

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 12th October, 2011

The House met at 9.00 a.m.

*[The Temporary Deputy Speaker
(Prof. Kaloki) in the Chair]*

PRAYERS

(Hon. Washiali stood up in his place)

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Washiali, is there something you want the Chair to assist with you?

Mr. Washiali: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not know whether the current sitting will allow us to ask Questions because, on the Government side, I can only see one Assistant Minister!

The Temporary Deputy Speaker (Prof. Kaloki): Order! Mr. Washiali, you are out of order! That is not a point of order.

Mr. Affey, please, proceed!

QUESTION BY PRIVATE NOTICE

DETENTION OF MSF WORKERS BY UGANDA SECURITY AGENCIES

Mr. Affey: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Foreign Affairs the following Question by Private Notice.

(a) Is the Minister aware that two Kenyans (Messrs. Mussa Hassan Bulle and John Lodong), employees of MSF Switzerland, were detained by Ugandan security agencies on June 5, 2011?

(b) What reasons led to the detention?

(c) What measures has the Minister taken to secure their release?

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Affey, the Chair has information that the Minister for Foreign Affairs is involved in another engagement this morning and he has requested that that Question be deferred to next week on Tuesday if that is all right with you.

Mr. Affey: Mr. Temporary Deputy Speaker, Sir, I have no objection but the Minister must also be informed, because he is a very busy Minister, that the Ugandan authorities must stop the continued harassment of Kenyans.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Affey, we will be able to discuss that next Tuesday and you seem to be in agreement with that. So, we defer the Question to next week.

(Question deferred)

ORAL ANSWERS TO QUESTIONS

Question No.803

NON-PAYMENT OF COURT AWARD TO OMAR SALIM MOHAMMED

Mr. Chachu asked the Attorney-General:-

(a) whether he is aware of the judgment of the court in Nairobi, Milimani Civil Case No.5324 of 2004 and the decree dated 3rd August, 2006 and, if so, why the Government has not paid Omar Salim Mohammed as per the judgment/decree;

(b) when the Government will pay the decree holder.

The Temporary Deputy Speaker (Prof. Kaloki): The hon. Attorney-General!

The Assistant Minister for Medical Services (Mr. Kambi): Mr. Temporary Deputy Speaker, Sir, I think because of the weather, they are on the way coming!

Hon. Members: Ah! Ah!

The Temporary Deputy Speaker (Prof. Kaloki): Order, Assistant Minister! That is not a valid answer. Where is the Attorney-General?

The Assistant Minister for Medical Services (Mr. Kambi): Mr. Temporary Deputy Speaker, Sir, he will be coming to the House very soon! I understand he is away because of some few matters in the office. However, he is coming to answer this Question.

The Temporary Deputy Speaker (Prof. Kaloki): All right, that is better. We will wait a little bit for the Attorney-General to get to the Chamber and then we will proceed at that particular time.

(Mr. Chachu stood up in his place)

Order, Mr. Chachu! I have already ruled that we allow the Attorney-General to come to the Chamber and then we will take the Question in the next round!

Next Question by Mr. Kiptanui!

Question No.1035

PERCENTAGE OF FOREST COVER IN EACH COUNTY

Mr. Kiptanui asked the Minister for Forestry and Wildlife:-

(a) whether he could provide the percentage of forest cover in each county indicating how they compare with the national cover;

(b) whether he could further state the average forest cover in the country and indicate how it compares with the international forest cover; and,

(c) what measures he is putting in place to ensure that each county meets the national standard in forest cover.

The Temporary Deputy Speaker (Prof. Kaloki): Minister for Forestry and Wildlife!

The Assistant Minister for Medical Services (Mr. Kambi): Mr. Temporary Deputy Speaker, Sir, I have not communicated with the Minister but I think they are on their way coming. Therefore, I would ask the indulgence of the Chair that he can be given some few minutes. I can see they have started coming.

The Temporary Deputy Speaker (Prof. Kaloki): All right, fair enough!

Mr. Kiptanui, let us give some additional time for the Minister to get to the Chamber.

Mr. Pesa: On a point of order, Mr. Temporary Deputy Speaker, Sir. You agree with me that we have just come from recess and that we expect the Ministers to take Parliament very seriously. We have had three Questions asked without any Minister responding. The Assistant Minister here does not even know where these Ministers are although he is purporting to be the Leader of Government Business today. I do not know whether he has been promoted to that position!

Mr. Temporary Deputy Speaker, Sir, I want you to take this matter seriously and tell us the sanctions you are going to take on Ministers who have failed to come and respond to Questions.

Mr. Mungatana: On a point of order, Mr. Temporary Deputy Speaker, Sir. Further to what my honourable colleague has said, it is very serious that this is the same Government that is saying that they have proposed in the Cabinet, which is not here, that we should extend the election date to December, yet they are already so tired and cannot even attend work in this month of October. We want serious sanctions to be taken against these Ministers.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Mungatana! Is that a point of order?

Mr. Mungatana: Yes, Mr. Temporary Deputy Speaker, Sir. They are not here, and that is not in order.

By the way, I give thanks to you because when you came in, you recognized that it was only the benches of Back benchers which were occupied. You could not even bow to the Government side because there was nobody. For the first time, there was none of them in the House.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Mungatana, of course, your comments are valid. Let us go through all the Questions. We will come to that and the Chair will make a decision at the end of the first round.

Next Question by hon. David Koech!

Question No.1036

PAYMENT OF HONORARIA TO
ADULT EDUCATION TEACHERS

Mr. Koech asked the Minister for Education:-

(a) why the Government has not paid the Adult Education teachers in Nandi North and Nandi Central districts their honoraria since June 2010; and,

(b) when they will be paid.

The Temporary Deputy Speaker (Prof. Kaloki): The Minister for Education not here?

The Assistant Minister for Medical Services (Mr. Kambi): Mr. Temporary Deputy Speaker, Sir, I have not been---

The Temporary Deputy Speaker (Prof. Kaloki): Order! Order! The Minister for Education is not here. So, let us give him some time to get to the Chamber. The Chair also wants to understand why the Ministers are not here. They should be in the Chamber by now. They should take the work of this House seriously.

Next Question by hon. K. Kilonzo!

Question No.1099

NUMBER OF PURCHASED MAIZE DRIERS

Mr. Gitau, on behalf of **Mr. K. Kilonzo**, asked the Minister for Agriculture how many driers have been purchased in the country out of the Kshs750 million budgeted in the 2010/2011 Financial Year to avert contamination of maize with aflatoxin.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Gitau! Hon. K. Kilonzo is not in the Chamber. Did he give you permission to ask the Question on his behalf?

Mr. Gitau: Yes, Mr. Temporary Deputy Speaker, Sir. That is why I have asked the Question on his behalf.

The Temporary Deputy Speaker (Prof. Kaloki): Yes, Minister for Agriculture. Let us give the Minister some time to get to the Chamber.

Next Question by Hon. David Njuguna!

Mr. Njuguna: Mr. Temporary Deputy Speaker, Sir, before I ask the Question, I would like to very humbly urge the House to remember that this Question is appearing on the Order Paper for the third time.

Question No.1107

NUMBER OF EXPATRIATES AT
HOTEL INTER-CONTINENTAL

Mr. Njuguna asked the Minister for Labour:-

(a) whether he could provide a list of all expatriates working in managerial positions at the Intercontinental Hotel, Nairobi, indicating their respective qualifications and positions held;

(b) why the General Manager, one Mr. Karl Hala, has continued to harass and dismiss Kenyans from managerial positions, and whether the Minister is aware that the motive is to create employment for expatriates; and,

(c) what steps the Ministry will take to ensure that qualified Kenyans are accorded opportunity to work at the hotel.

The Temporary Deputy Speaker (Prof. Kaloki): Yes, Minister for Labour!

Mr. Linturi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Looking at this trend, you will see that the Government is not serious. In very many times, this House has been treated to this kind of show where Ministers do not come to answer Questions. I believe that the Ministers knew that they had Questions to answer this morning. The Questions are of particular interest to the hon. Members who brought them here and to the nation at large. I am asking you to use your discretion to reprimand these Ministers and compel them to give a full account not only to the Speaker but also to the House as to why they are late in coming to answer Questions when other hon. Members got up very early and beat the traffic jam to come and receive answers from them. This is really shameful and Kenyans are watching them.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Linturi, the Chair has already given directions on this matter. We said that we will go through all the Questions the second round after which we will be able to determine which particular Minister is not taking the proceedings of this House seriously.

Yes, Mr. Gitau!

Question No.1137

IRREGULAR TRANSFER OF LAND IN KIRINYAGA

Mr. Gitau asked the Deputy Prime Minister and Minister for Local Government:-

(a) whether he is aware that land parcel Nos./Kirinyaga Gathigiriri 58 Land 259, which were held in trust by the County Council of Kirinyaga, were transferred to a private developer, who sold them for Kshs25 million and, if so, whether he could table the transfer documents;

(b) which officers were involved in the irregular transaction and what disciplinary action he will take against them; and,

(c) what measures the Ministry will take to reclaim the irregularly transferred parcels of land.

The Temporary Deputy Speaker (Prof. Kaloki): Deputy Prime Minister and Minister for Local Government not here?

Hon. Members: Shame! Shame!

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, let us allow the Deputy Prime Minister and Minister for Local Government some time to get to the Chamber.

Next Question, hon. Mwaita!

Question No.1145

PROVISION OF CLEAN WATER TO
KAMPI YA SAMAKI RESIDENTS

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

(a) whether she is aware that residents of Kampi ya Samaki Township are using water from Lake Baringo which has high fluoride content; and,

(b) what measures the Ministry will take to ensure that the residents of the township have access to clean water.

Mr. Mwaita: Mr. Temporary Deputy Speaker, Sir, I wish to inform the Chair that the Minister called me this morning and indicated that she was still sorting out the answer because the answer she was given was not sufficient!

The Temporary Deputy Speaker (Prof. Kaloki): Order! Order, Mr. Mwaita! It is not for you to give that information to the House! So, the Chair does not have that information!

The Minister for Water and Irrigation not here?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): On a point of order, Mr. Temporary Deputy Speaker, Sir. I have spoken to the Minister for Water and Irrigation. She told me to inform the Chair that she has already spoken to the Questioner and they are in agreement that the Question should be listed on the Order on Tuesday next week.

The Temporary Deputy Speaker (Prof. Kaloki): Fair enough! The Question is deferred to Tuesday next week.

(Question deferred)

Question No.1154

LIST/ STATUS OF ENNDA-FUNDED PROJECTS

The Temporary Deputy Speaker (Prof. Kaloki): Is hon. M'Mithiaru not here? We will give him some time to get to the Chamber so that he can ask the Question.

Next Question, hon. Mureithi!

Question No.1211

ADJUSTMENT OF RAILWAY BRIDGE TO ALLOW PASSAGE OF TRUCKS

Mr. Mureithi asked the Minister for Roads:-

(a) whether he is aware that the Railway Bridge situated next to Pembroke House School is too low to allow some trucks to pass, and that owners of an adjacent farm charge lorry drivers to detour through the farm; and,

(b) whether he could consider adjusting the road in order to accommodate the trucks taking relief supplies to northern Kenya, particularly during the current re-carpeting of Road C77.

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

(a) I am aware that the Railway Bridge on the road from Gilgil to Nyahururu (Road C77) is low and cannot accommodate some trucks to pass through it. However, I am not aware that the owners of the adjacent farms charge lorry drivers who detour through their farms.

(b) My Ministry, in consultation with the Ministry of Transport, which is the parent Ministry of the Rift Valley Railways Company, will re-design the bridge to ensure that it is able to accommodate huge trucks transporting relief food to the northern parts of this country.

Mr. Mureithi: Mr. Temporary Deputy Speaker, Sir, whereas I appreciate this very short answer from the Assistant Minister, I feel very bad in that as we talk about the re-designing of that bridge, the contractor, who has been on the road for four years, has done only 25 kilometres. I do not know how much they will give the same contractor, together with all the relevant bodies, to do the design work. Even the 25 kilometres the contractor has done is shoddy work. What is the Ministry doing to make sure that this contractor will not be part and parcel of the re-designing of that bridge, because he will never reach that bridge given that after being on site for four years, he has done only 25 kilometres?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, it is, indeed, true that the Gilgil-Nyahururu Road has been under construction and the contractor is behind schedule. We have issued the contractor with the first warning but the progress has still not been satisfactory. I want to assure the hon. Member that we will not involve him in the other contract to upgrade the bridge. If anything, we intend to terminate his contract as soon as the period of the notice expires.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Assistant Minister! Could you deal with the issue of adjusting that road to allow trucks to take relief food to northern Kenya? Could you be serious in your answer to that aspect?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, I have indicated that the Railway Bridge is not within the mandate of the Ministry of Roads. It is within the mandate of the Ministry of Transport. My Ministry does not construct railway bridges. However, whenever we construct a road and there is an intersection between the road and a railway line, the two Ministries come together. There are specific measurements, especially the height, upon which we have agreed. We have realised that this particular bridge is slightly lower than the height stipulated in the Traffic Act. The height of this particular bridge is 3.6 metres, whereas the maximum height of a motor vehicle, as stipulated in the Traffic Act, is 4.2 metres. Therefore, this bridge does not conform to the Traffic Act.

The Temporary Deputy Speaker (Prof. Kaloki): Assistant Minister, the question is whether you could consider re-routing the road or adjusting it to make sure that it can accommodate trucks. So, could you give that undertaking?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, the design existing so far does not necessarily include a detour. However, it requires us to excavate and ensure that the road goes lower by about a metre thereby accommodating the height. The relief trucks should be able to pass there. This was not the case before. So, we do not need to detour the road.

Mr. Njuguna: Mr. Temporary Deputy Speaker, Sir, this is a critical bridge and I would like to ask the Assistant Minister to inform the House the interim measures the

Ministry will institute to address the current transport hitch experienced by transporters as they deliver relief food to North Eastern Province.

The Temporary Deputy Speaker (Prof. Kaloki): I think the Assistant Minister has already stated that they will do some work there to enable the trucks to pass through. He has already given that undertaking.

Mr. Njuguna: Mr. Temporary Deputy Speaker, Sir, I am comfortable with that reply.

