have you taken to ensure that, that money actually gets to those informal sector people to use it for their small-scale businesses?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I appreciate the question by the hon. Member. I also wish to say that, for a long time, Kenyans took money from banks with no intention of repaying. I think we must agree on the following: If you say that the Government has given Kshs3 billion and tell all the people to go and queue there, nobody will pay. So, we need to know where you come from, what is your business plan and all that. If that intimidates people, then it is up to us to enlighten the public so that they can take advantage of the Fund. Otherwise, we would end up sinking that money and yet, we would want it to be a revolving fund so that in years to come, it will benefit other young people.

I also wish to say that, out of the money that we have already been able to give, Equity Bank has given money to 38,000 people who applied for it. K-Rep Bank has given the money to 9,117 people and Co-operative Bank has given to 1,066 people who applied. That is as at 31st September, 2011. As I indicated earlier, those banks have a wide branch network across the country. For example, K-Rep Bank has 34 branches; Co-operative Bank has 89 branches and Equity Bank has 170 branches. Therefore, almost every constituency in the country, in one way or the other, is accessible in terms of getting those funds. We are asking young people to walk to the nearest banks and apply for the money. The conditions are very clear and friendly.

Mr. Shakeel: Mr. Deputy Speaker, Sir, the Assistant Minister is not being very clear in his answer to Dr. Laboso. I would like to follow that one, please. When the young people go to ask for loans, they are asked to produce title deeds which they do not have. Secondly, was the Kshs300 million given to the banks given to them at an interest rate? Was it free or was it a donation? I would like you to clarify that one.

Finally, could you tell us, if you have that information, what sorts of loans were taken in every constituency? That is because youths from my constituency go to Co-operative Bank and are told that there are no forms. They go to K-Rep Bank and Equity Bank and they are told that there are no forms. Could you please answer those few questions for us, Sir?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, the instructions from the Ministry of Finance to those banks is that the groups that we are targeting have no title deeds and do not have the traditional collateral that would otherwise be expected. It is for that reason that the Government was matching its funds. Therefore, the sort of collateral they are asked to bring is basically what they have, which includes even stocks. If you have a shop, that shop can become part of your collateral. Others are groups and so, they can be able to guarantee one another. I want to correct the hon. Member and assure him that we have really been able to download.

Regarding the interest rate at which we were giving the money to the banks, it is at 6 per cent. We expect them to lend the money at a fairly competitive rate. The Government is giving the money to the banks at 6 per cent. But as to the lending, it depends on the market. We cannot dictate rate that the banks will be lending at because for every shilling we give, they give five. So, there is no way the Government can dictate how much it will lend its component. What we have done is that, previously, they have been lending at about 30 per cent and, sometimes, up to 35 per cent. But that has significantly come down to about 15 per cent or 20 per cent. I think that is commendable.

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. I do not know whether you heard what the Assistant Minister said. He has said that the Ministry cannot

dictate the rate at which the banks can lend the money. When the Government was starting the programme initially, it said that it will ensure that the money given by the Government to the banks will be land at reasonable rates to the beneficiaries. Has the Government position changed since it made the same Statement here? For your information, I brought a similar Question and there was an assurance from the Government that the money given to the banks will be given to the beneficiaries at reasonable rates.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, that has not changed. The rates are still reasonable if you compare them with other markets rates.

Mr. Langat: Mr. Deputy Speaker, Sir, when the Minister was answering the last Question, he said that they are giving banks monies at the rate of 6 per cent. I am sure there must have been some kind of agreement between the Government and the banks with regard to the conditions as set out in that contract.

Could the Assistant the Minister tell us, because he is refusing to answer this question, what was agreed upon? What were the conditions set between the Government and the banks with regard to those loans? He cannot tell us that he has no control on the rates when the money is yours.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, as I have indicated, the agreement was that the rates will be reasonable at all times. Number two, the banks will have a wide network so that they can reach out, almost, to all---

Mr. Kigen: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister keeps on repeating the words “reasonable interest rates” all the time. It is the interest of this House and the nation’s for us to know what the interest rate is. Is the Assistant Minister in order to keep on referring to a figure that is not declared?

Mr. Deputy Speaker: What is reasonable, hon. Assistant Minister?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, the rate, so far has been between 14 per cent and 16 per cent. However, even then, it is good for hon. Members---

Mr. Deputy Speaker: Why is the rate of the Government to the bank, of 6 per cent, not reasonable?

Is that not reasonable in your own opinion? I thought you said that the Government will be lending its portion to the banks at the rate of 6 per cent and the banks are lending between 14 per cent and 16 per cent? What is reasonable and what is not reasonable? There is a whole turf between 6 per cent and 16 per cent. There is a 10 per cent difference. Who is reasonable? Is the Government reasonable or the banks?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I hear the hon. Members. However, I wish to state that for every shilling you are giving, the bank is also giving Kshs5. That means that the Government has given to the banks Kshs1. However, the rate you are asking with regard to what they are borrowing includes what the bank has given itself, together with what they have given. Therefore, if you look at the rate of 14 per cent to 16 per cent---

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. I said that I had brought a similar Question here. In my Question, I had asked the Government to give a comparison of what is being borrowed from the banks and what is being borrowed through Ministries. The trend has been that people have been getting money directly from Ministries. It is cheaper and they have shunned taking loans from banks because the rates are not reasonable. If you can get 6 per cent from the Government, why would you get it

at 14 per cent or 16 per cent from the banks? Why would the Government be funding operations of banks if people are not borrowing money?

Is the Assistant Minister in order to mislead the House while it is very clear that people are avoiding banks and preferring to take money directly from the Ministries?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, the statement by the hon. Member is not backed by facts. I have indicated that by 31st September, we had already disbursed over Kshs9 billion. So, if it is, indeed, true that members of the public were shunning this Fund, we would not have achieved that kind of success.

Mr. Mwathi: On a point of order, Mr. Deputy Speaker, Sir. The question has very many weighty issues and a lot of grey areas. Given the fact that all Members have interest in this matter, is it in order for me to request that this issue be referred to the relevant Committee of the House?

Mr. C.Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. When this Question was answered here, the Government said that it had stopped giving more money to banks. The Government had agreed that it did not make any sense to give banks money anymore. So, is the Assistant Minister in order to contradict his own Government's position and give his personal position or does he have a bank?

Mr. Bahari: Mr. Deputy Speaker, Sir, given that this is a huge Fund and if it is true that the Ministry gave the money to the bank at 6 per cent and did not fix any ceiling on how the banks would deal with people, then that is a very serious omission. I want to support hon. Mwathi's request that this is a matter, with your direction, that should be referred to the relevant Committee so that they can interrogate this scheme.

Mr. M'Mithiaru: On a point of order, Mr. Deputy Speaker, Sir. The establishment of this Fund was to spur development of micro-enterprises. The Assistant Minister has already said that they are passing this money to the banks to lend it out at the rate of 6 per cent. The Assistant Minister is aware that the base rate, as of today, is 16.5 per cent. So, banks cannot lend at a rate lower than that. The Assistant Minister is defeating the very efforts that they were supposed to support because they are now stifling the micro-enterprises. He must be clear on what the primary purpose of this was and that is why I support Mr. Mwathi's suggestion.

Mr. Chanzu: Mr. Deputy Speaker, Sir, if you look at the answer and the explanation given, it seems as if the Government intended to assist some banks to make money. You cannot give out money at 6 per cent and then you allow banks to lend it at whatever rate. It is like the Government had a fixed deposit with these institutions. I support the idea that this matter be referred to the relevant Committee now that it has been raised, so that it can be investigated further and proper guidelines given when the money is given out.

Mr. Deputy Speaker: Order! Indeed when you select banks to do these things in the national interest, there is an assumption that there is a sacrifice on both sides. These are banks that are willing to help the public sector by inspiring and stimulating the economy of the country by making loans available to people who otherwise would not access that facility. However, to lend that same money at the rate of 16 per cent, which essentially is the market rate, you could, as a matter of fact get a rate that is lower than that today. That, in itself, in the opinion of the Chair is very disturbing and the Chair directs that Parliament being the custodian and protector of the public resources in one way or the other and holds all other institutions accountable for public funds, that the

relevant Committee on Finance, Planning and Trade moves with speed and reports back to this House in a maximum of three weeks.