Mr. Ngugi: Mr. Temporary Deputy Speaker, Sir, the alternative route through this bridge is the road through Flyover and Njambini all the way to Ol Kalou. However, only a small section of 15 kilometres from the Flyover to Njambini is impassable because it has a lot of potholes. If this road was repaired, then it would serve as an alternative road, while the Ministry is renovating this bridge to accommodate those huge trucks. When will this section of the road be repaired to motorable standards?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, I concur with the hon. Member that, indeed, we have alternative routes that can be used to go to the same destination. The remaining section of the road which is about 15 kilometres is not impassable. It is only that the potholes there have emerged sooner than we expected. However, we have a budget for repairing that road. We believe we should be in a position to undertake the repairs within the coming financial year.

Most of the relief trucks that take relief supplies to the upper parts of the country are always overloaded. Therefore, as they use these roads, the damages that we incur are colossal. My plea to the road users, especially the transporters, is to ensure that we do not overload and overstrain the roads that were designed to carry the stipulated maximum load.

Mr. Pesa: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has given a very good indication that they will increase the height of the bridge in question. Before the contract was paid, some officer must have gone there to assess his work. What action will he take against the officer who allowed the contractor to go away without doing a proper job on this particular bridge?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, the contractor has not gone away. In fact, he is still on site. The problem has to do with his capacity to undertake the job that we have given him within the time stipulated in the contract. Therefore, he is not able to keep within our schedule which would also raise a few questions on his capacity. We are not willing to give him more work. If anything, we hope to terminate his contract and get a contractor who can deliver on time and within the specified parameters of the contract.

Mr. Gaichuhie: Mr. Temporary Deputy Speaker, Sir, this road is about 70 kilometres long and yet, it has taken the contractor four years to do 25 kilometres. How much more time has the Ministry given him before it terminates the contract?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, we have not given him a time extension because that has not even been sought. What we have given him is a warning letter to show cause why we should not terminate his work. The answer that has been given does not satisfy the Ministry. After the stipulated time is over, we will terminate this contract.

Mr. Litole: On a point of order, Mr. Temporary Deputy Speaker, Sir. Would I be in order to ask the Assistant Minister what time this contractor had been given? He has

taken four years to complete 25 kilometres. How much time was he given to complete the 70 kilometres?

The Temporary Deputy Speaker (Prof. Kaloki): I think that is a question, but you may proceed to answer it. I will bend the rules here a little bit.

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, it is not true that the contract was given four years ago. It is true that he is late, but it is not four years. Again, it is not only 25 kilometers that have been done. However, if the hon. Member wants me to table the progress of work *vis-à-vis* the time taken, I will be glad to do that.

Mr. Washiali: Mr. Temporary Deputy Speaker, Sir, now that the contractor has taken longer than he was expected and usually contractors are very notorious such that when the shilling depreciates, they ask that they vary their quotation, is the Assistant Minister going to consider this contractor in case he asks for a variation?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, we would consider that if the problem was on the side of the Ministry in terms of fulfilling the contract. However, in this case, the delay has been on the side of the contractor. We are, therefore, unlikely to consider that.

Mr. Mureithi: Mr. Temporary Deputy Speaker, Sir, I am getting a bit perplexed by the Assistant Minister's response. He answered the same Question on the delay of completion of the same road last year. He gave us an indication that the timeframe for that contractor was May, 2010. Since that time, three engineers have been changed. At the moment, a third engineer has been brought to oversee the construction of that road. What is the reason for keeping the contractor considering that his time ended in May, 2010? Up to now, the contractor has been maintained despite his slow pace and poor quality of work. In fact, his time ended last year in May.

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, the termination of any contract is clearly stipulated on the contract itself which is a legal document. Therefore, before we terminate, we have to give the relevant notices and the contractor must be given time to respond. We have done all that and I am convinced that the final termination letter should be coming out soon.

Question No.803

NON-PAYMENT OF COURT AWARD
TO OMAR SALIM MOHAMMED

Mr. Chachu asked the Attorney-General:-

(a) whether he is aware of the judgment of the court in Nairobi, Milimani Civil Case No. 5324 of 2004 and the decree dated 3rd August, 2006 and, if so, why the Government has not paid Mr. Omar Salim Mohammed as per the judgement/decree; and,

(b) when the Government will pay the decree-holder.

The Temporary Deputy Speaker (Prof. Kaloki): Is the Attorney-General in the Chamber? Where is the Attorney-General?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, the Attorney-

General promised to attend this morning session. However, I cannot see him. I request that we revisit the matter during the second round.

The Temporary Deputy Speaker (Prof. Kaloki): This is the second and final round, Mr. Ojode!

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, if this is the final round; I request that we defer this Question. In the meantime, I will call his office and ensure that he is around.

The Temporary Deputy Speaker (Prof. Kaloki): To when should we defer this Question?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I request we defer it to tomorrow afternoon.

Mr. Chachu: Mr. Temporary Deputy Speaker, Sir, I do not have a written response to this Question and I have checked with the Clerk's Office. Secondly, looking at the nature this Question, this person has been denied justice since 2006.

The Temporary Deputy Speaker (Prof. Kaloki): Would you prefer it to be deferred to tomorrow or on Tuesday next week?

Mr. Chachu: Mr. Temporary Deputy Speaker, Sir, on Tuesday, I will be away on parliamentary business. I suggest tomorrow.

The Temporary Deputy Speaker (Prof. Kaloki): Tomorrow is all right. Mr. Ojode, please, pass the information to the Attorney-General that he needs to be in the Chamber. The Question is, therefore, deferred until tomorrow afternoon.

Next Question by Mr. Kiptanui!

Question No.1035

PERCENTAGE OF FOREST COVER IN EACH COUNTY

Mr. Kiptanui asked the Minister for Forestry and Wildlife:-

(a) If he could provide the percentage of forest cover in each county indicating how they compare with the national cover;

(b) if he could state the average forest cover in the country and indicate how it compares with the international forest cover; and

(c) what measures he is putting in place to ensure that each county meets the national standard in forest cover.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I request, again, that we defer this Question until tomorrow in the afternoon. It looks like the Minister is stuck in the traffic jam and he will not be able to attend the morning session at this particular time.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Ojode! Can you withdraw that fact that the Minister is stuck in a traffic jam? Hon. Members are here!

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I withdraw that and request that we defer the Question to tomorrow or Tuesday afternoon.

Mr. Kabogo: On a point of order, Mr. Temporary Deputy Speaker, Sir. You know that when hon. Members are not present and their Questions are being asked, the Chair would drop them. That is punishment to hon. Members and yet, when a Minister is not in the House, the House just adopts a situation of deferring the Question. I urge the Chair to see to it that ample punishment is given to Ministers who do not attend to the business of the House.

The Temporary Deputy Speaker (Prof. Kaloki): Definitely! We will do that if the Minister is not going to be in the Chamber tomorrow to answer this particular Question.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): That is right, Mr. Temporary Deputy Speaker, Sir.

(Question deferred)

The Temporary Deputy Speaker (Prof. Kaloki): Thank you. Next Question is by Mr. Koech!

Question No.1036

PAYMENT OF HONORARIA TO ADULT EDUCATION TEACHERS

Mr. Koech asked the Minister for Education:-

(a) whether he could inform the House why the Government has not paid the adult education teachers in Nandi North and Nandi Central districts their honoraria since June 2010; and,

(b) when they will be paid.

I am asking this Question for the second time.

The Assistant Minister for Education (Prof. Olweny): Mr. Temporary Deputy Speaker, Sir, first, may I apologize for coming late because I was held up in a traffic jam somewhere.

However, I beg to reply.

(a) The names of adult education teachers in Nandi North and Nandi Central districts were initially spread in the new districts whose bank particulars had not been received or redirected at the time of the preparation of the payment. Due to accountability concerns, the officers in the old districts which did not have all the required particulars returned the money to the Ministry headquarters in form of cheques. The Ministry received the money together with bank particulars and started processing payment for the 36 affected teachers. However, the financial year 2010/2011 was closed before the process was completed.

(b) The adult education teachers were paid their honoraria for the period covering July 2010 to June 2011 on 10th October, 2011 through the Kenya Commercial Bank (KCB) for onward transmissions to the various accounts of the teachers. I wish to table the evidence indicating that the payments have been done.

(Prof. Olweny laid the documents on the Table)

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, while I thank the Assistant Minister for having, at last, released that money on 10th October, 2011. I would like to say that those teachers have gone without pay for the last one year and three months. The Ministry releases the money in quarters. But this time round, they have done so after one and half years and yet, they expect those teachers to render services to this nation. Could the Assistant Minister, having now released the money, ensure that those teachers are now paid on a monthly basis? It is only Kshs2,000?

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Koech, I thought you should be appreciative to the Assistant Minister because he has already answered your Question. He has paid the concerned teachers.

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, I appreciated that at the initial stages and the HANSARD can bear me witness. I am asking the Assistant Minister to confirm whether he could consider paying those teachers on a monthly basis because they are rendering services to the nation.

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, I will look into that but I cannot commit myself. We shall look into it in the Ministry.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Prof. Olweny! You have to be a little bit serious. You cannot say that you cannot commit yourself!

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, these are policy matters which I cannot commit myself here until everything is sorted out. I just cannot commit the Ministry on matters relating to money here on the Floor.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Prof. Olweny!

Mr. Koech: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to talk about policy when the policy in the Republic of Kenya is that Kenyans are paid on a monthly basis?

The Temporary Deputy Speaker (Prof. Kaloki): Regarding the issue of policy, could you state it here? When are the teachers supposed to be paid? Is it on a monthly basis or after every six months?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, they are paid every three months. Unless I check on the policy that relate to this, I cannot make a commitment on the Floor of the House because it relates to money.

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

The Temporary Deputy Speaker (Prof. Kaloki): What is your point of order, Mr. Letimalo?

Mr. Letimalo: Mine is a question and not a point of order.

The Temporary Deputy Speaker (Prof. Kaloki): Let me deal with the point of order first.

Mr. Mwangi: On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard the Assistant Minister say that he cannot talk on the policy and yet, it is the Ministry that is supposed to arrange for the payment of its employees. Is he in order to mislead the House that it is not good enough to indicate that he is going to pay the employees?

The Temporary Deputy Speaker (Prof. Kaloki): Prof. Olweny, what is the policy?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, that is an issue that, if we have to change it, there must be consultations. I have to go and consult with the rest of

the Ministry and give a way forward. But I cannot just commit the Ministry on matters relating to money. What about if it does not work? If it does not work, the hon. Member will come up with the same Question again and we will be stuck. So, give me some more time and we will look into it. I have said that we are going to look into it. I have not said that we are not going to look into it.

Mr. Ruteere: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant in order to mislead the House when we know that in this Republic of Kenya, every employee is paid on a monthly basis? The teachers employed by the Teachers Service Commission (TSC) are paid on a monthly basis? Has the policy changed and, if so, when was it changed?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, let me inform the House that those people are not employed permanently. They work on temporary basis. They are not permanent employees of the Ministry or TSC.

Mr. Ruteere: On a point of order, Mr. Temporary Deputy Speaker, Sir. I thought all the teachers were put on permanent and pensionable employment and that there are no teachers employed on contract basis now. Why is the Assistant Minister misleading the House that they are on contract terms?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, it is the hon. Member who is misleading the House. I think he does not know what he is talking about. We are not talking about contract teachers or teachers employed by TSC. Those are adult education teachers who teach for only a few hours in a day or in a week. They are like casual workers in the Ministry. So, they are not employed by TSC. That is a different arrangement.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Prof. Olweny! Mr. Ruteere is not misleading the House. Even if you call them adult education teachers, they are still teachers. The issue is: Are they supposed to be paid monthly or after every three months?

Prof. Olweny: They are paid every three months. Why I said that my colleague is misleading the House is because he said that they are employed on permanent and pensionable terms. That is not true for that category of teachers.

Mr. Koech: On a point of order, Mr. Temporary Deputy Speaker, Sir. We are talking about the Government's commitment to ensure literacy among its population. We are talking about Kenyans who have offered themselves to assist in providing literacy to the elderly of this Republic. In fact, the Assistant Minister has not even apologized to those teachers who have been working for one year and three months without pay and yet, he is talking about a policy change. Am I in order to request that this Question be deferred so that the Assistant Minister could go back and ensure that all policy matters are addressed, so that he can come and answer this question effectively?

The Temporary Deputy Speaker (Prof. Kaloki): Prof. Olweny, do you feel that you have answered the Question because you talked about consulting your officers to determine whether there are changes in policy? You had also indicated to this House that you need to consult with them.

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, let us be fair to one another. If you look at part (b) of this Question, it asks: When will they be paid? Is that part answered or not answered? Part (a) of the Question is asking: Why has the Government not paid the adult education teachers in Nandi North and Nandi Central districts their

honoraria since June, 2010? Was the reason for non-payment not given in the answer? If the hon. Member wants to raise another issue, why can he not do so, in form of another Question?

The Temporary Deputy Speaker (Prof. Kaloki): Fair enough! However, Mr. Assistant Minister, would you assure the House that these teachers will be paid every three months as per the policy you cited here in this House? That is the question.

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, these are issues relating to finances. Therefore, unless there is a thorough consultation, I just cannot make a statement here on the Floor of the House because at the end of the day, I may give the wrong information. I just do not want to mislead the country and also to mislead the House.

Mr. Ngugi: Mr. Temporary Deputy Speaker, Sir, we need your guidance. Is this Assistant Minister competent to answer this Question or not?

The Temporary Deputy Speaker (Prof. Kaloki): Definitely, the Assistant Minister is competent and he is here to do so. He had already indicated that teachers will be paid after every three months. He said that is the policy. Could you now assure the House and the country that these teachers will be paid after every three months?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, we always pay these teachers every three months. However, there was this sub-division of districts which caused problems. The sub-division of districts is done by the Office of the President and not the Ministry of Education. This caused problems and the money was returned to us. By the time we were processing as I have indicated here, we had gone into the new financial year. You know when we get into a new financial year and it comes to finances---

Mr. Kabogo: On a point of order, Mr. Temporary Deputy Speaker, Sir. As far as the Assistant Minister is concerned, he does not seem to understand the issue at hand. We are rightly asking whether he can confirm to the House that these teachers will be paid every three months as the policy says. Could he confirm that? He has not answered that question.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Assistant Minister, that is a valid point of order.

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, I have said and I am repeating that we pay these teachers every three months---

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Assistant Minister! Let me assist you. Do we have a budget allocation for these adult education teachers?

Prof. Olweny: Yes, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): So, they will be paid every three months.

Prof. Olweny: Mr. Deputy Speaker, Sir, we pay them every three months. However, there was a problem in this particular case. We normally pay them every three months and we shall continue doing so.

Ms. Noor: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to tell us there is a policy that undermines and violates the labour laws in this country?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, I do not think I said so. The HANSARD will bear me witness.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Assistant Minister, the Chair is directing that you give an undertaking that these payments to the teachers will be made every three months.

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, the policy we have at the moment in the Ministry is that we pay them every three months across the country. However, as I said, this one was a different case because of the creation of the new districts.

Mr. Letimalo: Mr. Temporary Deputy Speaker, Sir, taking into account the reason that the Assistant Minister has given with regard to non-payment of adult teachers in Nandi District, could he confirm whether this problem is unique to Nandi District or we have got similar problems in other parts of the country?

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Assistant Minister, what are you doing about it?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, I have not been informed of any case. But in case the hon. Member has a similar case in his district, please, let me know. We will sort it out immediately.

Mr. Letimalo: Mr. Temporary Deputy Speaker, Sir, this is actually incredible! Is it my responsibility to tell the Assistant Minister whether we have got a problem of non-payment of teachers in my district? I am only asking whether this affects only Nandi District or do we have similar problems in the rest of the country? He should be able to know as the Assistant Minister in charge of the Ministry.

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, as far as I know, and that is the answer I gave my colleague, we do not have an issue like that in the rest of the country. But if he knows of a similar case, I would ask him to bring it to our attention and we shall act accordingly.

Mr. Kiuna: On a point of order, Mr. Temporary Deputy Speaker, Sir. It seems the Assistant Minister is not sincere with his answer. Will I be in order to request the Chair to defer this Question so that he comes with a satisfactory answer?

The Temporary Deputy Speaker (Prof. Kaloki): Order! Hon. Assistant Minister, to be fair to the House and the country, you have to go back to your officers, consult on the issue of the policy on when these teachers are supposed to be paid. First of all, you need to go back and talk with them and then report to the House. The issue of adult education teachers in the country is very serious. So, I direct you go back and consult with your officers in the Ministry and come back with an appropriate answer pertaining to the policy on this particular issue. I will defer this Question to next week on Wednesday afternoon.

(Question deferred)

Question No.1099

NUMBER OF PURCHASED MAIZE DRIERS

Mr. Gitau, on behalf of **Mr. K. Kilonzo**, asked the Minister for Agriculture how many driers have been purchased in the country out of

the Kshs750 million budgeted in the 2010/2011 Financial Year to avert contamination of maize with aflatoxin.

Mr. Temporary Deputy Speaker, Sir, I have not received the written answer.

The Assistant Minister for Agriculture (Mr. Ndambuki): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

Thirty six mobile driers are in the process of being purchased in the country from parts of the 2010/2011 Financial Year budgetary allocation to address post-harvest crop management losses, including loss through contamination of maize by aflatoxin. The driers are expected to be delivered by 3rd December, 2011.

Mr. Gitau: Mr. Temporary Deputy Speaker, Sir, I want to thank the Assistant Minister for the answer he has given. However, he has not indicated the amount of money the driers are costing. Could he indicate that?

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, the driers are costing Kshs272 million. One drier is costing Kshs6,900.

Mr. Kiptanui: Mr. Temporary Deputy Speaker, Sir, I would like to know from the Assistant Minister, the capacity for each of these driers and whether they will be distributed across the country or they will be in one region.

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, the capacity is 5 tonnes one hour and they will be distributed to districts where there are no driers. Some of the districts, especially Rift Valley, have driers. However, there are some parts of this country which have no driers like Central and Eastern provinces, among other parts.

Mr. Chepkitony: Mr. Temporary Deputy Speaker, Sir, I would like the Assistant Minister to tell this House under whose management the driers will be? Will they be managed by the Ministry of Agriculture or by a separate body? The driers should be managed and handled properly to ensure that service is given to the farmers.

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, at the beginning, they will be managed by the National Cereals and Produce Board (NCPB) but at the end, they will be community based projects. They will be managed by the community once the people are organized and are put together into groups.

Dr. Kones: The Temporary Deputy Speaker, Sir, the Assistant Minister has indicated that the distribution will mainly be to the Eastern and Central provinces. He has given an indication as if the Rift Valley has enough driers. Could he tell the House where we have driers in the South Rift-Valley?

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, I did not create the impression that the Rift Valley has enough driers, but it has driers. If you look at most of the NCPB depots, there are driers. There are some provinces in this country where there is not a single drier. Some of the districts in the Rift Valley will also get driers.

Mr. I. Muoki: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister will recall that most of the maize in lower Eastern got spoilt because of aflatoxin and lack of proper drying methods. How many of these driers has he allocated to the counties in lower Eastern, namely, Kitui, Makueni and Machakos counties?

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, the areas the Member has talked about have adequate driers. So, each county will be having one or two driers.

Mr. Wambugu: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister was very general in saying that the driers will be distributed in Eastern and Central provinces.

Could he be more specific and tell us exactly which counties will benefit from the driers? He should also confirm whether Murang'a County will benefit from one of these driers.

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, I have a list of the areas which will get the driers, which I would like to table for the Members to see. It is a long list.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Assistant Minister! What about Murang'a County or Central Province?

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, just a minute. There is Kirinyaga, Nyeri and Nakuru. I have a list of the grain driers and storage programme. There are a total of 40 districts. These include Central Kirinyaga, Nyeri, Murang'a, Coast, Eastern, Nyanza, the Rift valley and Western. Those are the areas where the 40 driers will be distributed.

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, I want to thank the Ministry for this move and I hope they can fast-track the arrival of these driers. The Assistant Minister has confirmed that we have driers in the North Rift, but right now, the farmers are being turned back with their maize because of the moisture content. Could he direct the NCPB to accept the maize and allow the farmers to use the driers, so that the cost of transporting the maize to and fro is avoided?

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, we have a warehousing receipt programme and I would like to encourage the farmers that instead of incurring costs of fumigation and other chemicals, they should deposit the cereals with the NCPB and the Board will make sure that the chemicals, fumigation and drying are done. The fee is very minimal and the storage is free. It is better to store the cereals with the NCPB than to keep them in the house where the farmer is going to buy the chemicals and do all the other things. When they take the cereals there, they will be given a receipt and can collect their maize when they want.

Mr. Mureithi: Mr. Temporary Deputy Speaker, Sir, what criteria did the Assistant Minister use in the distribution of these driers? Some areas are quite dry and the wet areas like Nyandarua, which includes OI Kalou Constituency and whose temperature goes to freezing points, have not been allocated any drier. I would like to know the criteria he used to distribute the driers, considering that some areas like Nyandarua which have a very wet climate did not get any drier.

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, the criteria was like the one we used during the last season. The districts which had serious aflatoxin problems were the ones which were given the first priority. If there are others which are missing, they will get in time.

Mr. Gitau: Mr. Temporary Deputy Speaker, Sir, I appreciate the answer by the Assistant Minister. However, could he indicate whether he could provide driers in the rice growing areas?

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, these driers are mobile and can dry any kind of cereals. They can be moved from one area to another. They can also be used to dry wheat, rice and any other cereal.

Question No.1107

NUMBER OF EXPATRIATES AT HOTEL

INTER-CONTINENTAL

Mr. Njuguna asked the Minister for Labour:-

(a) whether he could provide a list of all expatriates working in managerial positions at the Intercontinental Hotel, Nairobi, indicating their respective qualifications and positions held;

(b) why the General Manager, one Mr. Karl Hala, continues to harass and dismiss Kenyans from managerial positions, and whether he is aware that the motive is to create employment for expatriates; and,

(c) what steps the Ministry will take to ensure qualified Kenyans are accorded opportunity to work at the hotel.

The Assistant Minister for Labour (Mr. Ojaamong): Mr. Temporary Deputy Speaker, Sir, I apologize for coming late.

Further, I beg the indulgence of the House if I could answer this Question on Tuesday next week. My officers are on the way coming with the answer, but I do not think I will be able to give an appropriate answer now.

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Ojaamong! Are you saying you are not ready this morning?

The Assistant Minister for Labour (Mr. Ojaamong): Yes, I am not ready, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): And what is the reason for your not being ready?

The Assistant Minister for Labour (Mr. Ojaamong): Mr. Temporary Deputy Speaker, Sir, we have just come back from recess and I least expected this Question to appear on the Order Paper today; my officers are on the way with the answer. For me to satisfy this hon. Member, let me go through the answer thoroughly and by Tuesday I will give him an appropriate answer.

The Temporary Deputy Speaker (Prof. Kaloki): Did you consult with the Member of Parliament on the same?

The Assistant Minister for Labour (Mr. Ojaamong): Mr. Temporary Deputy Speaker, Sir, he is my friend and I will just talk to him now.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Njuguna, are you in agreement that we defer this Question?

Mr. Njuguna: Mr. Temporary Deputy Speaker, Sir, I stated in the morning that this is the third time this Question is appearing on the Order Paper, and it carries a lot of weight. If the Assistant Minister is not aware, I am in possession of an answer supplied to me by the Minister for Labour. If only the Assistant Minister can agree to this positive answer, have a glance at it and reply to the concerns that have been raised by this Question---

The Temporary Deputy Speaker (Prof. Kaloki): Order! Mr. Assistant Minister, when are you going to be able to bring the answer here?

The Assistant Minister for Labour (Mr. Ojaamong): Mr. Temporary Deputy Speaker, Sir, indeed, what he is saying is true because my Minister was supposed to answer it.

The Temporary Deputy Speaker (Prof. Kaloki): Order! Why not answer it tomorrow?

The Assistant Minister for Labour (Mr. Ojaamong): Mr. Temporary Deputy Speaker, Sir, I can answer it tomorrow or even this afternoon because the answer is on the way.

The Temporary Deputy Speaker (Prof. Kaloki): Answer it tomorrow afternoon. Hon. Njuguna, let this matter rest there, and it will be answered tomorrow afternoon. Are you satisfied with that?

Mr. Njuguna: Mr. Temporary Deputy Speaker, Sir, it is agreed.

(Question deferred)

The Temporary Deputy Speaker (Prof. Kaloki): Next Question by hon. Gitau, for the second time!

Question No.1137

IRREGULAR TRANSFER OF LAND IN KIRINYAGA

Mr. Gitau asked the Deputy Prime Minister and Minister for Local Government:-

(a) whether he is aware that land parcel numbers Kirinyaga Gathigiriri 581 and 259, which were held in trust by the County Council of Kirinyaga, were transferred to a private developer who sold them for Kshs25 million and, if so, whether he could table the transfer documents;

(b) which officers were involved in the irregular transaction and what disciplinary action he will take against them; and,

(c) what measures the Ministry will take to reclaim the irregularly transferred parcels of land.

The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Local Government (Mr. Nguyai): Mr. Temporary Deputy Speaker, Sir, first of all, let me apologise for coming late. I will make sure it will not happen again.

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

(a) I am not aware that the land parcel numbers Kirinyaga Gathigiriri 581 and 259, which were held in trust by the County Council of Kirinyaga, were transferred to a private developer who sold them for Kshs25 million. I would like to inform the House that the council, vide Minute No. WTPM&H 231/91 allocated the land parcel No. Kirinyaga/Gathigiriri/581 to six individuals by way of compensation for land that was acquired for expansion of the council market centre within the county. They are:

1. Beatrice Nyaguthii - 10 acres
2. Jackline Wairimu - 10 acres
3. Anne Waruguru - 10 acres
4. Michael Wachira - 10 acres
5. Jackson Mugeru - 8 acres
6. Gladys Mufila - 2 acres

The council forwarded the same for approval through Ref.D/16/3K/XIII/223 of 6/12/91. The same was approved by the Minister for Local Government vide letter ref.92638/11/104 of 6th October, 1992 and forwarded to the Commissioner of Lands for

execution. According to records held in the District Lands Registry, Parcel No. Kirinyaga/Gathigiriri/259 has never been registered under the council. Cautions erroneously placed on the above two parcels by the council were removed when the above facts were established. Further to the above, the owner, Mr. Muchira, filed a suit in court challenging the council on its action of filing the caution. As a result, the council was legally advised to withdraw from the suit due to lack of evidence of ownership.

(b) No particular officer was involved in the transfer of the land in question. The land was allocated through a council resolution, hence nobody needs to be disciplined.

(c) Since there was no irregular transfer, the allocation cannot be reversed.

Mr. Gitau: Mr. Temporary Deputy Speaker, Sir, I want to thank the Assistant Minister for his answer. In his answer, he indicates that land parcel number 581 was allocated to six individuals in 1991. According to some documents that I hold, the council had put a caution on the same piece of land in 2004; this contradicts the Assistant Minister's answer that the land was allocated in 1991. At the same time, the parcel of land is 54 acres, and the Assistant Minister has indicated that they allocated 50 acres, with a remainder of four acres. Could he indicate to whom the four acres were allocated? He should also indicate why the council had put a caution in 2004 on the same land. Which parcels of land were individuals being compensated for, and which market was expanded?

Mr. Nguyai: Mr. Temporary Deputy Speaker, Sir, I think there were a number of questions. The first one is that there was a caution in 2004. I have the allocation of land instructions of 6th December, 1991 allocating 50 acres. The second question was: What happened to the balance of the four acres? I do not have the details of the balance of the four acres; I only have the details on the 50 acres. The third question was: What parcels of land were individuals compensated for, so that we could build a market? I have the details of the transfers that were done and I would rather table them, so that the hon. Member can peruse them and be satisfied.

(Mr. Nguyai laid the documents on the Table)

Mr. Gitau: Mr. Temporary Deputy Speaker, Sir, then would I be in order to ask you to defer the Question until I go through the documents and also for him to go and get details on where the four acres went to?

Mr. Nguyai: Mr. Temporary Deputy Speaker, Sir, if you look at the Question that I answered, I did it satisfactorily. There was no question on the four acres that were there. So, I would rather that he comes and we have consultations in my office, so that we can thrash this out. I think I have satisfactorily answered this Question.

The Temporary Deputy Speaker (Prof. Kaloki): Fair enough. Hon. Gitau, if you have any other question that you may want to ask the Assistant Minister, you can do that but I think he has done a good job of answering the Question. From there, you can visit him, consult and resolve the issue.