(Applause)

It is the presumption of the Chair that some Members of that Committee are in the House today. I think hon. M' Mithiaru, hon. Shakeel Shabir and hon. Mbau are Members of that Committee.

The Committee should move with speed and protect public resources.

Mr. Langat: On a point of order, Mr. Deputy Speaker, Sir. I thank you for that ruling. As the Committee will be doing its work, the Government will be continuing to disburse money to banks. I would like to request you to prevail upon the Minister to stop further disbursement of those funds pending the outcome of this report.

Mr. Deputy Speaker: I think the Minister and the Government side have seen the mood of the House and, indeed, the mood of Kenyans on this matter. It would be, in my own opinion, very unwise for them to proceed in disbursing this money. The Chair has no power or authority to either bar or accelerate the disbursement. Nonetheless, the reason why we have a Parliament is for the people's representatives to essentially, bring to the Floor of the House, the heartbeat of the Kenyan society. That is very well understood now.

Question No.1 by Private Notice, by hon. Affey.

QUESTION BY PRIVATE NOTICE

THEFT OF MR. ABDI SUGOW HASSAN'S CATTLE

Mr. Affey: Mr. Deputy Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Under what circumstances were 120 herd of cattle belonging to Mr. Abdi Sugow Hassan stolen in Isiolo town on 22/09/2011?

(b) What progress has the Ministry made towards recovering the cattle?

(c) What measures are being taken to compensate Mr. Hassan for the loss?

Mr. Deputy Speaker: Where is the Minister? He is not yet in!

The Chair has lifted the sanctions on the Minister of State for Provincial Administration and Internal Security. So, the Question is listed for tomorrow.

Next Order!

POINTS OF ORDER

SALE OF CONTAMINATED UNIMIX BY PROCTOR AND ALLAN COMPANY

Dr. Khalwale: On a point of order, Mr. Deputy Speaker, Sir. My point of order is that, last week, hon. Manyara rose to demand for a Ministerial Statement on a matter of grave national importance in respect of 60,000 children who received contaminated food. Hon. Manyara is not able to ask the Minister, whom I noticed in the House, to respond because he has gone out to receive a Ugandan delegation on behalf of the Speaker.

Mr. Deputy Speaker, Sir, I am rising to request that this matter be deferred to tomorrow afternoon. I wish the Chair to note that the company called M/s Proctor and Allan has been intimidating hon. Imanyara and hon. Duale with a view to ensuring that this matter is not prosecuted here. We also understand that M/s Proctor and Allan has been threatening *The Standard* with the intention of suing them for defamation.

Whereas I would like to appreciate, Mr. Deputy Speaker, Sir, the importance of the name of this company and what that can do to their reputation, we are concerned about the lives of Kenyan children!

(Applause)

Mr. Deputy Speaker, Sir, I beg that you so direct--- We are shocked that up to now the Ministry of Public Health and sanitation has not taken any proactive steps to interrogate this issue where 60,000 Kenyan children were affected. That is only 60,000 children in one province; we have not talked about the Turkana in Rift Valley---

Mr. C. Kilonzo: On a point of information, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Do you need the information, Dr. Khalwale?

Dr. Khalwale: Yes, you can give me information.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, the number of children who are affected after consuming this unimix food is not 60,000 but 274,375.

(Applause)

Dr. Khalwale: Thank you, hon. C. Kilonzo for that piece of information. I stand informed.

Mr. Deputy Speaker, Sir, the point I wanted to make is that in the last century, there was something called chlorine. Chlorine was dumped in Eastern Europe into the waters and the fish in those waters were then eaten by people. At that time, the government was not proactive – it is the way the Kenyan Government wants to behave. But many years later, women started giving birth to children without limbs!

I am so worried that this Ministry is now taking this matter lightly, ignoring the fact that whereas nothing might happen in the near future, a few years from now, many of the concerned people will be dying out of carcinoma of the liver, the cancer of the liver. This matter must be addressed very seriously and I beg that it comes up tomorrow.

Mr. Duale: On a point of order, Mr. Deputy Speaker, Sir. This matter is of grave national importance.

Mr. Deputy Speaker, Sir, when the people of northern Kenya and many parts of this country suffered from severe drought, Kenyans in the corporate world came out in large numbers, they raised funds to the tune of about Kshs700 million through an initiative by the Kenya Red Cross. Kshs112 million of this fund was given to two companies, M/s Proctor and Allan and Sai Millers, to provide unimix food to over 250,000 kids who were starving then.

Mr. Deputy Speaker, Sir, Kenyans were starving; over 250,000 kids were starving! They were on the verge of death. But here we have two companies that gave them unimix with aflatoxin that, in the long run, may cause liver cancer in those kids.

Mr. Deputy Speaker, Sir, we raised this issue in the House last week; we raised it outside the House, and today this Government, or the Ministry of Public Health, has not even addressed it. We want you to give direction; we want this issue, that my colleagues have raised, to be addressed. I, personally, hon. Imanyara and *The Standard* newspapers were threatened; we were intimidated that this issue must come to an end.

But, Mr. Deputy Speaker, Sir, even in your own constituency in our own county, 150 tonnes of this unimix food went to kids in that area. It went to kids in Turkana, Pokot, upper eastern, northern Kenya and the coastal region. We want you to give a direction that a statement be made either today afternoon or latest tomorrow.

Thank you, Mr. Deputy Speaker, Sir.

Dr. Nuh: On a point of order, Mr. Deputy Speaker, Sir. I am rising on the same issue. I think the noble idea was to save our children who were on the verge of dying because of hunger. But it is not acceptable for them to be allowed to die slowly from cancer-related diseases. Even without being prompted, the Ministry of Public Health was mandated to appraise this House, and Kenyans, on the status of this alleged poisoning.

Mr. Deputy Speaker, Sir, would it not be in order for this House to censure this Ministry for negligence and, in fact, for neglecting the lives of Kenyans just because, may be, they are perceived to be poor?

(Applause)

It therefore, means that rather than these children dying in two days because of hunger, they will die in the next three years because of cancer.

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. As I stand to support my colleagues, I wish that the Chair directs that the Government has to act as a matter of urgency, and, if possible, today, because the number of kids who are affected is close to 300,000. They might not get sick now, but we need action to be taken to ensure that remedial measures are taken to ensure that they get proper treatment.

Mr. Deputy Speaker, Sir, the whistle blower on this matter was none other than the Kenya Red Cross, and for the Government to keep quiet and to take no action is very wanting. The Kenya Bureau of Standards, on instructions from the Kenya Red Cross, had the following to say – and that is why I am concerned that the Government has not bothered to do anything.

“Please, note that these consignments have very high levels of aflatoxin and have serious impact on public health and safety concerns. As indicated earlier, these products should not be offered for human consumption.”

Mr. Deputy Speaker, Sir, over 300,000 kids are affected and the Government is asleep; they have not responded. When they are directed by the Chair to come here, the Government does not find it necessary to come and respond to this matter.

Mr. Deputy Speaker, Sir, I wish to beg that a statement is given this afternoon. It is very urgent. If the Minister will not be available, the Prime Minister himself can as well respond.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. We really seek your indulgence on this matter, so that it is expedited. We are talking about lives of children in particular, and I would like this issue to go even beyond where we are focusing now. It

should also look at the World Food Program (WFP) which is distributing food now in northern Kenya to all children under the age of five years. We need to also ensure that, that food is not affected by aflatoxin.

Mr. Deputy Speaker, Sir, we are implementing a new Constitution. It is required of the Government by that Kenyan Constitution that the citizens' safety, welfare and food security is assured; this is under Article 43. For the Government to bury its head in the sand, and not to respond to such an urgent matter like this one, to me is the height of irresponsibility by a Government elected by the people.

Mr. Deputy Speaker, Sir, this House should be the last defender of the suffering masses of the Republic of Kenya.

Thank you, Mr. Deputy Speaker, Sir.

Hon. Members: The first!

Mr. Ethuro: Mr. Deputy Speaker, Sir, this House should be the first defender of the suffering masses of the Republic of Kenya.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order, hon. Members! We all used to hear in the past claims of governments mortgaging the future of its own young generation. That mortgaging used to be on the basis of the loans that were misappropriated and the fact that the future generation had to pay those debts which ended up in the pockets of dictators and other unscrupulous politicians. Now we have a situation in which we are not mortgaging our future but we are actually killing our future.

It is under those circumstances that the Chair takes a very serious note of this and directs the Minister. This information is given to none other than the senior most Member of the Government now who is the Deputy Prime Minister and Minister for Finance. The Minister for Public Health should be available with that Ministerial Statement today. I know it will be the Prime Minister's Time and there are other urgent matters. However, there is nothing more urgent than our children consuming Unimix that has high content of aflatoxin.

In the same vein, I also want to direct the relevant Committee, on its own, also to move with speed and carry out scrutiny and investigations. I will now ask the Deputy Prime Minister and Minister for Finance to give an undertaking on the same for the Minister to have this Ministerial Statement available today because it should have been available this morning but now we will have it in the afternoon.

The Deputy Prime Minister and Minister for Finance (Mr. Kenyatta): Mr. Deputy Speaker, Sir, if I may give an undertaking that it may be given tomorrow because I am not sure whether I will get hold of the Minister concerned within the few hours remaining before the afternoon session starts.

Dr. Khalwale: On a point of order, Mr. Deputy Speaker, Sir. You will notice that the Deputy Prime Minister and Minister for Finance has just walked in. Allow me to inform him that Mrs. Beth Mugo has just been in the House and deliberately dogged answering this question. Neither the Minister nor the Assistant Minister is in the House now. They have gone away because they do not care! This is because to them, a few poor people dying is good riddance. We are saying, "No". We want this answer now. In fact, it is time you called for an extra ordinary Cabinet meeting.

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. The directors of the company involved in this matter, Proctor and Allan, are very influential people. Just a

few minutes before we came to this order, the Assistant Minister walked out. Therefore, it cannot be that the Government is not aware. It is a deliberate move because the names which are involved here are big names.

Mr. Deputy Speaker, Sir, these are names like Charles Nyachae, Eddy Njoroge and many others. So when you see companies with big names and then the Government avoiding the issue deliberately, we know obviously they are being influenced by the directors of that company.

Mr. Shakeel: On a point of order, Mr. Deputy Speaker, Sir. Is it proper for Dr. Khalwale to impute improper motive on the Minister saying that she does not care and does not mind when poor people die?

Mr. Deputy Speaker: Indeed, it is out of order. You cannot discuss the character or the perceived character of an hon. Member of Parliament here without a substantive Motion.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. While I am guided by your observation on the improper motive, failure to answer a Question or give a Statement according to the Standing Orders is disorderly. If we can demonstrate to this House that the Minister and Assistant Minister were actually here and stepped out when they were about to give the Statement, that can only be construed in no other way than “that, maybe, they do not care”.

Dr. Khalwale: Mr. Deputy Speaker, Sir, there is no bad blood between Mrs. Beth Mugo and myself. I just want to set the record clear that there is nothing personal that I am prosecuting here. All that we are doing as leaders on the Back Bench is offering the leadership that the Government has failed to provide.

Mr. Deputy Speaker, Sir, Mr. Shakeel Shabir ought to know that in spite of those 274,000 children whose lives are at risk, the Government is aware but the Ministry of Public Health has done absolutely nothing. If that is going to be misconstrued to mean I am imputing improper motive, then so be it because somebody has to defend these people.

The same Government allowed Unimix to be identified through single sourcing. Was this a deliberate effort to give them business in spite of them not being competent to give them an opportunity to off-load food stuffs which were stuck in their stores?

Mr. Deputy Speaker: You have made your point, Dr. Bonny Khalwale.

Deputy Prime Minister and Minister for Finance, this Statement was sought last week---

The Deputy Prime Minister and Minister for Finance (Mr. Kenyatta): Mr. Deputy Speaker, Sir, as I said, I do not want to give an undertaking that might not be possible to fulfill.

Members are saying that she was here this morning but I still would need to get hold of the relevant Minister. That is why I am saying that I would like to undertake personally that the Statement will be given tomorrow afternoon.

Mr. Deputy Speaker: Deputy Prime Minister and Minister for Finance, the direction from the Chair is that this Statement be given this afternoon. This is because it was supposed to have been given this morning and it is a matter that concerns the health of Kenyans.

The Deputy Prime Minister and Minister for Finance (Mr. Kenyatta): Mr. Deputy Speaker, Sir, I will do my best to pass the message over.

Mr. Deputy Speaker: Fair enough! It is so directed.
Next order!

BILL

First Reading

THE MICRO AND SMALL ENTERPRISES BILL

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

Mr. Deputy Speaker: Who is on a point of order?

Mr. Nyammo: It is me, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker, Sir, I would just like to point out that I am the person supposed to be moving this Bill but my name has been miss-spelt. It is not forgivable for the National Assembly to give a name that does not tally with the Identity Card I carry from the Kenya Government.

Mr. Deputy Speaker: Which is where? Where is this misspelling?

Mr. Nyammo: Mr. Deputy Speaker, Sir, it is written Nyamu but my surname is Nyammo.

Mr. Deputy Speaker: Fair enough! The Chair takes note of that and regrets that your name has been miss-spelt. Nonetheless, the Clerk's Department is going to make sure that that is corrected.

Please, proceed!

(Order for First Reading read – Read the First Time and ordered to be referred to the relevant Departmental Committee)

Mr. Deputy Speaker: Next order!

MOTIONS

FREE TREATMENT OF CANCER PATIENTS IN KENYA

THAT, aware that, according to the Ministry of Public Health and Sanitation, an estimated 18,000 Kenyans die annually due to various cancers and a further 82,000 new cases are reported every year; further aware that most cancer cases are treatable when diagnosed early and advanced technology and facilities used; concerned that Kenya has no national policy on cancer, cancer control law and national cancer strategy; noting that being diagnosed with cancer for majority of Kenyans is equivalent to receiving a death sentence owing to scarcity of facilities for proper treatment and the forbidding cost involved; this House resolves that the Government makes cancer treatment free for all Kenyan citizens.

(Mr. James Maina Kamau on 26.10.2011)

(Resumption of Debate interrupted on 26.10.2011)

Mr. Langat: Mr. Deputy Speaker, Sir, I would like to thank the Mover for bringing this Motion to the House. Cancer is increasingly becoming very prominent in villages in our constituencies. Cancer is becoming one of the diseases which are very common.

Cancer happens to be one of the most expensive diseases to treat. Considering that most of our populace are poor, it is only fair that the Government takes over the responsibility of treating cancer. This Motion is very much in line with the new Constitution, which provides that Kenyans are entitled to free healthcare. Therefore, this Motion has come at the right time.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, looking at today's Order Paper, Order No.13 will try to answer this Motion. So, it is only fair that we pass this Motion, so that Order No.13 can follow automatically, so that we can operationalise this Motion once we pass it. It is unfortunate that for very expensive diseases, we have only a few select places where we can find treatment. Kenyans have to travel all the way from far-flung places in the country to Nairobi or Nakuru to find treatment.

In addition to making the treatment cheap or free for all Kenyans, we must ensure that the relevant equipment and drugs needed for cancer treatment will be readily available in dispensaries at the district level, so that Kenyans do not have to travel very far places to find treatment for the disease. Therefore, we must set up a special unit to handle cancer patients because, as I have said, cancer is increasingly becoming a very common disease among old and young people.

Therefore, the Government must support this Motion because all of us are suffering. We are all faced with this disease. In fact, our Minister for Medical Services is the one who said that he is going to champion for availability of cancer treatment in the country. Therefore, we do not expect any position from the Government. Unfortunately, as we discuss this Motion, the relevant Ministry, in its entirety, is absent, meaning that this Motion is not important.

The Minister for Nairobi Metropolitan (Mr. Githae):---(Off-record)

Mr. Langat: Mr. Temporary Deputy Speaker, Sir, I can hear the Minister for Nairobi Metropolitan Development say that they are represented but this shows how lightly the Ministry takes this matter.

With those remarks, I wish to support the Motion and say that we must operationalise it very soon.

Thank you.

The Minister for Nairobi Metropolitan Development (Mr. Githae): Mr. Temporary Deputy Speaker, Sir, I thank you for giving me the opportunity to contribute to this very important Motion. Let me start by thanking hon. Maina Kamau for, in spite of

his busy schedule, getting time to come and move this very important Motion. I wish him good luck.