Mr. Gitau: Mr. Temporary Deputy Speaker, Sir, I would wish that if I am not going to be satisfied with the documents that he is going to give me, the matter comes back to the House.

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Gitau! You do not know whether you will be satisfied or not. The issue here is that you will be able to go

through the documents and then be able to work with the Assistant Minister to clarify any issues that you may have. If there is any other issue that you may have, you will be able to bring the Question back to this Chamber.

Mr. Gitau: Mr. Temporary Deputy Speaker, Sir, that is quite in order.

The Temporary Deputy Speaker (Prof. Kaloki): Question No. 1145 by hon. Mwaita is deferred to Wednesday next week.

Question No.1145

PROVISION OF CLEAN WATER TO
KAMPI YA SAMAKI RESIDENTS

(Question deferred)

The Temporary Deputy Speaker (Prof. Kaloki): The Question by Mr. M'Mithiaru will also be deferred to Wednesday next week. The Chair has information from the Minister for Regional Development Authorities requesting that the Question be deferred. It is, therefore, deferred to Wednesday.

Question No.1154

LIST/STATUS OF ENNDA FUNDED PROJECTS

(Question deferred)

The Assistant Minister for Regional Development Authorities (Mr. ole Metito): On a point of order, Mr. Temporary Deputy Speaker, Sir. I am here but the Questioner is not here.

The Temporary Deputy Speaker (Prof. Kaloki): That Question has already been deferred. The Chair had information requesting that it be deferred and I have already done that. I have deferred it to Wednesday next week. That is the end of Question Time.

Next order!

POINTS OF ORDER

TERMINATION OF CONTRACTUAL DEALERS BY SAFARICOM

Mr. Affey: On a point of order, Mr. Temporary Deputy Speaker, Sir. On 3rd August, 2011, I sought a Ministerial Statement from the Minister for Information and Communications regarding some Safaricom dealers whose contracts were irregularly cancelled by Safaricom. The Minister had promised to deliver the Statement on 25th August, 2011. It is now three months since then.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Affey, you have indicated some dates there. Which are they?

Mr. Affey: Mr. Temporary Deputy Speaker, Sir, I sought the Statement on 3rd August and it was due on 25th. But the Minister never did---

The Temporary Deputy Speaker (Prof. Kaloki): It was the 3rd of which month?

Mr. Affey: Mr. Temporary Deputy Speaker, Sir, I sought the Statement on 3rd August, 2011 and the Minister should have given the Statement by 25th August. But he has not done that since then. Could you instruct him to give the Statement because those dealers are anxiously waiting to know their fate?

The Temporary Deputy Speaker (Prof. Kaloki): Very well, hon. Affey! Can we get an undertaking from the Government side on that particular Ministerial Statement?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I will make sure that I communicate the same to the Minister for Information and Communications. Let us hope that the Minister will be able to issue the Statement by Tuesday next week.

The Temporary Deputy Speaker (Prof. Kaloki): Very well! Hon. Kabogo!

DEATH OF FIVE CHILDREN IN THIKA HOSPITAL

Mr. Kabogo: On a point of order, Mr. Temporary Deputy Speaker, Sir. On the same note, I did ask the Minister for Medical Services to issue a Ministerial Statement regarding the death of five children in Thika Hospital. The Minister has continuously promised to bring that Statement to the House. When he was asked two months ago, he promised to do it the following Wednesday. When is the Minister going to bring the Statement?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I will give the message to the Minister in order for him to give the Statement tomorrow afternoon. That is because of the sensitivity of the matter.

The Temporary Deputy Speaker (Prof. Kaloki): Thank you very much.
Hon. Mungatana!

STATUS OF NEW CONSTITUNCIES

Mr. Mungatana: Mr. Temporary Deputy Speaker, Sir, I wish to seek a Ministerial Statement from the Minister for Justice, National Cohesion and Constitutional Affairs, hon. M. Kilonzo. It has been in the public domain that the Minister has consistently been asserting that the new 80 constituencies created under the new Constitution may not be available for the next general election.

Mr. Temporary Deputy Speaker, Sir, in his Statement, I wish the Minister to clarify the following:-

1. Could he confirm or deny that, in fact, those 80 constituencies will be available - as Kenyans expect them to be - for the general election in 2012?

2. On what constitutional basis does the honourable Minister base his argument that those constituencies may not be available?

3. If the answers to (1) and (2) above are in the affirmative - that those constituencies are available - what preparation has the Minister put in place to ensure that those constituencies will be available for contest?

I thank you.

The Temporary Deputy Speaker (Prof. Kaloki): Very well! Can we get an undertaking from the Government side?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I will communicate the same to the Minister for Justice, National Cohesion and Constitutional Affairs and make sure that he gives the Statement by Wednesday morning.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Mungatana, is Wednesday morning all right?

Mr. Mungatana: Mr. Temporary Deputy Speaker, Sir, the morning of Wednesday next week will be convenient.

The Temporary Deputy Speaker (Prof. Kaloki): Very well!
Hon. Gitari!

IRREGULAR MAINTENANCE OF KARATINA/KUTUS ROAD

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, I rise to seek a Ministerial Statement from the Minister for Roads regarding the routine maintenance of Karatina/Kutus Road (C74). In this Statement, I would like the Minister to address the following questions:-

1. Could the Minister tell this House how much money was set aside for routine maintenance for the Financial Year 2010/2011?

2. Could the Minister also tell this House why the contractor who was doing the spot-patching on the said road had to abandon the work at Chain H14? He started the work at Chain H1 and on reaching Chain H14, he abandoned the work. He then started again at the end; that is, Chain H28, and then abandoned it at chain H16; leaving a whole stretch of two kilometres in a very pathetic condition in one of the markets called Kagumo.

3. Could the Minister also tell this honourable House when the spot-patching will be completed, and when the full re-carpeting of the road will be done?

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Gitari, do you want that to come as a Ministerial Statement or a Question?

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, I would like it to come as a Ministerial Statement because the contractor has already disappeared from the site and left a stretch of about three kilometres not done. We are unable to know what is happening.

The Temporary Deputy Speaker (Prof. Kaloki): Let the Chair consult and see how we can assist you.

(Prof. Kaloki consulted with the Clerk-at-the-Table)

Hon. Gitari, I think that since you need an answer immediately, if you file that as a Question by Private Notice you could get the answer by next week. The Ministerial Statement could even take two months before you get it. So, you will be able to help your people to know the status of what you are asking by next week if you ask a Question by Private Notice. I just want to persuade you to put that as a Question by Private Notice and you could get an answer by next week.

Mr. Gitari: Most obliged, Mr. Temporary Deputy Speaker, Sir. I will do that.
The Temporary Deputy Speaker (Prof. Kaloki): Very well! Hon. Kabogo!

ABDUCTION OF TWO KENYANS IN LEBANON

Mr. Kabogo: Mr. Temporary Deputy Speaker, Sir, I rise to seek a Ministerial Statement from the Minister for Foreign Affairs regarding the abduction of two Kenyan nationals; Mary Wairimu Kariuki, Passport No.A1105584 and Alice Daisy Wambui Kariuki, (her sister) Passport No.B015626, who were abducted by their employer at Jebel, Jani District in Lebanon.

Mr. Temporary Deputy Speaker, Sir, in his Statement, the Minister should state what urgent measures the Ministry has taken to ensure the safety of the two sisters and confirm when the Ministry shall organize for their repatriation back to Kenya.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I will pass the message and the Statement will be issued here next week on Wednesday afternoon.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Kabogo, is Wednesday okay with you?

Mr. Kabogo: Mr. Temporary Deputy Speaker, Sir, we are talking about the lives of Kenyan citizens outside this country. This matter was in the media a few days ago. Are you satisfied that the Government needs a whole week to bring Kenyans back home?

The Temporary Deputy Speaker (Prof. Kaloki): We are patriotic Kenyans!

The Assistant Minister, Ministry of State for Provincial Administration and Internal Affairs (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, the reason why I was giving Wednesday is because, as you have realized, on Tuesday, we have like three or four Ministerial Statements to make. On Wednesday morning, we have---

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Ojode! Let us be fair to Mr. Kabogo! Could you bring that Statement either tomorrow Thursday or Tuesday afternoon?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Affairs (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I will communicate to the Minister to bring it on Tuesday afternoon.

The Temporary Deputy Speaker (Prof. Kaloki): Very well! Mr. Kabogo, would you accept that?

Mr. Kabogo: Mr. Temporary Deputy Speaker, Sir, much obliged!

ISSUANCE OF INDENTITY CARDS

Mr. Pesa: Mr. Temporary Deputy Speaker, Sir, I rise to seek a Ministerial Statement from the Minister of State for Immigration and Registration of Persons. Although he is currently engaged in consultations, I wanted him to answer, knowing how efficient he is, on the plans in place on the ongoing issuance of identity cards in the country.

(Mr. Kajwang consulted Prof. Olweny)

Mr. Temporary Deputy Speaker, Sir, I beg you indulgence! I want the Minister to understand my question, but he is being engaged in another discussion.

The Temporary Deputy Speaker (Prof. Kaloki): The Minister is listening! He is listening very well!

Mr. Pesa: Mr. Temporary Deputy Speaker, Sir, I want him to answer now! In his Statement, I would like him to assure this House that the budgeted Kshs1million for issuance of identity cards in every constituency will not be diverted to other uses, and will be entirely spent as budgeted to enable the youth access identity cards in this country. Secondly, I would like him to inform the House how the Ministry intends to roll out the mobile programmes on the issuance of the ID cards at the sub-locational level, which has areas which are far away from the district and divisional headquarters, especially in Migori. There are some areas which are very far away from the district headquarters. Examples of such areas are Wasimbete, Suba West, Suna West, Suna East, Suna Godiope and places known as Rabuor and Ogedhi.

I also want the Minister to assure this House that a programme of action will be made public in advance and such programmes will be adhered to, so that they are not changed now and again. Lastly, I want the Minister to assure this House that the district registration officers will not seek any other financial facilitation from members of the public in the course of their services to the public. This will not reflect very well on those officers.

Mr. Letimalo: On a point of order, Mr. Temporary Deputy Speaker, Sir. This is on the same!

The Temporary Deputy Speaker (Prof. Kaloki): On a point of order?

Mr. Letimalo: Yes, Mr. Temporary Deputy Speaker, Sir! I just want to supplement on that issue.

The Temporary Deputy Speaker (Prof. Kaloki): What is not in order with what Mr. Pesa has asked?

Mr. Letimalo: Mr. Temporary Deputy Speaker, Sir, there is nothing out of order. I just want to raise a further issue on that---

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Letimalo! Proceed, Minister.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Temporary Deputy Speaker, Sir, if you have some time, then I can deal with this on my feet. That is because it is a matter that I am acquainted with.

The Temporary Deputy Speaker (Prof. Kaloki): Very well. Proceed.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Temporary Deputy Speaker, Sir, we obtained about Kshs187 million to roll out a mobile programme so that our officers could move from district to locational headquarters and secondary schools to register as many Kenyans as would offer themselves for registration in those centers. Right now as I speak, the programme is on. All district registration officers have obtained some allocation of between Kshs700,000 and Kshs1 million to move out from their headquarters and give those services to the Kenyan people at the locational headquarters and secondary schools. I am using this opportunity to ask hon. Members to be personally involved in this matter. They can call their registrars at every district and ask them to furnish them with programmes of how

they will be moving from location to location, so that those movements can also be announced in advance. That way, Kenyans will come out to be registered.

That money is supposed to be used for fuel and for allowances for elders who will be helping with the identification of those who are supposed to be registered. We are using the chiefs and the elders because in some areas, we may not be too sure whether that person is a Kenyan, especially if they do not have any documents. Something which looked like an expense but which we have now dealt with is that if somebody came to be registered, but there is no documentation to show the age of that person, it is difficult to enter haphazardly any age. So, we used to ask them to go to a clinical officer or medical officer of health to determine the age. They used to check the teeth or gum or whatever they used to check, and write a report. But that reports cost most of the applicants about Kshs200, which they thought was paid for registration. We have now dealt with that. We have said that the registrars in consultation with the chiefs and elders can determine the age of an applicant and there is a certificate to that extent. The only other thing that used to bother mostly young people, and it has caused a big backlog, is that of young women who are married in locations where they were not born. Because those are foreign locations to them, nobody knows them very well there. We used to ask them to go back home to obtain identification of their parents which, sometimes, became a problem. Because of that problem, young women would then later on give birth and, before you know it, they are mothers-in-law themselves before they are registered as Kenyans. So, we have now said that any lady who is married somewhere else and would want to be registered, the husband and herself would complete a form - which we have provided - and the chief would sign to certify that they are married. That would be sufficient evidence to register the married woman.

Another thing that I have said, and which is being carried out as policy now, is that the decision of the chief and the elders is sufficient to identify somebody. We should not have another identification bureau somewhere at the headquarters. That is because the people who know the Kenyans are the people on the ground.

(Applause)

As long as the chief and his elders have said that so and so is the son of so and so and they know him, that is sufficient for registration purposes. Of course, if somebody abuses that process, then we will deal with that particular case as it comes. But it cannot be used as a “blanket” excuse to deny people registration.

Mr. Temporary Deputy Speaker, Sir, we have agreed as the Cabinet that in the event that the money runs out – the money that we have given for rolling out this process – we are hopeful that it will take you for six months. If, at the end of the six months we have not quite met the target, we will ask the Cabinet to allocate us a little more money so that this exercise is continuous until we register all Kenyans. I have assured the Cabinet that, if things go on the way they are going, we should complete our registration by the end of December or early January, if we are given the following facilities. Right now, I have only been allowed to register up to two million new applicants. I know that, that is not sufficient. I have already put a request for an additional funding for four million identity cards. I can tell you that the Government is committed and that money

will be made available. But in the process, let us consume what has been given to us and see how things are going.

Thank you!

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Kabogo, please interrogate the Minister!

Mr. Pesa: But I am the Questioner, Mr. Temporary Deputy Speaker, Sir. Please, give me the first bite!

The Temporary Deputy Speaker (Prof. Kaloki): Definitely, Mr. Pesa! Proceed.

Mr. Pesa: Mr. Temporary Deputy Speaker, Sir, the Minister has done very well, as far as I am concerned. That is the problem that is worrying Kenyans.