I cannot agree more with the Motion. Cancer is spreading very fast. Cancer is killing not only prominent people but people from all social classes. Therefore, this disease is spreading very fast among the people of Kenya. Therefore, it must be tackled effectively. One way of doing so would be to have a specific hospital to deal with cancer cases, as it happens in other jurisdictions. In the United States of America (USA), there is a special hospital which just deals with cancer. The same is true for Israel. As we support this Motion, we must also castigate some of the so-called healers who are saying that they can heal cancer by selling what they call holy oil. Some people advertise that they can cure all forms of cancers. There are also the so-called televangelists whom we see on television. They ask those suffering from cancer amongst their congregations to step forward so that they can pray for them. They advise the sick to buy holy oil which they rub on their skins and declare them “free” of cancer. Some of these shenanigans must be stopped. Cancer cannot be cured by rubbing holy oil on the faces of patients. This is a terrible disease which requires a lot of research before proper treatment can commence. Over the last three months, we lost three very prominent people through cancer. Therefore, cancer does not respect persons. It is high time this problem is tackled and tackled from the root. The Ministry concerned should educate Kenyans so that we minimise it through diet and change of social lifestyles.

With those remarks, I beg to support.

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, I thank you for giving me the opportunity to support this Motion.

In supporting this Motion, I want to say that a law on cancer is long overdue. I know that there is an hon. Member who wanted to bring a Bill on cancer. I do not know what became of it. I would urge the hon. Member to hasten the process.

*(Mr. Langat passed a piece of paper
to Mrs. Odhiambo-Mabona)*

Thank you for the information. I notice that hon. Monda is bringing the Bill, and I would like to support the initiative.

Mr. Temporary Deputy Speaker, Sir, many of us say that cancer is a death sentence. It is not necessarily a death sentence. With proper and accessibility of medical care, cancer can be managed. Therefore, accessibility of a support system by the majority of Kenyans is long overdue given that the cost of managing cancer is very high. Only recently, a very young boy I know was diagnosed with cancer. The commencement of the one week treatment is about Kshs100,000 for chemotherapy alone, and not many Kenyans can afford it, and with even subsequent treatment.

I agree with hon. Githae when he said that there are many people who are taking advantage of people suffering from cancer and offering them all manner of things in the name of treatment. Nonetheless, as a country, we must invest in further research, especially on traditional herbs. We have a lot of traditional herbs with curative qualities but we leave it to people from outside the country to come in, take those properties and come back and sell them to us after giving them some fancy names. Our grandfathers

and our forefathers used those herbs, and they were cured. Some of the herbs are more effective than the modern medicine that we use.

Mr. Temporary Deputy Speaker, Sir, in the course of one of my LLMS, I did a thesis on plant genetic resources – *Intellectual Property Rights in Plant Genetic Resources*. This is one of the areas that the Government has least invested in. As a country, we need to invest in this area.

I want to be very brief and just indicate that this is a noble initiative. In the last one month alone, three friends of mine were diagnosed with cancer. Therefore, cancer is a major concern for the country. So, we must deal with it urgently.

With those few remarks, I beg to support.

The Assistant Minister for Roads (Mr. Kinyanjui): Mr. Temporary Deputy Speaker, Sir, I thank you for granting me the opportunity to participate in this debate. I want to congratulate hon. Maina Kamau for finding time to bring this matter to the attention of the House and, indeed, to the attention of the nation. As we may be aware, many thousands of Kenyans today have been diagnosed with cancer and, as a nation, we appear to be unprepared to deal with the catastrophe that is here.

I wish to remind the House that around 2008, a few Members of Parliament had wanted to bring this Bill to the House but as it were, the Ministry of Medical Services said that they would take up the matter and bring it to Parliament as a Government Bill. Unfortunately, that Bill has not found its way to the House to-date. Nevertheless, I feel that this Bill is long overdue. For starters, I would like to say that by nature, cancer is a progressive disease. Therefore, if you are diagnosed with cancer, in another six months or thereabout, the spread of the disease will have progressed.

Mr. Temporary Deputy Speaker, Sir, therefore, what we have found in this country is that because of lack of adequate medical facilities and poor diagnosis, a lot of our patients are treated with painkillers for lumps and by the time they finally get proper medication, the disease has progressed significantly. It, therefore, becomes much more difficult to treat or cure. Even before we talk about making cancer treatment free for all Kenyans, I think it is very important to agree that we must, first of all, have the facilities that are required. It is one thing to make treatment and another to ensure that the facilities are there.

Mr. Temporary Deputy Speaker, Sir, if you go to all our provincial general hospitals, you will find that they do not even have the diagnostic capacity, leave alone the treatment. If you go to Nyanza General Hospital, it will take long before you are referred to Nairobi. This has meant that by the time the patients are actually diagnosed with cancer it has progressed significantly and it becomes very difficult to treat. It has been proved in other countries that early diagnosis has significantly reduced the chances of the disease progressing very fast. Therefore, we hope that we will be able to come up with that.

Mr. Temporary Deputy Speaker, Sir, the other area that I am sure will be addressed as we go through this is the doctors who are qualified to treat cancer or what you may call oncologists. It is said that we have about ten oncologists for a population of about 40 million people. Therefore, if you are looking for a doctor to be able to treat your patient, sometimes the queues are impossible and the patients are very weak, they have come from far. This has made the suffering of the cancer patients even more. Even within the field of oncology, we have radiologists, oncologist and also medical

oncologists. If you go further, we are also talking of pediatric oncologists. We only have about three or four. So, we hope that as a Government we should be able to support our students who are pursuing medicine; those who may be willing to take up this particular specialization and those who are willing to get scholarships to ensure that we reduce this burden on the already existing specialists.

The other area that we will want to look at is the area of technicians. A lot of times Kenyatta National Hospital and many of our other hospitals have bought very expensive equipment. However, after six months, we cannot service the equipment. As you know, this equipment sometimes is worth hundreds of millions. When you are not able to service it, it is not able to treat the patients. As I talk today, at the KNH the machines that are currently being used for radiology are the old type. We have better machines that can do more localized radiation and this has proved to be very useful. So, we also need to train technicians to ensure that once we get the machines that can treat these people, we are able to progress and ensure that they are kept working and functional throughout their life.

The other area we need to look at is the area of medical insurance. A lot of our medical insurance companies do not take care of our patients when they have cancer or they put a limit. When you put a limit it means that after maybe two or three consultations the patients are left on their own. We will need, as a country, to come up with a medical insurance scheme that will ensure that when patients are diagnosed with cancer, they are given the right treatment. There is need for public policy to ensure that everybody in Kenya is actually under some sort of medical insurance. This will be an area that we would want to clearly ensure that we look at.

Mr. Temporary Deputy Speaker, Sir, we have very few specialists in the area of cancer. The worst part is that even few as they are, they are all in Nairobi. If you go to Eldoret, Mombasa or Nakuru, you will not get any oncologist. Therefore, this means that the people who come from outside Nairobi are really disadvantaged. We will call upon the Government to invest both as private investors and also as the Government to ensure that we have that.

Lastly, in the area of research and development, it has been said that the number of cancer cases have really gone up in the recent years. We are not yet sure what would be the cause of this. Earlier in the day we had debate about some food that is contaminated that may possibly cause that. It would be important for us to try and be able to establish whether these cancer cases that are coming, some of them in very localized areas, have relationship with what we consume, so that we do not end up sitting on a time bomb and find that before long we cannot be able to move on.

Lastly, I know under Order No.13, we will be looking at the Cancer Bill. I will invite my hon. colleagues to support it. Thank you.

Mr. Mbau: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this very noble Motion. First, I want to express my gratitude to the Mover, Mr. James Maina Kamau for putting his critical thoughts to this devastating condition that is afflicting thousands of Kenyans.

I also appreciate the fact that of late we have had quite a number of high profile personalities in this country who have succumbed to cancer even with all the resources that they can marshal. This has gone to prove and inform all Kenyans that cancer is a disease that is non-preventable and is also non-communicable. Therefore, it behooves the

Government to be a little more alert like it has chosen to be alert on a few other selected conditions, so that we do not continue to lose Kenyans.

Mr. Temporary Deputy Speaker, Sir, the Mover of the Motion does note that currently there is no existing policy on the manner in which conditions and treatment of cancer can be managed across the country. This is happening many years after Independence and after thousands of Kenyans have died. He also noted that we do not even have a Government strategy put in place to be able to put up a semblance of care on this pandemic which continues to kill many people in the villages, cities and other urban centres. It is also worth noting that the costs of treating cancer are prohibitive to majority of Kenyans, not to mention the fact that by the time it is diagnosed, it is always beyond treatment.

So, this Motion seeks to ensure that cancer treatment becomes free in Kenya. I listened to some hon. Members who put it correctly that, probably, because of prohibitive facilities, equipment and machines we may be called upon to forestall this situation. As a Government and as a Ministry of Medical Services, headed by Prof. Peter Anyang'-Nyong'o who had fallen victim to this condition and who has professed and confessed to wanting to put up his best foot forward on this particular disease, I think it is only fair that we demand that the Government considers this as one of those disasters that are currently affecting Kenyans.

I must put it to this House that cancer has of late become a lifestyle disease.

Mr. Temporary Deputy Speaker, Sir, cancer is afflicting the young generation more than has been the case in the past. In the past, we have known cases of cancer that have afflicted persons over 45 years. Of late, we have learnt, including through the media yesterday that as young as nine years, children are suffering and being treated for cancer. When cancer afflicts a person, as the Mover has put it, it is like sending a death sentence to that person. The Government should be prevailed upon to ensure that the least that it can do is to provide free medical check-up and free diagnosis. Kenyans should be told that from next year, they could be checked for cancer. The Government should provide machines and equipment in every county. Currently, diagnosis and treatment of cancer is only available at the Kenyatta National Hospital and private hospitals that are of a national stature. We would like to have machines for free checks in every county beginning next year.

I want to appreciate that we have a Motion coming up on the cancer control and policy by hon. Nyammo. When this Motion comes to the House, I would urge the Members to support it, so that we can get the intent and spirit of the Motion that is now before the House implemented and eventually becoming law.

I wish that Members support this Motion unanimously and strongly so that we can begin to gain the benefits of this.

Mr. Chanzu: Thank you, Mr. Temporary Deputy Speaker, Sir, for the opportunity to support this very important Motion. I want to thank the Mover for bringing this Motion.

Cancer has become one of the main killers in this country. It is not easy to detect whether a person has cancer or not, but I am sure if we have facilities all over the country where detection can be done at no cost or very cheaply, it will be easier for people to know. If they are treated early, it will not be that expensive. I want to stress that the Motion requires the Government to provide free cancer treatment to all Kenyans.

It is important for the Government to make adequate financial budgetary provisions in order to put this in place. Otherwise, diagnosis should be decentralized and more people should train in these special diseases like we have had those who take care of HIV/AIDS.

With those few remarks, I beg to support.

Mr. Mwachugu: Bw. Naibu Spika wa Muda, ninaomba nichukue nafasi hii kumpongeza mheshimiwa ambaye ameileta Hoja hii ya ugonjwa wa Saratani.

Kama ijulikanavyo, ugonjwa huu umeathiri watu wengi sana humu nchini. Tukiendelea bila kutafuta mbinu ya kuushughulikia kikamilifu, wakenya wengi wataendelea kupatwa na madhara ya ugonjwa wa Saratani.

Hivi sasa, vituo ambavyo vinachunguza ugonjwa wa Saratani kikamilifu vimebaki kama hospitali kubwa ya Kenyatta. Je, fikiria mtu ambaye hali yake ya kiuchumi ni hafifu, kama watu wa kutoka eneo ambalo ninawakilisha Bungeni la Wundanyi. Mtu akitoka Wundanyi, ajigharamie na aje mpaka Kenyatta National Hospital kuangaliwa kimatibabu kwa ugonjwa wa Saratani ni shida. Ninaunga mkono Hoja hii kwamba, Serikali ichukue jukumu la kuhakikisha kwamba vituo vya kuchunguza ugonjwa wa Saratani vimesambazwa na kuenezwa nchini kote ili watu wapate matibabu ambayo wanahitaji.

Bw. Naibu Spika wa Muda, pili, ni jambo la wazi kuwa mara nyingi ugonjwa huu wa Saratani unagunduliwa wakati umesambaa mwilini mwa binadamu kiasi hata kupata matibabu itakuwa ni shida. Ni ombi langu kuwa ugonjwa huu uweze kubainika mapema. Na utaweze kubainika mapema kama vituo vya kukagua na kupima watu ambao wanashukiwa kuwa na ugonjwa huu vitakuwa vimesabazwa nchini kote. Bila hivyo, gharama ya kutibu ugonjwa huu itaendelea kuwa juu mara wakati unapogunduliwa utakuwa umeenea mno katika mwili wa binadamu.

Mwisho, tunakubaliana kuwa hali ya uchumi hivi sasa ni dhaifu kwa Wakenya wote. Watu ambao wanaweza kujimudu kifedha ndio peke yao wanapata huduma za ugonjwa wa Saratani vile inavyohitajika. Watu wengi wakienda katika hospitali zetu, wanaguzwaguzwa na madaktari wa vijijini na mwisho wanaachwa kupata maafa ambayo hawangeyapata ingekuwa hospitali inaangalia kila mtu kikamifu.

Bw. Naibu Spika wa muda, ni ombi langu kwamba, Waziri anayehusika na matibabu, lile tangazo ambalo alilifanya juzi, hata akaacha Mkoa wa Pwani kabisa katika hospitali ambazo zitakuwa zinahusika na ugonjwa wa Saratani, libadilishwe na Mkoa wa Pwani upatiwe hospitali ambayo inaweza kuhusika na kuchunguza ugonjwa wa Saratani. Sioni ni sababu gani mikoa yote ipatiwe nafasi na Mkoa wa Pwani uwachwe.

Kwa hayo mengi, ninaomba kuunga mkono Hoja hii.

Dr. Monda: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity also to support this Motion. From the outset, I want to highlight the fact that the cost of treating cancer is prohibiting for those who have suffered cancer in this country and even beyond.

It is clear that diagnosing cancer is a very expensive activity. It costs between Kshs10,000 and Kshs35,000 to diagnose cancer. That is at one go possibly doing magnetic resonance imaging or scanning. The cost of Kshs35,000 to the ordinary Kenyan is not practical. When you move to when you start the treatment, be it surgery, radiology or chemotherapy, the cost is very high. When it is done every week, you realize the patient pays an average of Kshs10,000 or more to have one treatment. There is even post-

treatment care which needs to be paid for and also the patient to be nurtured as he continues getting well. Surgery alone for cancer patients costs between Kshs150,000 and Kshs200,000 in public hospitals. This is basically done at the Kenyatta National Hospital or at the Moi Teaching and Referral Hospital.

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

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

As it has been said by my other colleagues, people in other parts of the country cannot access treatment. We want to advise the Government that cancer treatment be devolved to the county level, so that each of the 47 counties has equipment for diagnosis and treatment of cancer, so that the population out there is able to access cancer treatment nearby and cheaply. There is need for this Government to give sufficient money for training experts on cancer. We do not have ten oncologists in this country or even oncology nurses. All technicians are below ten. When you look at the population of 41 million people, it is not practical that at the rate of cancer incidents, five oncologists will attend this population.

So, the Government must take deliberate efforts. It is good that the Minister is here. We want to urge the Minister to seriously talk to the Ministry of Finance so that he can be given sufficient resources urgently. There is no hon. Member here who has never been asked by a constituent or a friend to fundraise in support of a cancer patient treatment. That is what we are doing everyday! Right now, I have a patient that I am treating in my own house - a mother with breast cancer who cannot be treated by anybody because of prohibitive costs.

Mr. Temporary Deputy Speaker, Sir, so, it is important for the Government to consider full funding of cancer treatment, starting from the provision of equipment for diagnosis, experts, medication and post-treatment care.

With those many remarks, I want to indicate that the Departmental Committee on Health - which I chair - has come up with a Bill on cancer prevention, treatment and control. It is in today's Order Paper this morning. It is scheduled as the last Order in today's Order Paper for Second Reading. Therefore, I urge my colleagues in this House to support this Motion and the Bill when the time comes for debate, so that we can have a proper law in this country that will save Kenyans from the suffering that they undergo when they get cancer.

With those many remarks, I beg to support.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I also wish to support this particular Motion. I want to congratulate my Vice-Chairman of the Departmental Committee on Energy, Communication and Information, Mr. James Maina Kamau, for bringing this Motion to this House. It is topical; it is necessary.