(Applause)

However, in areas like Migori which are perceived to be along the border, it takes a lot of time before we get our IDs processed. What will the Minister do to ensure that Kenya is the same country and there is no question of whether you are living along the border or not? Our people have suffered for too long!

Mr. Kabogo: Mr. Temporary Deputy Speaker, Sir, I also commend the Minister for instant justice to the Statement. But I have two issues. One is the issue of making the public aware of the exercise and whether the Ministry can avail district funds to advertise in local radios as we have done in Thika East, Thika West and Ruiru from our own resources.

Secondly, could the Minister clarify, because he has said they have simplified the process of registering those who were not actually known by way of allowing the chief and elders to confirm one's nationality and simply register them for that reason? This raises concern. For example, if a chief in Eastleigh decides to confirm a certain person as a Kenyan, in conjunction with locals there, and register him, that will automatically mean that you have a foreigner who has been registered as a Kenyan citizen. So, are there situations where the Ministry will be able to check that this process is not abused in certain areas? We know of the influx of foreigners here in the Republic.

Mr. Letimalo: Mr. Temporary Deputy Speaker, Sir, I want to sincerely appreciate the action taken by the Minister. He stood by his word and the promise he gave to the House. I have personally met the District Registrar when he was carrying out this exercise. However, I have three concerns. One is that Samburu County is made up of three Districts; Samburu North, Samburu Central, and Samburu East. Yet, it has only one District Registrar. So, will the registrar be able to actually accomplish the work that has been assigned to him, if he is only one? Is it possible for the Minister to deploy District Registrars to every District to ensure that this exercise is carried out smoothly?

Secondly, the amount allocated, because I met the District Registrar---

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Letimalo! I think you have done well.

Mr. Letimalo: Mr. Temporary Deputy Speaker, Sir, I have got three concerns---

The Temporary Deputy Speaker (Prof. Kaloki): Okay, proceed!

Mr. Letimalo: Thank you so much, Mr. Temporary Deputy Speaker, Sir.

The second one is that the amount allocated to Samburu County was Kshs900,000. That was given to the entire County, which has three districts. Therefore,

the District Registrar had to give allocate money to two locations in every district. I know that some districts in Samburu County have more than ten locations. Mine has 12 locations. So, surely, will the District Registrar be able to register as many applicants as expected? I request that you consider allocating money to every district and then you let us account for it.

Mr. Temporary Deputy Speaker, Sir, does the Minister know that there are expansive areas in this country with difficult terrains? It is difficult for registration officers to access these areas. Could he consider allocating more resources to these expansive areas, so that this exercise can be carried out smoothly?

Mr. Yinda: Mr. Temporary Deputy Speaker, Sir, I would like to also commend the Minister for a job well done. However, I would like to ask him if the Ministry could make it easier for married women to obtain identity cards. At the moment, what happens is that when a lady gets married in a particular region and wants to get an ID card, she is sent back to her home to bring I do not know how many papers, before she can be identified. But I suppose the husband is enough identity for the married ladies.

Could he do something to ensure that this is taken care of?

Dr. Nuh: Bw. Naibu Spika wa Muda, ningependa kumshukuru Waziri kwa hatua aliyoichukua kuhakikisha Wakenya wengi wanaendelea kupata vitambulisho vya kitaifa.

Hata hivyo, sijui kama anajua maofisa wake hawaruhusiwi kuwasajili zaidi ya watu 50 kwa siku. Tunajua wananchi walikosa vitambulisho hivi kwa muda mrefu. Je, inawezekana maofisa wake kuwasajili watu zaidi ya 500 kila siku ili watu wengi wapate vitambulisho?

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, I would like to join my colleagues in commending the Minister for the Ministerial Statement. I wish I was the appointing authority; I would have given you a bigger post.

However, I want him to clarify whether Kshs1 million includes allowances for the clerks in the various areas. I am referring to the Kshs1 million which was set aside for chiefs and elders. Does it include the allowances for the clerks?

Mr. Anyanga: Mr. Temporary Deputy Speaker, Sir, the Minister has not clarified the measures he has put in place to deploy District Registrars to new districts such as Nyatike. Could he come out clearly and tell us his plans to give us new District Registrars?

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Temporary Deputy Speaker, I would like to move quickly.

On the border issues that were raised by hon. Pesa, I also fall in the same category. My own constituency is bordering the waters of Uganda and Tanzania. But we have elders who work with the chiefs. They should be able to help us in identifying who should be issued with identity cards. The words of those elders and the chief are final for purposes of registration.

Mr. Pesa: On a point of order, Mr. Temporary Deputy Speaker, Sir. I have no problem with the identification at the lower level. The issuance at the national level is where they delay.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Temporary Deputy Speaker, Sir, there was a general delay, as I explained earlier. There were no materials. We were changing to a new material base. We were to

buy equipment, but now we are ready. We will be issuing over 60,000 identity cards a day. I am sure we will mop up almost all these worries within a very short time.

On the issue which was raised by hon. Kabogo on public awareness, in fact, I am using this platform so that I can reach as many people as I can. I have been to Kilifi, Suba, Embu and Meru. I am still going places. I will be in Turkana soon. I am using those platforms as much as possible to make people aware. Advertising on local radio stations in vernacular is not a very expensive thing. If hon. Members agree with their Registrars, they can advertise on local stations so that they register as many people as possible.

Let me combine that with what Dr. Nuh said about registering 50 people per day. I want to use this platform to tell my Registrars that there is no fixed number that can be registered. You register as many people as will avail themselves that day. I was in Kilifi only the other day. There was a turn-out of almost 200 young people who wanted to be registered. In fact, most of them were young married mothers. We registered over 200. So, this fiction that you can only do 50 does not arise.

However, in very difficult areas, sometimes chiefs and our registrars are compromised. In some cases, we have had to report and arrest some chiefs and our own registrars for registering non-Kenyans, and being bribed to do so. But I do not want to use that, because if we use that as a load, then we will never ever get satisfied; somebody should be registered, and it will just be a bottleneck. So, let us use the chiefs because they are the Government there; let us use the elders, and let us identify every other document that we can use to confirm that somebody is a Kenyan. Anybody who abuses this, and we have the information, of course, he will be arrested and jailed, according to the provisions of the law.

Mr. Temporary Deputy Speaker, Sir, on Samburu, we sent Kshs900,000 because we had not quite captured the new districts in our Government financial systems. So, we sent the money as a lump sum, but it will be divided among the districts. That is just the first installment; there is sufficient money for every district. Every district will access at least Kshs1 million. So, do not be worried about the money. What you should be worried about, I think, is movement from location to location. If you can assist us on that one, this money will go even further. If you can help us with your Constituencies Development Fund (CDF) vehicle, this money will go much further because all we will need will just be for petrol and a small allowance for the staff. I can answer that together with hon. Gitari's question.

When our clerks work outside their offices, there is a night out allowance, which is some small money. It will not eat too much into this money. In fact, I have told them that it is much better to move from location to location without going back to their base. They should go to this location, and tomorrow go to a different location; by the time they come back to their headquarters, they will have done a lot of work, instead of going to one location and then going back to prepare again for two days to go to another one. I think they have taken it very seriously; with your help, they are moving very well.

On the issue of married women who had problems, as asked by the hon. Member for Alego Usonga, it has been sorted out. Now, a young woman will need to fill a form, the husband will also fill the form and the chief will certify, then the identity card will be issued. Of course, if you divorce, then we will have to have a divorce certificate, then you can do whatever you want to do; if you want to change your name, if you want to retain your name, that will be up to you.

Now, I think I have tried to do justice to all questions, expect that hon. Anyanga raised the issue of registrars. Hon. Letimalo also raised the issue of the registrars. I do not have enough registrars to go round. I had asked the Minister for Finance to allow me to employ more people. I would ask this Parliament to assist me in asking the Minister for Finance to allow me to employ more people. My request has already been approved by the Ministry of State for Public Service; the matter is with him, both for civil registration – that is births and deaths – and also for registration of persons. If this could be allowed, then we could go a long way. Also, we would wish to employ some temporary staff who can help our staff. We can even borrow some staff from the district office and from other departments and pay some allowance to secretaries and all that, so that this work can move faster. We have treated it as an emergency and we want all of us to do it together. In fact, I have not been in my constituency to make sure that I also benefit from this; I will go there soon.

Thank you very much.

Mr. Kabogo: On a point of order, Mr. Temporary Deputy Speaker, Sir. The issue of the risk of registering foreigners has not been adequately addressed. Why do I say so? It is because we know that there are cases of young adults, aged 20 or 21 years, who do not have identity cards. I gave an example of Eastleigh. A young man who looks like he is 20 or 21 appears before the registrar in Eastleigh and says: “This is the chief of my area and these are the elders; I did not get an identity card at the point when I should have had it”. The chief simply says: “The elders and I know him. Can you register him?” There is a possibility of registering non-Kenyans, and that makes them citizens of Kenya. Are there situations where the Minister is going to put in place measures to make sure that this is not abused?

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Minister, that is a good question!

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Temporary Deputy Speaker, Sir, I do not want to compartmentalize Kenya into Eastleigh and other areas which are more comfortable, because if we start doing that, then we are not going to have one country. But I think that my officers are very, very keen on making sure that only Kenyans are registered. In fact, in Kilifi I had a *baraza* with many chiefs from the Kilifi County. What I was telling them was that they must make sure that they only recommend Kenyans; if they recommend non-Kenyans, even when they retire, we may call them from retirement to come and answer some questions. So, it is an issue of security; it is an issue of integrity for the officers whom we have employed. I want us to accept that until we do away with the chiefs, they are the Government on the ground, and there is no other way I can do it myself.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Minister! Although you are very general as a Minister – and that is good – there is a very specific question from hon. Kabogo on the issue that you could have some difficulties in identifying the true Kenyans. Have you put in place the right measures to make sure that in places like Eastleigh, you are able to deal with such difficult situations in the country? There are areas others like that, and you should make sure that you do not register non-Kenyans.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Temporary Deputy Speaker, Sir, that has been going on for a very long time; in fact, you heard the outcry from north eastern, Kibera and some coastal regions

and from Muslims. Those are the issues. We are trying to put in place very strict measures to make sure that we only register Kenyans. Many, many questions are asked; sometimes I have been asked, in this House, why I ask some people more questions than I ask others. Let me just give you an example. If, today, I became a Muslim and I am no longer Otieno but Alfasud, I will be asked many questions. That seems to be the practice, but it is not the law. The law is that we treat everybody equally, and that the chiefs and the vetting committees should do their job diligently; they have sworn to do that job diligently. So, if you make that fear the law, then we will not go anywhere. I think we will make that fear an exception, and then we will get somewhere.

Thank you very much, Mr. Temporary Deputy Speaker, Sir.

Mr. Wambugu: Thank you, Mr. Temporary Deputy Speaker, Sir. Mine should be a clarification because I do not know whether I got it right. But the Minister has talked about registration of persons through the Provincial Administration.

Mr. Temporary Deputy Speaker, Sir, I think one of the problems we are facing in the country is with the students who leave school when they are almost turning 18, which is the mandatory age for registration. Could the Minister make a provision for registering our students who leave secondary schools, and ensure that before they come out of school, they all have identity cards?

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): Minister, that is your final answer.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Temporary Deputy Speaker, Sir, I think I dealt with it earlier. I said that my officers will be going to every chief's camp and every secondary school. I chose secondary schools because that is where we attain the age of 18 years. So, you should ask your registrar for his program; ask which location he is going to, which school or polytechnic he will be going to next, so that we cover as many people as possible.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): Minister, I will allow just one more. Proceed, Eng. Maina.

Eng. Maina: Mr. Temporary Deputy Speaker, Sir, I rise because of the importance and sensitivity of this matter. As we are aware, there are areas where the population has suddenly increased. Therefore, I would like the Minister to be a bit more diligent in looking at this matter. I would wish the Minister to clarify to us exactly what measures he has put in place, especially concerning intelligence information. You cannot just rely on a chief the way you have just answered. We know what is happening; there are rumours of corruption involved in issuing some foreigners with identity cards. I would like the Minister to look at his data and find out how many people he has been registering, year by year, and then tell us whether he truly believes he is only registering Kenyans.

Mr. Kajwang: Well, Mr. Temporary Deputy Speaker, Sir, he has talked of rumours and I will deal with it as a rumour. However, the matter is that we are really trying to capture every person who comes into Kenya as a refugee. We capture their bio data in our data base. That has helped us to eliminate people who would otherwise have cheated our system. When they now apply to be Kenyans we file them in our data base and refuse registration. Unfortunately, in certain areas, there are Kenyans who have also

registered as refugees in Dadaab area so that they can get the provision of food, medicine and so on. Now when they want to register as Kenyans we tell them, “You are refugees”. So we have that problem which we are dealing with.

Mr. Temporary Deputy Speaker, Sir, in such areas, we have District Security Committees (DSCs) and we use them as identification committees. We even have the intelligence in that committee and we have had very good results. In some areas, we have revoked registration of many people. In other areas we have gone ahead and registered people whom we had refused to register earlier. So do not be worried. That is top on our agenda and we are dealing with it.

The Temporary Deputy Speaker (Prof. Kaloki): Next order!

BILLS

First Readings

THE RATIFICATION OF TREATIES BILL

THE CANCER PREVENTION BILL

THE BOOKS AND NEWSPAPERS (AMENDMENT) BILL

*(Orders for First Readings read – Read the First Time and
Ordered to be referred to the relevant Departmental Committees)*

Next order!

POINT OF ORDER

SEQUENCE OF BUSINESS ON THE ORDER PAPER

Mr. Kabogo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I seek the indulgence of the Chair on a procedural matter. This relates to the business of Wednesday morning which is a Private Members’ day. The last Wednesday when we were here which was September 7th, Motion No.9 on the Order Paper was a Report by the Chairman of the Departmental Committee on Labour and Social Welfare.

It was my expectation that the Motion would have appeared in the Order Paper today. So, I rise to seek the indulgence of the Chair on the sequence and procedure.

The Temporary Deputy Speaker (Prof. Kaloki): What was the Motion you expected to see on the Order Paper?