In support, I am also quite grateful that the Minister for Medical Services, himself, is here. That is because we all remember that he is waging a war against cancer not just as a Minister but, at a very personal level. I really admire him and wish him well in his efforts to do that. This Motion accords all of us an opportunity, as a nation, to look

into this killer disease. I am compelled to speak because we have buried Prof. Wangari Maathai, an eminent Kenyan. I am compelled to speak on this Motion because on 20th July, 2011, I buried one of my councillors, the late Dismas Kareng'a who died from throat cancer. I speak for the people who have elected me, especially from the lake zone. Somehow, this issue of cancer seems to be coming time and time again, and we are losing many people. The referral hospital that we have, and which should be dealing with that problem--- Only yesterday, we talked about the Moi Teaching and Referral Hospital in Eldoret. It is the referral hospital for the people of Turkana. Every time, I have to spend money trying to take my people to that hospital and guess what, unfortunately, there is only one cancer machine in the whole Republic in terms of public hospitals, only at Kenyatta National Hospital (KNH)! We had an opportunity as a House, for the first time, to try and get the priorities of this nation. Through the Budget Committee, we had reallocated Kshs250 million so that, at the very minimum, we should buy additional three cancer screening machines in the country. So, sometimes, when, as a House and through Committees, we make deliberate specific interventions, you find the Government side fighting what is really good. When we are talking about those cancer screening machines, we are also factoring in the monthly lotion for the Albinos just to apply every month. We had also allocated money to that effect. That is because the condition of Albinos under the tropical sun makes them highly vulnerable to cancer. The case that was being presented to us, as a House, was completely shocking. It is only a heart made of stone that cannot even consider that kind of situation.

In fact, the minimum we required - and I want to appeal to the Minister - I think we managed to get the money allocated for the three machines. But, ideally, we needed four so that we add one more to KNH, we take one to Kisumu, one to Eldoret, one to Nyeri and one to Mombasa. That is just the minimum we can do as a nation to ensure that what this Motion is requesting of us - free treatment for all Kenyans with cancer - cannot only be realized, but would have been the building blocks towards the realization of free treatment for cancer.

Mr. Temporary Deputy Speaker, Sir, we seem to be spending a lot of money on diseases like HIV/AIDS and TB - the communicable diseases. But the killer diseases now are the non-communicable diseases. Last year, as the Chair of the Parliamentary Network on Population and Development, we had engaged the researchers who are doing good work with Parliament so that we really get the statistics. In a study done in Korogocho and Viwandani, you will be shocked by the kind of people who are suffering - the urban poor. They are suffering from what we call lifestyle diseases, which also include diabetes and hypertension. The number is so high that this Government must respond to that situation. This House is committed to provide that leadership if the Government is not doing so.

Just the other day, I was watching a programme on TV and my good friend, Jerry Okungu, is suffering from the same problem. For each and every Kenyan, either these things are becoming more frequent or we are becoming a more open society where the people who are affected are going to inform us of what is happening.

My final contribution is that, indeed, this House and the whole nation need to start a programme on health seeking behavior. Some of us, as a House, are on medical cover. But how many of us at the age of 40, when we should be doing the examinations on prostate cancer and all the other things do that? The surest way to treat cancer is early

detection and early diagnosis. Even, as a House, we are not organizing opportunities for hon. Members to be sensitized. That is because with the kind of workload we have - we are working 24/7 – we have no time to go out there. Sometimes we work until we become sick and the body refuses to work. We need to be sensitized and we must provide that leadership from this House. We must provide that leadership in our constituencies through medical camps that are being organized. We want to support this Motion. When the Bill finally comes, we will definitely support it. The Minister now has an opportunity, not only to agree with us because we are agreeing with him in the first place anyway, but to ensure that he must start engaging the Treasury early enough to allocate sufficient resources to this Ministry. Only yesterday, the Minister was complaining that it is not only the Moi Teaching and Referral Hospital that is in serious financial stress, but even the entire Ministry. Given the high cost of drugs that we are procuring, we may not be able to avail the kind of essential drugs that we need.

Mr. Langat: *Wacha sasa!*

Mr. Ethuro: With those few remarks, I hear my friend, Mr. Benjamin Langat complaining. But I want to assure him that I am paid to talk and I am going to exhaust the number of minutes that I have. I beg to support!

Mr. Shakeel: On a point of order, Mr. Temporary Deputy Speaker, Sir. Would I be in order move that the Mover be now called upon to reply given the mood of the House?

The Temporary Deputy Speaker (Mr. Mwadeghu): I think that does not apply now, but all the same I will invite the Minister to speak.

The Minister for Medical Services (Prof. Anyang'-Nyong'o): Thank you very much, Mr. Temporary Deputy Speaker, Sir. My dear friend, hon. Shakeel, I quite often do not follow his logic, especially yesterday but that is beside the point.

Mr. Temporary Deputy Speaker, Sir, let me first thank hon. Maina Kamau for bringing this Motion to Parliament. Let me also thank the Departmental Committee on Health for drafting the Cancer Bill. These are extremely important steps that are going to help us in the Ministry to go a long way.

However, let me first of all give some information. First, we have continuously engaged the Treasury on the financial needs in the Ministry; the Treasury has all the information really on what financial constraints we are facing. Just about two weeks ago, there was a major meeting between the Treasury technocrats and all of our technocrats. We put forth the financial needs of the Ministry and all our parastatals. So, that information is available in the Treasury. In the Ministry, our hope is that they are looking at it very carefully and noting that health is a fundamental need of Kenyans, because whatever we do--- We can build roads and do all kinds of things, but if we have an unhealthy population, we will go nowhere.

Mr. Temporary Deputy Speaker, secondly, let me also say that if we were to have another disaster today like the Nakumatt and Sinai fire disasters, our health system will not be able to cope. First, Kenyatta National Hospital (KNH), which receives all the victims, including our recent victims from our problem in Somalia, gives treatment but they do not get any funds to support the services they give. So, KNH is up to the ceiling in debt. These are facts that Kenyans should know.

[The Temporary Deputy Speaker

(Mr. Mwachugu) left the Chair]

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

Mr. Temporary Deputy Speaker, I think this House must be informed as, indeed, it is the representative of the people, that in the health sector in terms of service delivery, given the scarcity of resources, we are sitting on the precipice of disaster, unless we respond effectively. So, as a Minister my responsibility is to give information from well informed sources and make sure that we take appropriate action, both as a House and as a Government.

Thirdly, the incidence of cancer is increasing globally and, particularly, nationally, and Members of Parliament have made that observation today. In Kenya, at least 82,000 are diagnosed with cancer every year, and at least 22,000 of those pass on. One of the reasons why there is a very high incidence of cancer is because of opportunistic diseases that attack HIV/AIDS patients, particularly *Kaposi's sarcoma*, which is a very common cancer that affects such patients. The HIV has also complicated the prevalence of cancer in the nation; but more than that, as hon. Ethuro has pointed out, lifestyle changes. Previously, this was taken to be only a middle class phenomenon. Lifestyle change has now become a phenomenon of all social classes. With the increasing poverty in the rural and urban areas, people do not have access to proper food and proper nutrition. If you do not have proper nutrition, it means, as health professionals will tell you, that you do not fortify your body to have a proper immune system and build healthy cells against voracious cancer cells that are always in our bodies; all of us have them, but we only have to have immunity against them.

Mr. Temporary Deputy Speaker, Sir, so, as hon. Ethuro said, if you go to the urban areas today most of expectant mothers do not eat green vegetables and, therefore, they lack folic acid; when they lack folic acid, they are likely to give birth to babies with hydrocephalus, which is another very difficult condition to deal with among children; it is a very big disaster to our health system, especially among children. So, we need to tackle this thing also from another point of view of tackling issues of poverty and access to health care in general.

Mr. Temporary Deputy Speaker, Sir, fourthly, this Motion calls upon the Government not only to have a proper health policy but also to have proper laws and a national cancer strategy and make sure that there is access to treatment. More than that, we should also, as many people have observed in the House today, let Kenyans know how to prevent cancer by taking the first line of action at a personal level; what hon. Ethuro called "a health seeking behavior".