Mr. Kabogo: Mr. Temporary Deputy Speaker, Sir, I said it was Motion No.9, which was a Report of the Departmental Committee on Labour and Social Welfare. It arose from a Question I had brought to the House. It was Question No.626. It was slotted for that Wednesday but it was not reached because of time. I was imagining it would have been on the Order Paper this morning.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Kabogo, the Order Paper before us is from the House Business Committee (HBC) which normally sits down and

generates the business we are to transact on a particular day. Today, this is the Order Paper we have. However, we will make sure your concern for the Motion will be captured in the next Order Paper which is tomorrow. For today, this is the sequence of business we are to transact. We are going to follow the sequence that has already been forwarded to us by the HBC.

Your Motion will be considered and I direct the Clerks-at-the-Table to make sure that your concern is captured in the next Order Paper.

Mr. Kabogo: Much obliged Mr. Temporary Deputy Speaker, Sir. I was just concerned on the procedure because when the HBC puts it on a Wednesday morning, it means it has given it that slot and it should automatically come in on the following Wednesday.

The Temporary Deputy Speaker (Prof. Kaloki): Very fair! I have already directed and believe that next Wednesday it should be captured and will appear on the Order Paper. Otherwise, let us keep the sequence of today's Order Paper.

Order No.11 will be deferred! Mr. James Maina Kamau is not---

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

The Temporary Deputy Speaker (Prof. Kaloki): On the same?

Mr. Wambugu: Yes, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. James Maina Kamau has requested the deferment of this particular Motion.

Mr. Wambugu: Mr. Temporary Deputy Speaker, Sir, I was just confirming that and I have communicated to the Speaker about it.

The Temporary Deputy Speaker (Prof. Kaloki): The Chair is fully briefed and so I am deferring it to a later date.

MOTIONS

ADMISSION OF 75 PER CENT OF STUDENTS IN REGULAR PROGRAMMES IN PUBLIC UNIVERSITIES

THAT, aware that the Joint Admission Board (JAB) admitted 32,611 students to public universities in the year 2009 and 2010 double intake; concerned that less than a third of the 81,000 students who had qualified to join public universities were admitted; further concerned that parallel degree programme admissions continue to expand, further stretching resources for regular programmes; aware that the economic growth of our nation is tied to the educational development of her people; acknowledging that the first group of students under the free education programme will be graduating in 2015 and more than 150,000 students are likely to qualify for university intake; this House urges the Government to ensure that at least seventy five per cent (75%) of all qualifying students are admitted to the regular programme in our public universities from the year 2011.

(Motion deferred)

ESTABLISHMENT OF NATIONAL SPACE AGENCY

Dr. Otichilo: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion.

THAT, concerned that despite being one of the pioneers in space technology in Africa, Kenya has to date not developed its own capacity and capability to launch and use its own satellite unlike other countries in Africa; further concerned that Kenya has no Official Space Policy and Law to promote the development and use of space technology for sustainable development; this House resolves that the Government urgently formulates a National Space Science and Technology Policy and enacts the relevant laws that will spearhead the establishment and operationalization of a National Space Agency.

Mr. Temporary Deputy Speaker, Sir, this Motion is a very important Motion for this county. I know most Members may not be aware of the importance of this Motion.

I wish to ask you to allow me to elaborate what space science and technology entails so that Members can really understand this Motion and be able to contribute positively to it.

First, allow me to quote. I want to give a quote by Socrates. This is a quote that was given in 450 BC:-

“Man must rise above the earth to the top of the atmosphere and beyond, for only thus will he fully understand the world in which he lives”.

Mr. Temporary Deputy Speaker, Sir, this is a very relevant quote. If we want to understand our planet, earth, we must rise above the earth to see what goes on.

I wish to give a background on this Motion so that all of us are on the same page. First, I want to say what space science and technology entails. In simple terms, space science is the study of everything above and beyond the surface of the earth, from earth's atmosphere to the very edges of the universe. In simple terms, space science is the study which looks at the planet earth from space. What is space technology? Space technology refers to the technology in the satellites and ground system used by scientists to study the universe. In order to study the universe, you must look up, whereas in order to study the earth, you must look down. That is when you are in space. This is very important in terms of delivering very important information that is required.

Mr. Temporary Deputy Speaker, Sir, space science, and particularly astronomy, has been a subject of interest to mankind for many years. People have been very much intrigued when they look in space. They have always wondered what is in space. So, space science is a very important subject which has taken many years for mankind to study.

The first launch of satellite in space in 1957 marked the beginning of space race. The first satellite was put in space in 1957. That is when space race started. In 1962, the UN Charter on Peaceful Use of Outer Space was enacted. In 1972, we had the first satellite in space used to monitor what was going on, on planet Earth.

Mr. Temporary Deputy Speaker, Sir, I will not go into further details about space science. What I want to concentrate on is why space science and technology is important to mankind, and particularly to this country. Allow me to define what “satellite” means in common man's language. The word “satellite” is derived from the ancient Latin word

“satelis”, which means “servant” or “attendant”. So, the satellites that are in space are basically our servants. They work for us. Satellites are extremely important, as I will shortly demonstrate.

How useful are satellites to mankind and to Kenyans? First, I want to look at communication satellites. These are satellites which are used for communication worldwide. When you make an international telephone call, you use satellite. When you surf your internet, you use satellite. Your computer is connected to a station which relays the information to a satellite and then the satellite releases back the information to where it is intended to go. In our case, our major satellite receiving and transmitting station is the Longonot station, which is right in the Rift Valley. So, when it comes to communication, it is extremely important.

Mr. Temporary Deputy Speaker, Sir, the programmes we watch on television are transmitted through satellite technology. The Kenya Meteorological Department gets the data they use for forecast of our weather from space satellites. So, space satellites have become so important to the world, particularly in Kenya. We can now use satellite to communicate with people who are in remote areas like Turkana County, Mandera and other areas. Space satellites are now used for telemedicine and tele-education. What that means is that people in Turkana County can now use satellite to access modern learning methods. So, you can see that satellites are extremely important in communication. We cannot do without them.

Let us now look at earth observation satellites, which are used to study the earth. These are satellites which are located in space, looking at the earth. They record information from the earth. As the earth moves, the satellites also move and record all the information on the earth. Therefore, they are very important for provision of information for sustainable development of any place on this globe. So, if we want to get information in real time; that is going to be used for sustainable planning for this country, we need information from space through satellite.

Mr. Temporary Deputy Speaker, Sir, the information we require is diverse. There is information for environmental monitoring. You can only monitor what is happening on the earth from space. So, information on our environment can only be derived from space. Information on our land use and practices can only be received very easily and in real time from space. When it comes to urban planning, we can now get very good pictures or photos from satellites, showing us what is going on in every urban area. Those maps are readily available. You can access them in real time.

We now have several disasters occurring on the globe. In Kenya, we have several disasters occurring, particularly drought and floods. You can only monitor such developments effectively using space satellites. So, you can see that everything we do is space-based. Although space has been seen as something very unique and not easy to conceptualise, people do not realise that everything we do is space-based. So, anything to do with disaster, with the help of satellites, we can see what is happening at any point at any given time. Even when it comes to military surveillance, satellites are the best.

Mr. Temporary Deputy Speaker, Sir, if you remember your history very well, initially, satellites were used for military surveillance. However, they are now mainly used for public needs.

Another area where satellites are extremely important is in navigation. Navigation basically determines your position in space and time. The civil aviation industry in the

whole world depends on satellite technology. There is no aeroplane which can fly without the help of satellite to be able to get its position at any given minute.

Mr. Temporary Deputy Speaker, Sir, when you ring your satellite phone, your message goes to a satellite first before it is downloaded to the intended destination. So, all satellite phones are based on space science technology. People have not realised that all the ATMs used by banks are based on satellite technology. That is why you can go to an ATM and withdraw money anywhere in the world. They are all controlled through satellite. So, you can see how useful satellite technology is. Currently, all the transport systems are being installed with gadgets known as “GPS” or Global Positioning System. Once you install a GPS gadget in your car, it can give you direction. You do not need anybody to tell you where you want to go. You programme the gadget and your car will direct you to where you want to go using that gadget. Therefore, it is very important technology in the telecommunication system. Currently, the whole of Europe and America use GPS systems for transport. You can monitor your vehicles wherever they are while in your house. So, you can see how useful this technology is.

Mr. Temporary Deputy Speaker, Sir, I will not elaborate so much on this because I can spend a lot of time. Many hon. Members here have Google Earth in their phones. You can now have maps on your phone screens. You can move anywhere. Therefore, I want to urge this House that this technology is so important that we must enact a law and policy to be able to manage this industry, which is extremely important to this country. Kenya has been in the forefront in space technology for so many years. But unfortunately, we do not have a policy or a law. We are, therefore, losing greatly because of this.

Mr. Temporary Deputy Speaker, Sir, this Motion urges the Ministry of Higher Education, Science and Technology to come up with a policy and a law that will make space science a very important asset for this country. The aim of this Motion is to urge the Ministry to enact this law as soon as possible.

In Kenya, we are lagging behind and yet, we are the pioneers in space science. The first satellite signal receiving station was built in Ngomeni, Malindi in 1964. The first satellite was launched from Ngomeni, Malindi, in 1967. Therefore, Kenya has been a leader. Unfortunately, this station is managed mainly by the Italian Government and the University of Rome. We have, therefore, had no access. We have not built enough capacity. It is important that we use this station and build capacity. We need to put the relevant laws in place and train Kenyans, so that we can use this technology.

We now have a very important enterprise called Space Enterprise. People have colonized the planet earth. Colonization is now going on in space. Already we have an international space station where you can go as a tourist. This is called space tourism. In order to go to space as a tourist, you need to pay US\$20million. I can tell you for now the list of those who wish to go to the station is in excess of 1,000. If you can recall two years ago, the richest South African businessman was able to pay and go to space and stay there for a whole week as a space tourist. So, opportunities are enormous in this line. However, because it is science and technology, we tend to shy away.

Mr. Temporary Deputy Speaker, Sir, development in the 21st Century is based on science, technology and innovation. Any country that does embrace this technology will only be a consumer and will not develop. I am, therefore, urging this House to support

this Motion so that we can enact the correct policy and law so that we have this important sector of our economy fully utilized by our country.

I beg to move.

The Temporary Deputy Speaker (Prof. Kaloki): Who is seconding your Motion?

Dr. Otichilo: Mr. Temporary Deputy Speaker, Sir, hon. Eng. Gumbo, MP for Raireda will second this Motion because he knows the value of space science and technology in his engineering profession.

Eng. Gumbo: Mr. Temporary Deputy Speaker, Sir, I stand to second this Motion by the very highly educated and erudite, Dr. Wilbur Otichilo. I am not sure if I am deserving of the accolades he has poured on me, but with humility, I accept them.

In seconding this Motion, it is, probably, an embarrassment to the people of Kenya that up to this point in time our country has no policy and law to promote the development and use of space technology which at the moment is at the core of every advancement in achieving what we can call modern living. A lot of these limitations, the way I see them, come from the fact that without being prompted by anybody, Kenya has chosen to limit even its capacity to be ambitious. This is what it takes really. Our scientists must now think freely and boundlessly. As the saying goes, there is no limit to what the heart and mind of mankind can conceive and achieve. The only limits present are those we ourselves impose on us.

I, therefore, thank hon. Dr. Otichilo very profusely for bringing this Motion which is timely. Kenya has been doing very well in space technology in so far as “baby steps” are concerned. However, much as we could have been seen as the pioneers, these very useful “baby steps” have not been seen. We have what really would have been useful satellite stations, but we slackened a bit and progress in that area has not been good. We should stop imposing limitations on what we can do and achieve and instead boldly join the world in pursuing what must be the foundation of any meaningful development, that is, space technology.

As you are all aware, the foundation of modern technology is the famous theory of relativity by one of the most famous scientists the world has ever known, the late Albert Einstein. His theory was compressed in the famous equation that everybody who did engineering like myself had to know by heart: $E=MC^2$. That is the foundation of modern technology. C, as most people would, probably, remember, refers to the speed of light which at the moment has been derived to be 300,000 kilometres per second. For a long time we have been told that nothing and nothing at all can travel faster than the speed of light. However, those of you who have been reading newspapers and watching television know that this theory is now being challenged. In fact, the very foundation of the technology as we know it now is being challenged because some scientists in Europe and, I think, in America, now claim that they have been able to generate particles that can travel faster than the speed of light by 600,000 kilometers per second. That is boldness for me. This is because when Mr. Einstein told us that nothing can travel faster than the speed of light, we configured everything around it. Think of microchip and everything else that we do, it is like saying, “Do it, but know that beyond 300,000 kilometres per second there is nothing.”

The fact that human beings with two arms, two eyes, two ears, and two legs like us are now able to challenge that foundation is a call to Kenyan scientists to come

forward and realize that, perhaps, the only thing that is limiting what we can do and achieve are the limitations that we have put on ourselves without being prompted by anybody. Getting into the realm of satellite and space technology requires massive resources. If you look at what has happened to our country and comparing Kenya to Korea, you will realize that Korea's nominal GDP per capita was comparable to Kenya's. However, because we chose to put limitations that nobody imposed upon us and we chose to do things in reverse when others were moving forward, today as we speak, Korea's nominal GDP per capita is in the region of about US\$20,000 while our nominal GDP per capita is hovering in the region of US\$1,000, that is dismal. This means that the average Korean is about 20 times richer than the average Kenyan whereas 40 years ago the average wealth for Korea and Kenya was comparable.

Therefore, I want to call upon the Ministry in charge of technology and our scientists that we have to join the mix by investing in future satellite technologies - and there are quite a number of them. We now hear of asteroids mining, single-stage to orbit, solar power satellite, non-rocket space launch where we will now not require the rockets to launch into space and space manufacturing. Dr. Otichillo has just talked about space recreation and tourism. These are very challenging areas that we can venture into, even if it means associating with other countries that have broken the trail as it were, so that we also join that group. By doing that, we can only derive great benefit. Right now, it pains me - and I have said it on the Floor of this House - that we want to be a middle income economy and a developed country through Vision 2030. But every year, we hold out begging bowls asking for food aid from all over when, at the same time, the paradox is that we ask for food for one side of the country and on the other side, there is abundance and waste. I think by getting into space technology, we would be able to get useful technology for social security pursuit, food security, agriculture, health, education, urban-rural planning, infrastructure development and even domesticating our own communication services. Some of these grandiose technologies are good. When we are using satellite technology, we shall be able to domesticate and make communication services not only available, but affordable to all Kenyans considering our level of individual income and collective income as a country. The other area that must be considered is medicine.

Mr. Temporary Deputy Speaker, Sir, space technology offers a vast opportunity for this country and what we are urging the Government is to have the necessary policies and laws so that Kenya cannot be left behind. The trouble with technology is that you cannot wait. If you wait, you are waiting for nothing but obsolescence. I think it is important and timely that this Motion has come so that we, as the representatives of our people, can urge our country to bring forward the necessary policies and laws so that we can pass them. That way, we can join the rest in pursuing the benefits of space technology.

With those very many remarks, I second this Motion.

(Question proposed)

Mr. Wamalwa: Mr. Temporary Deputy Speaker, Sir, I wish to congratulate my good friend, Dr. Otichilo, for bringing this highly technical and intellectually stimulating Motion. I must say that I feel very intimidated to speak after one of the most learned space scientists in this country, Dr. Otichilo. He is a man of letters who is highly trained

and highly qualified. Some of his colleagues are not able to serve in this country because we have not developed capacity. We have had to suffer brain drain as a country because those who have trained in this highly sophisticated area have had to go to other nations. For example, some of them are serving in the National Aeronautics and Space Administration (NASA). There are other nuclear scientists who are not able to serve in this country, but are serving in other countries. For us to stop that brain drain, we need to come up with a national policy in space law. We need to develop and create the necessary ware-force to enable us to catch up with the rest of the world with who we were at par at Independence. Those countries include Korea, Singapore and Malaysia. Today, the so-called Asian tigers have all joined the rest of the world in the space race and have launched satellites. Today, Korea is one of the most developed countries as far as Information and Communication Technology (ICT) is concerned. Kenya has been out-distanced and has been left behind in this very important area of development. For a long time, we have told the children of this country to work hard. We have told them that the sky is the limit. With time, we have discovered that the sky is not the limit. Beyond the sky and outer space, there is much more to be discovered. In the 1950s and 1960s, there was a race to colonize Africa and other parts of the world. That race is now complete with independence of the states and the youngest state, Southern Sudan, having been born recently, the rest has now moved to colonization of outer space. Kenya must join the rest of the world in that race. For a long time, we have been told that the speed of light was the highest until recently, when we have been told of newtrons. Those are particles that travel faster than light. For a long time, the world believed that the earth was flat until it was discovered that the earth is round. All those discoveries have come through the human endeavours that were able to look beyond the horizon.

Mr. Temporary Deputy Speaker, Sir, what Dr. Otichilo has done today is to dare this nation to look beyond the horizon and invest in that very vital area that will develop this country in future. The first thing we will naturally say is that, that is an area for the First World. We are a Third World country that can neither have the capacity nor the resources to enter into space race. But when you look at what is required to launch a mini-satellite, you will realize that with less than Kshs1 billion, this country can be able to join the rest of the world in launching a satellite in space. When you look at the benefits that would come with that satellite, you will realize that, as Dr. Otichilo has ably demonstrated, it is something that would benefit all sectors of our society; from health due to the development of tele-medicine to agriculture because of the monitoring of our environmental situation. It will enable us to develop agriculture to be food secure. It will help in education through communication. We will be able to develop further our universities where, as we live in the digital world, we do not have to be with all the students in our crowded universities and hostels. Through the development of ICT, we can be able to have many students who will be able to undertake correspondence courses through the expanded technology. They do not all have to crowd in the University of Nairobi or Kenyatta University. But, through technology, we can have many students accessing education without necessarily having to move physically into our crowded universities.

Mr. Temporary Deputy Speaker, Sir, in the area of security, this country today is suffering because of the threat of piracy in the Gulf of Aden. We hear of tourists being kidnapped in Lamu. It is a blow to our economy, especially seeing what tourism has been

able to achieve for this country in the last few years. We need our territory secured. The integrity of our territory must not be violated whether by pirates or our hostile neighbours. We must ensure that we have proper monitoring, particularly our coastlines. Through this technology, we can monitor and improve our security.

Mr. Temporary Deputy Speaker, Sir, we are also aware that in planning this country, we need mapping. Through this technology, we can ably have proper planning. It is time that we asked ourselves where we went wrong; why we were left behind by the world and what we can do to catch up.

When you look at the history of this country, the first satellite was launched in 1967. It is surprising that Kenya was one of the African countries that was able from its soil to launch a satellite in 1967. This was ten years after the super powers of this world had launched theirs. This was done in Ngomeni in the Coast Province. We are told this satellite was launched by the Italians. It is still being used by the Italians and we are only paid a limited amount. Had we studied what the Italians did and asked ourselves how much it cost them, and actually realized how much the Italian Government has benefited from this satellite that was launched from Ngomeni on our soil, great benefits would have come to our country. Had we actually launched this satellite then great benefits would have come to our country.

When we look at our defence budget, it is one of the largest budgets in this country. Over Kshs40 billion of our national Budget goes towards defence. For us to launch a satellite we only require Kshs1 billion or so. It is just a matter of getting our priorities right as a nation. We could say in this Kshs40 billion budget for defence, we set aside some money to launch a satellite that will bring great benefits to this country. It is all a matter of actually realizing and getting our priorities right. Through this Motion, we are urging the Government as a matter of urgency to come up with a space policy and the necessary laws that will put in our statute books the necessary legal framework that will facilitate the launch of this satellite to enable us move beyond the ordinary horizons and catch up with the rest of the world.

I want to thank Dr. Otichilo for bringing this Motion. I would urge the Government that many good Motions have come to this House. They have been passed but implementation has been lacking. We would hope that this good Motion does not also gather dust like the other good Motions that we have brought to this House and no action has been taken.

We need to do something in this area in order to develop our country. We know that in the 1980s we did other things that today, had we succeeded, we could be far ahead in terms of development of our country. We still remember that in the 1970s we had the idea of developing a fertilizer factory which did not take place. We have passed the Motion in this House and we do hope the Government will take action in implementing the resolution of this House to set up a fertilizer factory.

We did successfully set up a bullet factory. We spent millions in setting up this bullet factory. Had we the foresight of this Motion and realized the importance of what Dr. Otichilo proposed today; had we set up a satellite at the same time we established a bullet factory and a fertilizer factory, Kenya would be different today.

I wholeheartedly support this Motion. Thank you.

Mr. Mureithi: Thank you, Mr. Temporary Deputy Speaker, Sir. I will not take long because my colleague here, Mr. Wambugu also wants some time to speak about this wonderful Motion.

I must commend Dr. Otichilo for coming up with this very important Motion regarding the development of space technology. One of the biggest tragedies in this nation, and I think we must address ourselves to these issues, is that Kenya comes up with very wonderful ideas throughout history. But what has happened is that as soon as we get those ideas some other people come, find those ideas, they are shelved or taken away by other countries and then Kenya is left behind.

My biggest worry right now is that according to the international requirements, a country is supposed to set aside 3 per cent of its GDP for research. If you look at Kenya, the money that is set aside for research in this nation is very minimal. That is why you will find that areas that relate to food production, leave alone space technology, have very little money allocated to them. What has happened to us now, for being left behind technologically, is that we have to buy bandwidth from agents. If you look at the technology that was developed by the Italians, if you go to Google, they have space for billing if you want to use their technology. This means Kenya is losing a lot of foreign exchange. This is one of the areas where Kenya has come up with a good idea, but it is taken over by other people. We have a satellite at Longonot, but it has remained rudimentary. We have not actually managed to develop a satellite that would help us make money as a country.

Look at the issue of oil exploration in Kenya, we are hiring a lot of people in this area whereas the developed world uses space technology to find out where there is oil formation. So, they take a shorter time. Since Independence, we have commissioned many companies to prospect for oil in Kenya, but we have not managed to get some. Many countries, including Rwanda use space technology in order to prospect for such. If you look at the minerals that we have in the country, as it was mentioned by one of the Members Nyatike area, all the way to the northern side, has gold. But because we have to dig manually to find out how much we have on the ground, we are actually lagging behind.

Look at the coal that we have in Ukambani, it is several billion tonnes. But we have not actually extracted it because we have not done any mapping in order to see exactly how much expanse of that coal we can develop. We keep talking about it.

Mr. Temporary Deputy Speaker, Sir, as we pass this Motion, it is high time Kenya took planning as a very important aspect of developing this nation. We come up, for instance, with technologies here, but we ignore them. We started with the foreign exchange; Special Economic Zones which was taken over by a country like Ghana, which is very far. We came up with the idea of Constituencies Development Fund (CDF) and people have been coming here to learn about it, but it is being dropped. Kenya comes up with ideas but other countries take them up.

Dr. Otichilo has talked about many things, for example, communication and weather. One area that we forgot is fighting crime. With the space technology, all the pirates who are bothering us in the Indian Ocean would be noticed by the satellite and would be smoked out before they take away our goods. We are now relying on foreign countries to assist us. This is a noble idea and I am sure it has a cross-cutting usage as far as this is concerned.

Captain Wambugu has done more research than myself and I wish to take this opportunity to support the Motion.

Mr. Wambugu: Mr. Temporary Deputy Speaker, Sir, I will also not take a long time on this. First and foremost, I want to congratulate my fellow Member of Parliament from Emuhaya, Dr. Otichilo, who is a Member of the Committee on Transport, Public Works and Housing where I also serve. He has been an inspiration to many, especially when it comes to air space study and also in other areas.

This Motion is very timely because Kenya as a country has lagged behind in this area just because we have not put proper legislation in place. When I saw this Motion this morning, I said that I must put some words into it, to see that we are able to push through and ask the Government to formulate the National Space Science and Technology Policy.

Mr. Temporary Deputy Speaker, Sir, there is a lot that we can talk about on the advantages of space study and what there is, especially these days when space study has become a business and not necessarily to provide services like the ones that we have talked about. Countries which started this study just after Kenya got into the field, like Nigeria and South Africa, have already done a lot and some of them are the ones who are providing communication channels through the mobile systems. I believe that Kenya would have been very far if it continued with the system or the study that it started way back in 1960s. I know we have talked about weather and the support that we can get from satellites, but of late, Kenya has been experiencing drought, but it is just that our Meteorological Department has not been able to get accurate information from the systems that they have.

You will realize that although we have the capability of even launching our own satellites, most of the information that we utilize in this country, we have to pay for it. In countries where they have information more readily available, we are able to track the weather patterns, the cloud movement and how the sea is moving. For example, when we had the Tsunami, the people who had satellite information were able to track the movement of the waves. If we can invest in this technology, it would be an advantage to our fishermen because we can track, through the satellite, the movement of the fish and we do not need to wonder around in the ocean looking for the fish.

Mr. Temporary Deputy Speaker, Sir, when it comes to navigation, I know most of the times we always concentrate on air navigation. It is very important that we have GPS stations. The same would be useful even when we are navigating over sea. Many times we have had ships running at ground even when they are coming to the Port of Mombasa and other areas. The satellites would also be of great use especially if we connected them with our search and rescue facilities. We have our Air Search and Rescue Facility Centre at Embakasi and also the Maritime Research Rescue Facility at Mombasa. If we had such a facility, we would benefit a lot.

Just for the benefit of the other Members, Kenya is so well situated for this study because we are at the equator. That is why you find that most of other countries would like to come to our country to position some of their equipment. We are around the equator and if we launch our satellite, we will be in such a critical position where we can track whatever is happening around the world. Just for information, the station that is being used by the Italians was established sometimes back in 1964. Unfortunately, it is being managed by the University of Rome when we have Kenyans who can be doing that work. Sometimes in 1995, it was transferred to the Italian Space Agency. Back in 1996,

an agreement was signed between the Kenyans and the European Space Agency, but unfortunately, because we do not have proper policies, we have not been able to even take advantage of what has come out of that.

It is also good to tell you that sometimes later, back in 2004, a Memorandum of Understanding was signed between the Kenyan Government and the Italians, but we still do not know under what policies or regulations that was done. I believe, if regulations are put in place, this issue will not remain in secrecy.

Mr. Temporary Deputy Speaker, Sir, we are saying this because we would like to have some of these studies introduced in our secondary schools and universities. We should encourage our scientists who have carried out that study not to go to other countries and serve other people. We would like to have our people serving our country Kenya. Because most of the other issues have been discussed, I wish to end there.

I support the Motion.

The Assistant Minister, Ministry of State for Defence (Maj-Gen. Nkaisserry): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. I thank the Mover of the Motion. This is a very important Motion for our country. Space technology is very important for any nation, particularly when it comes to issues of national security.

There are several things that we can do if we have a space agency in this country. Space technology can give this nation knowledge on how to monitor the weather conditions, Tsunamis, monsoons and drought. We will be able to tell that this country is going to face a serious drought and, therefore, plan and prepare accordingly. We could also use that knowledge and technology for national security.

Mr. Temporary Deputy Speaker, Sir, for example, the Indian Ocean has been invaded by pirates – people who have been able to come, kidnap tourists and run away to Somalia. We could have been able to follow them if we had satellites since they would be able to inform the ground troops and security troops at which particular position these terrorists are. We would really be able to track and get them before they reach their destination.

Mr. Temporary Deputy Speaker, Sir, cyber terrorism is becoming an issue. Therefore, if we have this space technology we will be able to counter it. I understand that in our country today, there are even areas that are not covered by communication, including cellphone communication because we do not have our own satellites. If we had our own space agency, we would be in a position to put up our own satellites in space. We would be in a position to cover every place of this nation. Communication would be very easy. Any person anywhere in Kenya would be able to communicate and access the internet. That is the knowledge the world is having today. This is a very important Motion; this Government must adopt it and create a space agency, which can help improve this situation.

Mr. Temporary Deputy Speaker, Sir, we do have a National Space Secretariat, which is actually under my ministry. Unfortunately, it has not been operationalised. I want to say that this is the time for it to be operationalised; the Mover of the Motion has really taken the initiative to ask the Government to wake up, so that we can operationalise this secretariat. So, for obvious reasons, we do not have really to dwell on the necessity of this technology. What is important is for the Government to create a National Space Agency, operationalise the secretariat and make sure we have this technology. We have

many people in this country today – scientists who are highly trained in space science, yet they cannot get jobs because we have not created this agency. We have not operationalised this secretariat.

So, I, indeed, support this Motion and I wish that the Ministry of Information and Communications will be able to move with speed in conjunction with the Ministry of Higher Education, Science and Technology, to ensure that this country has its own satellite. We repatriate a lot of money through the providers of cellphone telecommunication. We are repatriating billions and billions of shillings to other countries just because we do not have our own satellite, which can assist in this area.