Mr. Temporary Deputy Speaker, Sir, this public health issue of educating our people in schools, radios and newspapers, I must commend our media on this. Our media, of late both the print and electronic Press, has been very active in educating Kenyans about cancer. A week does not pass before any of our dailies publishes a story about cancer. This is very good. This is the kind of public education that we need; but we need to take it further to schools and communities. We, in the African Cancer Foundation have taken up the responsibility of publishing simple sheets giving information about various types of cancer and now we are going to translate it into various languages and

disseminate it very well, so that people know at least the early signs of cancer, how to react to the early signs and where to get treatment.

Mr. Temporary Deputy Speaker, Sir, however, the House is right. Treatment is a problem in this country, because in the public health system, in public hospitals, it is only the KNH that really has got what I may call facilities for cancer treatment. We also have some facilities at Moi Teaching and Referral Hospital and some modicum of facilities in missionary hospitals like Tenwek and Gendia Mission Hospital. In Tenwek, they treat throat cancer very effectively and Gendia Mission Hospital also treats prostate cancer. But all these hospitals, which I have visited, need a lot of support from us as a Government because they treat our ordinary people who quite often do not have the resources to access these facilities.

Therefore, what we are proposing in the Ministry--- I have discussed this thing with the Departmental Committee on Health. I think after the recent study by Deloitte and the officer in charge of the National Hospital Insurance Fund (NHIF), we have completed a National Social Health Insurance Cabinet memorandum, which is being discussed by Treasury, because the Treasury must sign it. I hope that Treasury is going to do this very quickly so that the Cabinet can pass the Social Health Insurance Fund Cabinet Memorandum, and then we will bring a Bill to the House to amend the NHIF Act and transform the NHIF into a social health insurance fund.

Now, that process, I am happy to say, is very advanced. It was a result of the recent work done by the NHIF and Deloitte. It tells us what kind of changes we need in the NHIF, so that we can have a social health insurance fund; it will then be able to fund proper health care of our people. With a proper social health insurance fund, we shall get the resources which we can use even to buy equipment. At the moment, what the NHIF can do is only buy a few ambulances here and there but that is not enough. We need to go further. It has been buying some ultrasound machines, but we want a fund big enough to buy linear accelerators for cancer radiation, Sanders knives for cancer radiation and so on. So, I do hope that in this process, we shall have, at least, a move forward in improving access to cancer treatment in our hospitals.

Mr. Temporary Deputy Speaker, Sir, but that does not alter the fact that we need the Government to put substantial funds in health delivery. We have prepared a strategic plan, which we will bring to the House also as a Bill, on what we need in the next five years to fund the health sector. The estimate we have, if we have really to bring our health sector to proper standards of care delivery, as required by the Constitution and demanded by the counties--- Within the next five years we must invest Kshs85 billion in the health sector. That is the minimum we need. If you divide Kshs85 billion by 5, that is about Kshs17 billion every year. That is the amount of money we need in the health sector, and nothing less. That is why, today, we have only five oncologists and few nephrologists and histologists in the Government. You cannot believe that we actually have very few gynecologists in the public sector. That is because we have not been training them. We must train because our people also get opportunities to work elsewhere. Some retire and others also pass on. So, we must continue training especially at the higher levels, so that we can have proper human resources, particularly, in our provincial and referral facilities.

Mr. Temporary Deputy Speaker, Sir, with the new Constitution, as the House has observed and, indeed, as hon. Members have demanded, every county will need a proper

referral facility. That means that we need proper referral facilities in 47 counties. At the moment, we have about 285 district hospitals nationally. Of those 285, at least, 47 must be developed as referral facilities in those counties. Today, I can only mention about a dozen or so district hospitals that can serve as referral facilities. There is Kisii Level 5, Kericho, Meru, Kitale, Bungoma, Thika, Kiambu and about five others. Those are the only ones that can serve as referral facilities at the county level. Otherwise, we have a job of developing the other about 30 district hospitals to serve as referral facilities at the county level. That is one of the reasons we have done a study and baseline survey to come up with that figure of Kshs85 billion, so that we can equip those facilities properly.

Mr. Temporary Deputy Speaker, Sir, if you go to a country like Angola, a district hospital has about 47 dialysis machines, CT scans and so on. That is what we need for referral facilities. Therefore, I would really appreciate the initiative of the Committee on Health to join us in this effort of making sure that we come out with very sound plans which should be embraced by the Treasury, so that we can equip and develop proper human resources.

Mr. Temporary Deputy Speaker, Sir, it is very unfortunate that in this financial year, the Ministry of Medical Services does not have resources for training. It means that our young doctors who are serving in our hospitals cannot go for their Masters. One of the reasons why young doctors join the public sector is because there has always been that hope and assurance that they will go for postgraduate studies. If they are not financed for postgraduate studies, there is a tendency for them to resign, join the private sector and see how they can finance themselves to go for training. Therefore, those are issues that concern the public and proper service delivery. I hope we will address them very soon.

Mr. Temporary Deputy Speaker, Sir, further, the only way we are going to produce professionals locally is if we have enough medical schools in the country. Today, we have five medical schools in the public sector and three medical schools in the private sector. Those are only eight. This country needs, at least, 35 medical schools to produce enough professionals to serve our nation. So, we are still very far from having adequate institutions nationally to produce the kind of specialists we need in the medical sector to serve our people. That is because in the medical sector, almost every aspect needs its own professionals. For example, we need professionals that deal with the eye; that is, ophthalmologists. But there are two types of ophthalmologists. There are pediatric ophthalmologists who deal with children's problems and the ordinary ophthalmologists who deal with adults. Those two require very specialized training and it costs money. So, if we go down the lane of specialists, as my friend, hon. James Maina Kamau has said, especially in cancer--- Even cancer is not treated generally. There are specialists for throat cancer, colon cancer, prostate cancer, cervical cancer, breast cancer, head cancer and so on. All those are people who have specially trained for a very long time to zero in on a particular type of cancer and treat it properly. When it comes to the equipment too, the kind of linear accelerator you need for radiation of the prostate cancer is very different from the kind of linear accelerator you need for radiation of breast cancer, for example. If you take, for example, the issue of cyber knife, it will radiate primary prostate cancer. That is prostate cancer that has not gone beyond the prostate gland. In Kenya, I do not know whether we have any cyber knife. So, if you go to Kenyatta National Hospital and get radiated by that C60 Cobalt machine, which radiates a very huge area, it will attack healthy cells rather than concentrating on those particular cells

which are cancerous. You can only do that if you have a cyber knife or proper linear accelerator. A cyber knife will cost you about US\$3 million or so. So, with the Kshs300 million that we have got in the budget, we may only buy one cancer machine. So, even the money we have in the budget for cancer equipment is very little. We are talking of billions of shillings to equip our referral facilities for proper cancer radiation.

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

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

Mr. Temporary Deputy Speaker, Sir, the other issue is that we have, for a long time, assumed that when you have cancer, you must have chemotherapy and that, that is the only treatment. There are now so many types of cancers that chemotherapy, though a very important and basic approach to cancer treatment--- When you have pediatric leukemia, for example, that shows that such children need bone marrow transplant as anybody who has leukemia. Now, you know Stendhal Researchers are very advanced in the United States of America, but that is not very well known here. So, these are things that we need.

Mr. Temporary Deputy Speaker, Sir, this is a very important Motion and I am waiting for the Cancer Bill to pass it. I hope that our Government will take this seriously, so that we can deal with cancer appropriately.

Mr. Temporary Deputy Speaker, Sir, I beg to fully support.

The Temporary Deputy Speaker (Mr. Baiya): It is now time for the Mover to reply.

Mr. James Maina Kamau: Mr. Temporary Deputy Speaker, Sir, first, I would like to take this opportunity to thank all hon. Members for their overwhelming support. Specifically, I would like to thank hon. Njuguna, hon. Namwamba, hon. Twaha, hon. Langat, hon. Githae, hon. Odhiambo-Mabona, hon. Kinyanjui, hon. Mbau, hon. Chanzu, hon. Mwadeghu, Dr. Monda, hon. Ethuro and lastly, Prof. Anyang'-Nyong'o, for the support.

Mr. Temporary Deputy Speaker, Sir, I do not think that I have a lot to say because you have heard what people want. There has been a lot of suffering amongst Kenyans. They have been going everywhere to look for treatment, including travelling all the way to Loliondo. Anybody who is sick can seek treatment anywhere in the world, whether or not it is real.

Mr. Temporary Deputy Speaker, Sir, for any development to take place in a country, we need a healthy nation. For a healthy nation, we need people who have access to medical care and treatment. So, I am calling upon the Government to take heed and move with speed and implement this Motion.

Mr. Temporary Deputy Speaker, Sir, at the same time, we also require more doctors to be trained in this field. As the Minister has rightly said, we need people to be trained in various fields because cancer is a serious disease that requires serious treatment. It is not like malaria and common cold. If the Government takes this Motion seriously, we will not have many more *Harambees*. We know that HIV/AIDS has been

giving Kenyans a hard time. But, today, you will find people with HIV/AIDS walking in the streets because of the steps that the Government has taken to make sure that HIV/AIDS patients are given free treatment. It is for the same reason that I am asking the Government to do the same for those people suffering from cancer.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to move and ask the Government to adopt this Motion.

(Question put and agreed to)

ESTABLISHMENT OF SELECT COMMITTEE
TO INVESTIGATE DECLINE OF KENYA SHILLING

Mr. Keynan: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, aware that Kenya is the East Africa's biggest economy and regional economic hub, noting that Kenya is facing a spike in inflation and her currency has plummeted to its weakest level and is now recorded as the continent's worst performer this year despite being fairly stable for the last four decades, concerned that the Central Bank of Kenya has maintained a "watch and see attitude" and has publicly admitted that it could not control the currency slip citing that some commercial banks are holding foreign currencies and has asserted that the problem may persist for another six months, considering that the Task Force established by the Rt. Hon. Prime Minister to help stabilize the shilling, the efforts by the Monetary Policy Committee and the interventions by Treasury have not succeeded in addressing the situation, aware that this depreciation trend has made many Kenyans and foreign investors incur massive losses and the cost of transacting business unduly expensive, this House resolves to constitute a Select Committee to comprehensively investigate the cause(s) of the drastic and steady decline of the Kenya Shilling against the foreign currencies and make recommendations on the way forward and that the Committee shall comprise the following and shall table its report within sixty days of its appointment –

Hon. Adan Keynan, M.P.

Hon. Charles Kilonzo, M.P.

Hon. Benjamin Langat, M.P.

Hon. Shakeel Shabbir, M.P.

Hon. Peter Kiilu, M.P.

Hon. Moses Lesonet, M.P.

Hon. Emilio Kathuri, M.P.

Hon. Benedict Gunda, M.P.

Hon. Rachel Shebesh, M.P.

Hon. Shakila Abdalla, M.P.

Hon. Ntoitha M'Mithiaru, M.P.

Hon. Martin Ogindo, M.P.

Hon. Yusuf Chanzu, M.P.

Hon. (Dr.) Erastus Mureithi, M.P.

Hon. Abdul Bahari, M.P.

Mr. Temporary Deputy Speaker, Sir, taking into account what has been happening in this country over the last one year, and more so, what happened yesterday where the Central Bank of Kenya (CBK) raised its base lending rate from 11 per cent to 16.5 per cent, which I am sure in the next few days, will make commercial banks adjust their base lending rates to a minimum of almost 27 or 30 per cent, it is important that the issue is considered.. This is reminiscent of what happened in 1991 and 1992 when suddenly as a result of the advent of multipartyism a number of other issues came up. Then, a dollar was going for about Kshs16, but within a year a dollar was actually going for over Kshs100.

It is because of this that many Kenyans have been rendered homeless. They lost their mortgages to commercial banks. Many Kenyans have been reduced to paupers, not because they are not hard working, but simply because they lost all their savings through State-induced inflation. We must own up that we have had cartels. For a country to prosper economically, it must not be an importing nation. Kenya is a very productive country agriculturally. However, because of poor economic and agricultural policies, this country has been reduced to an importing nation instead of an exporting one. This has drastically reduced the foreign exchange reserve. We have seen cartels. We have been hearing of – I am glad that a number of media houses have been making reference to this – the Kidero effects, that is, the sugar crisis. A kilo of sugar today goes for Kshs250 while the ideal price is supposed to be less than Kshs100.

We have had energy crisis in this country. Of late, it has been experiencing fuel shortages. We have had the maize crisis and recently the forex crisis. We are very soon likely to have an export/import crisis. All these cartels are signs of failed institutions and State. I have gone to many countries, but this is the only country where we have a free-for-all economy and where there is no regression. Anybody can buy anything. Anybody can bring anything and transfer any amount of money. This is unacceptable because it has led to serious capital flight. This has increased the domestic debt to the extent that every Kenyan today is indebted.

Mr. Temporary Deputy Speaker, Sir, we should not pride that we finance our budget as a country through tax collection. We need to ask ourselves: If ten years ago the domestic debt was less than Kshs100 billion and today it is close to a trillion, then certainly--- This is not something that we can easily externalize. This is something that will be with us until we get a solution which is to rein in on some of these individuals or organizations that have created panic buying as a result of speculation. They have created artificial crises, so that they can reap from it.

Politicians will come and go, so will political events. However, we must at all times be prepared to protect the interest of the millions of innocent Kenyans. If these artificial shortages we are seeing have anything to do with the next general elections, God forbid, then we are headed the wrong direction.

This is reminiscent of what happened in 1992 when Kenya suddenly lost everything and, today, we have not recovered. This is one thing that we need to guard against. Of late, we have seen illegal buying and hoarding and the Governor of Central of Bank of Kenya (CBK) has been lamenting that there is money buying and hoarding by big commercial banks. This is one thing that we need to address.

Mr. Temporary Deputy Speaker, Sir, the blind adoption of IMF and World Bank policies in the 1990s in the name of structural adjustment programmes have also contributed to this problem. Those programmes were not Kenyan-based or Kenyan-oriented. They were foreign ideas and had failed to work in Kenya and other parts of the world. In the recent Asian crisis, among the few countries that survived the Asian economic crunch, was Malaysia. What the then leader of that country, Dr. Mahathir Mohamad did against the advice of IMF and World Bank was to strictly apply rules that were tailor-made for the people of Malaysia. If what has been happening over the last month is true, a committee was constituted by the Right hon. Prime Minister but it made a report that did not work. The Central Bank Monetary Policy Committee met and wrote a report which did not work. Treasury intervened and it did not work also. That is why it is imperative that the National Assembly of the Republic of Kenya must take centre stage, take charge and deal with the individuals or organizations who are hell bent on impoverishing Kenyans. It is because of that, that I consider this Motion timely and relevant. Therefore, as a Parliament, we must address the causes.

The first cause is the Government. Why do I say so? I say so because the Government has failed to deal with the cartels. This Government has one of the best institutional mechanisms and the best investigative infrastructure. Why are those cartels not being dealt with? The second reason why I am blaming the Government is that it has been encouraging import economy instead of encouraging export economy. Therefore, this has greatly reduced the balance of trade. We pride ourselves and we normally say that in the Gross Domestic Product (GDP) of East African Community (EAC) Kenyan GDP constitutes 67 per cent. Therefore, anything that affects the economy of Kenya affects the economy of the entire East Africa. To that extent, we must remain a leading nation and remain true to our calling. So, our economic policy should not only be tailor-made for Kenyans alone, but must have a bearing on what is good because our economy is the best in the region and it must take into account what is good for the entire East African States. The third reason why I say the Government is to blame is because of too much borrowing. Of late, we have been saying that we do not need to go to IMF or anywhere else. But ask yourselves: How do we finance our Budget? It is because you, as an individual and the Government of Kenya, are competing for loans from the commercial banks. That is why the interest rates have been going high. Therefore, it is difficult for the ordinary Kenyans to borrow because they cannot compete with the Government of Kenya. That is why many Kenyans who borrowed loans from banks between 2003 and 2009 it was at a base lending rate of about 8 per cent. But, today, it is 30 per cent. How are they going to service those loans? It is because of that, that as Parliament and an institution, we must face this crisis. We must deal with culprits whether they are banks or individuals because Kenya is bigger than any individual or organization. The fourth reason why I think the Government is to blame is because those banks have exploited---

The Temporary Deputy Speaker (Mr. Baiya): Order, Mr. Keynan! You will have ten minutes to contribute when the Motion resumes.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Baiya): Hon. Members, it is now time to adjourn the House. The House is, therefore, adjourned until this afternoon, 2.30 p.m.

The House rose at 12.30 p.m.