Mr. Temporary Deputy Speaker, Sir, so, with those very few remarks, I support.

Mr. Mwadeghu: Mheshimiwa Naibu Spika wa Muda, naomba nami nichukue nafasi hii nitoe mchango wangu kwa Hoja hii ambayo imeletwa na Mhe Otichilo, na vile tulivyokubaliana na wenzangu, ingekuwa imeletwa hapo awali kwani nchi hii imekuwa nyuma kwa muda mrefu, tukiangalia ujuzi wa angani.

Bw. Naibu Spika wa Muda, si eti hatuna ujuzi wa angani lakini Serikali imezembea katika kuangalia taaluma ambazo vijana wetu wanazo. Tukiangalia vijana wetu nchini tutaona kuwa wakipewa nafasi ya kuweza kujihusisha na ujuzi na ufahamu wa angani watakuwa wanaweza kuboresha maisha yao wenyewe na maisha ya wakenya kwa ujumla.

Bw. Naibu Spika wa Muda, kama ilivyosemwa na mwenzangu hapo awali, tuna kituo Malindi ambacho kinaangaliwa na Wataliano. Swala nyeti ni: Hawa Wataliano watakaa hapo kwa muda gani na makubaliano gani Wataliano walionayo na Serikali ya Kenya kwenda kuangalia na kuzunguka nchi yote nzima wakitumia mitambo yao ya anga za juu? Je, nchi yetu ya Kenya itaanza lini mikakati ya kuhakikisha kuwa hata yenyewe pia ina mitambo yake ya angani?

Bw. Naibu Spika wa Muda, utakuta kuwa hivi juzi nchi yetu ilishambuliwa na maharamia wa baharini. Tungekuwa tuna vifaa vya anga za juu, tungeweza kuwatambua mapema na kutumia vikosi vyetu vya ardhini na majini kujua ni wapi hasa hawa maharamia walipokuwa; lakini kwa sababu Serikali haijachukua majukumu ya kuhakikisha kuwa ujuzi na utaalumu wa sayansi na teknolojia ya angani zimesitawishwa vizuri mpaka wakati huu bado ujuzi uko mikononi mwa wageni. Baada ya miaka 40 ya Uhuru, naona kuwa Serikali yetu, wakati umefika iamke na iangalie itafanya nini.

Ni jambo la kushangaza kusikia Waziri akisema kuwa kitengo hiki kiko mikononi mwake na hakijaanza kufanya kazi. Je, kama hakijaanza kufanya kazi, wao wanatarajia nani wahakikishe kuwa kinaanza kufanya kazi? Ukiangalia kama eneo Bunge lile ninalotoka lina wanyama wengi na Mhe Otichilo, katika kazi yake ile alikuwa anafanya, alikuwa anashugulika na mambo ya wanyama, ndovu, chui, simba na kadhalika. Mara nyingi wanyama hawa huvingia katika mashamba ya watu na kuharibu mimea. Kitambo ndege itumwe kutoka Nairobi ifike Taita, mimea itakuwa imeharibiwa, watu wamekufa na kadhalika. Tungekuwa na hivi vifaa, vingeweza kuangazia na tukajua hawa wanyama wako wapi na kutuma askari ambao hulinda wanyama kuhakikisha kuwa madhara ambayo yangetokea yamezuiwa au kupunguzwa.

Bw. Naibu Spika wa Muda, mwisho swala nyeti ni: Ni wakati gani Serikali yetu itaamka na iamue kuwa wakati umefika tuangalie huu ujuzi wa angani tutautumia kwa namna gani? Hivi sasa Lamu na Mombasa zimekumbwa na dhoruba. Mvua imenyeshwa. Upepo unapiga na ni mkali. Umeingia kwa mahoteli ambayo yako ufuoni. Kwa kweli

tungekuwa tumejiandaa vya kutosha kama tungekuwa na hivi vifaa. Tungejiandaa ya kutosha kwa utalaamu na ufahamu wa hali ya angani na chini. Nina imani kuwa watu wangukuwa wamepewa tahadhari mapema na kujiondoa kutoka sehemu za dhoruba mapema.

Kwa hoyo machache, naomba niunge Hoja hii mkono.

Ms. Karua: Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion. This Motion is important because, once it is passed, the Government will be compelled to formulate a policy on National Space Science and Technology, which will enable us to take advantage of technology in various fields.

Mr. Temporary Deputy Speaker, Sir, we are a country that has varying weather patterns. We experience heavy rainfall and then drought. Monitoring of the weather is something that we need a well developed national space science agency. We cannot have it unless we have a policy on the issue. These are matters that we would be greatly assisted, so that we can accurately forecast what to expect and prepare for it. In matters of security, our nationals have suffered along our borders; the most notorious being the Turkana border, and now the Coast of Lamu among others. With that type of technology, our security agencies would have been able to monitor even the movement of the abducted tourists and, probably, rescue them. Even most importantly, we will be able to monitor the movement of pirates long before they strike, and take care of the situation.

Mr. Temporary Deputy Speaker, Sir, this is something that will also help us in navigation. We have vehicles these days that are fitted with navigation equipment, but without the whole nation being well mapped, then we are not able to utilize them. It is surprising that Google, which is a private entity, maps even the remotest parts of our country. You can find your own location using Google. This is technology that, as a State, we should have for use in navigation, security, monitoring of the weather and environment and securing our wildlife in the parks. We should not be unable to deal with the poaching menace in an age when there is space technology which could help us locate our wildlife with precision and monitor any threats to it. We know that these days, our police are able to trace offenders who are using mobile telephones. That, again, is space technology. We ought to rely on technology even to bust criminal rings with precision. So, this is something that is long overdue. I want to join my colleagues in congratulating Dr. Otichilo for bringing this Motion.

Mr. Temporary Deputy Speaker, Sir, without taking any more time, I want to end by saying that the station at Malindi should be utilized, in conjunction with our security agencies, so that we can benefit. Over the years, we ought to have gained the expertise. We cannot be told that, at this time and age, the Government or security agencies do not have expertise to use this technology. This Motion is going to ensure that all those lapses are taken care of.

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

The Temporary Deputy Speaker (Prof. Kaloki): It is now time for the Government side to respond. Hon. Kamama!

The Assistant Minister for Higher Education, Science and Technology (Mr. Kamama): Mr. Temporary Deputy Speaker, Sir, first of all, I want to really commend and thank the Mover of the Motion, my good friend, Dr. Otichilo, who is an expert especially on matters of remote sensing and mapping. He was really the most qualified person to generate this kind of Motion.

Mr. Temporary Deputy Speaker, Sir, as a Ministry, we support this Motion in totality. I want to confirm to the House that, already, we have programmes on course. At the moment, we have, under what we call National Council for Science and Technology, formulated a draft policy on space science. We have also come up with a Bill. I want to confirm to the House that before that draft policy and Bill are actually brought to Parliament, I think we will have highly consultative meetings with all the stakeholders.

Mr. Temporary Deputy Speaker, Sir, I just want to go to the history of satellite station in this country. As we have been told, that satellite station at Malindi was started in 1962. In fact, it was before we got Independence. It was established under a group called San Marco Satellite Launching and Tracking Station in Malindi. Quite a number of Kenyans do not know what actually happens in Malindi. So, I would even invite stakeholders, when they have time, to actually tour that facility and see what a satellite station looks like.

Mr. Temporary Deputy Speaker, Sir, as recently as 2009, the Government came up with the National Space Secretariat that is under the Ministry of State for Defence. I want to confirm to the House that, so far, that Secretariat has not done much. As a Ministry, we have taken over despite all the challenges that are there. We have quite a number of challenges. We have a problem with the National Space Science Policy that has not been formulated, but which we have come up with. We have inadequate programmes for capacity building and facilities for reception, processing, interpretation and archiving of remotely sensed data. We also lack what we call space segment of our own, other than the one that is owned by the Italian Government. We also lack resources, because this is quite an expensive venture. But, we are committed, using all the scarce resources that we have. I have confirmed to you that we have come up with a draft policy and Bill that will be brought to this House.

Mr. Temporary Deputy Speaker, Sir, two weeks ago, we had a seminar at Whitesands Hotel that brought together all the stakeholders from many places, including as far as Japan, China, Italy and France. The participants came up with very many ideas on how we can further our course on the issue of space science. Quite a number of them even promised to assist us. I want to confirm that the Ministry is on course on this. We will fast-track to ensure that we have this policy and Bill, so that the legal issues concerning space science are addressed appropriately.

Mr. Temporary Deputy Speaker, Sir, I want to agree with Dr. Otichilo, hon. Karua and Maj-Gen. Nkaisserry that space science is quite necessary, if we want to track issues of weather.

Mr. Temporary Deputy Speaker, you know what happened in Fukushima in Japan, where so many people were displaced because of the Tsunami. Even nuclear reactors were actually destroyed. But I am happy that the Japanese had the technology to save their people, even though they lost 25,000 people and over 600,000 were displaced. If that accident was in this country or anywhere in Africa, I think we would lose millions and millions of people. That makes this policy very necessary for us to monitor issues of weather, crime or terrorism. You all remember that recently the chief terrorist, Osama Bin Laden, was killed by Americans using that technology. They used satellite to monitor from Pentagon to Abbottabad somewhere in Pakistan. They were able to track and deal with Osama Bin Laden. So, this is very necessary to address issues of crime

Mr. Temporary Deputy Speaker, Sir, most Kenyans will also realize that we have problems of pirates along the Indian Ocean. We also have kidnappers. They have even graduated from piracy to kidnapping. We need that technology to deal with those people and so, I want to confirm to the House that we are on track with this policy. The National Council of Science and Technology is handling this matter and very soon, this issue will go to the Departmental Committees that deal with transport and science and then, of course, it will go to the Cabinet. Thereafter, it will be brought to Parliament for debate. So, we are on course because we know that we need it like yesterday. We have problems with scarce resources but we will give, as a Ministry, the priority that this sector deserves.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, I will now ask the Mover to reply. Go ahead, Dr. Otichilo. Thereafter, I will put the Question.

Dr. Otichilo: Thank you, Mr. Temporary Deputy Speaker, Sir. Let me take this opportunity to thank hon. Members who have contributed to this Motion and have supported it. I am very happy that they have supported this Motion. I also want to thank the Ministry, and particularly the Assistant Minister, for confirming to this House that the Ministry of Higher Education, Science and Technology is concerned, and is already formulating a policy and a law that will be brought to the Departmental Committee on Education, Research and Technology before it is tabled in this House. So, I want to ask the Ministry to move with speed because technology is moving very fast. If we do not move fast ourselves, we will become irrelevant. So, it is important that we move fast.

I also want to take this opportunity to dispel the fear among Kenyans and among Government officials that space science is expensive. Space science is not expensive. You can put up a satellite in space today - which is called a micro-satellite - at a cost of less than Kshs1 billion. Most of the roads we construct in this country - even a 20 kilometers stretch of a road - cost more than Kshs1 billion. So, the cost should not be the issue. The technology has moved so fast that the satellite technology is so easy now. You can put in space micro-satellites which will cost us as low as Kshs200 million. The usefulness of this technology and what you get out of it--- Climate change is here with us. It is impacting very seriously on food security. The only way we are going to work and find adaptation mechanisms to combat or adapt to climate change is to get real time information. You cannot get real time information by people walking around and collecting information. We must use the satellite and so, on the issue of food security, satellite based technology is the solution.

I also want to inform this House that Kenya has trained many space scientists. In fact, from the college where I trained, we have more than 700 Kenyans who have trained in space science. But when they come back here, they have nowhere to practise that technology. So, a majority of them have chosen to go back. My former colleagues who I was with in college are working with NASA and European Space Agency. That is because there are no facilities here. So it is important that we use the people we have trained.

Mr. Temporary Deputy Speaker, Sir, in the area of business, space technology is offering one of the best lucrative businesses that are going to be available. Kenya, being on the equator, is in the best location to launch satellites and track satellites. So, every satellite that is launched in the world today, it is tracked from Salmaco. The cost of tracking is in billions. But, unfortunately, because we do not know what goes on in

Salmaco, all those billions of shillings go to the Italian Government. That is because we do not know. It is a big opportunity that we have given to another country and it is sad to understand that the Government of Kenya, through the Department of Defence, is drafting another agreement for 20 years, so that the Italians can continue owning that station. It is important that the Ministry takes action, so that we do not sign an agreement again for 20 years and make that station not available to us.

I said that we are now in the space race, and I am happy that the Assistant Minister for Higher Education, Science and Technology has said that, right now, we do not have a space segment. That is because to launch a space satellite, you must be given a space segment. Space segments are getting finished just as the way radio frequencies got finished in this country. A few guys grabbed them and now, you cannot get them. If we do not move with speed, the space segment which is allocated by the United Nations is going to get finished, and we will never put a satellite into space. So, we need to move with speed. I also want to thank the Ministry because they are already moving ahead. We would like to see that policy come quickly so that we move forward.

Thank you very much!

(Question put and agreed to)

The Temporary Deputy Speaker (Prof. Kaloki): Next Order!

AWARD OF GRANT TO AFC TO CUSHION
CROP AND LIVESTOCK FARMERS

THAT, deeply concerned with the devastation of the prolonged drought on farming activities that has occasioned heavy losses to farmers; aware that many affected farmers have loans from the Agricultural Finance Corporation (AFC) amounting to a total of Kshs4.48 billion; concerned that the prolonged drought has adversely affected farmers' capacity to service their said loans with the effect that a loan portfolio of Kshs1.81 billion has now been classified by AFC as bad loans due to widespread defaults; convinced that unless this loan portfolio in default is addressed urgently, AFC and the agricultural sector face the risk of irreparable damage; acknowledging the key role played by AFC in financing the agricultural sector and the importance of supporting farmers countrywide as the anchor for vision 2030; this House urges the Government to urgently avail a grant of Kshs2 billion to Agricultural Finance Corporation (AFC) to enable it provide appropriate relief to both crop and livestock farmers in all the 47 counties adversely affected by the prolonged drought in the country.

The Temporary Deputy Speaker (Prof. Kaloki): The Chair has information that Mr. Namwamba is out of the country on Parliamentary business. So, we will defer this particular Motion to a later date.

(Motion deferred)

ADJOURNMENT

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, there being no other business on the Order Paper, this House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 12.20 p.m.