

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 9th November, 1995

The House met at 2.30 pm.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 910

CONSTRUCTION OF DO'S OFFICE IN NYARONGI

Mr. Ojode asked the Minister of State, Office of the President why the Government has not allocated funds for the construction of the District Officer's (DO) office as well as other departmental offices in Nyarongi Division.

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

Due to lack of sufficient funds in the voted estimates, the Government has not allocated any funds for the construction of a DO's office as well as other departmental offices in Nyarongi Division in this Financial Year. However, in the next Financial Year the division will be considered for construction of a DO office and the departmental offices along with other divisions.

Mr. Ojode: Mr. Speaker, Sir, this time there is a lot rain in Nyarongi Division and the DO is conducting his business under a tree as I am talking to you. A few weeks ago, we saved a lot of money by avoiding to go for the United Nations Organisation (UN) summit in New York. Could the Minister consider giving us just an eighth of what was saved by avoiding going to that summit? Since the Government has the cost-sharing policy, we have identified a top Government official in Nyanza Province to officiate at an Harambee for us. So, if the Government could give us an eighth of what was saved by not attending the UN summit in New York we would really appreciate. Could the Minister consider allocating the funds---

Mr. Speaker: Order, Mr. Ojode! You are saying the same thing all over again and again!

Mr. Kalweo: Mr. Speaker, Sir, this Question has no relation whatsoever with the summit held in New York.

Mr. Mwaura: Mr. Speaker, Sir, the Minister

has told the House that there are no funds during the current Financial Year for the construction of a DO's office. If this is so, can he tell this House how the Government will be able to construct various offices and houses for the various districts which have been created in the recent past?

Mr. Kalweo: Mr. Speaker, Sir, I thank the hon. Member for that question. The people of Ndihiwa raised about Kshs200,000/-, but the limited funds my Ministry had were spent to complete the on-going projects. So, when I say that in the next Financial Year we will consider that area and I am very certain of what I am saying. For the time being the DO for the area operates from Ndihiwa Multi-purpose Building.

Mr. Ojode: Mr. Speaker, Sir, the Minister is giving a misleading answer. He is saying that the money they have is being spent on completion of on-going projects. Which are these on-going projects when even the construction of the new Suba District Headquarters has not started and the same thing applies to the new Trans Mara District? The Vice President and Minister for Planning and National Development knows what I am talking of because he officiated at a Harambee function in Trans Mara District. So, can the Minister consider giving us an authority to incur expenditure so that the DO can "sit permanently" in Nyarongi?

Mr. Kalweo: Mr. Speaker, Sir, the DO is there permanently and we are not going to remove him. Here I have a list of about 19 other projects in the country.

Mr. Ojode: On a point of order, Mr. Speaker, Sir. The Minister is misleading the House by saying

that the DO is in Nyarongi permanently! The DO is not staying in Nyarongi and the Minister has even confirmed this here! How can a DO operate under a tree? There is no office or house. Is he in order to mislead the House?

Mr. Kalweo: Certainly, Mr. Speaker, Sir, I am in order. This is because the DO was posted there and, since this division was created, there will always be a DO. But as of now, the DO operates [Mr. Kalweo] from Ndhiwa Multi-Purpose Project building, which is also in this country.

Mr. Speaker: Mr. Shikuku's Question.

Question No. 604

UPGRADING OF AGRICULTURAL COLLEGE

Mr. Speaker: Mr. Shikuku is not here? We will leave his Question until the end. Mr. Nyagah's Question.

Question No. 619

MEALS IN EMBU PROVINCIAL HOSPITALS

Mr. Speaker: Mr. Nyagah is also not in here? Let us move on to Dr. Opere's Question.

Question No. 989

PROVISION OF TELEPHONE FACILITY IN GWASI

Dr. Opere asked the Minister for Transport and Communications:-

(a) whether he is aware that Magunga Centre, Headquarters of Gwasi Division, Suba District, does not have any telephone facility at all, despite the fact that the division is rich in agricultural resources, fish and tourist resources; and

(b) when the telephone facilities will be installed in the area, considering that it is the only division in the province without telephone facilities.

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

(a) I am aware that there are no telephone facilities at Magunga Centre, Headquarters of Gwasi Division.

(b) The Centre will be provided with a 70-line manual exchange that will be linked to Suna via radio in the next Financial Year, 1996/97, when funds will be available, to purchase radio equipment and aerial cable for the local distribution.

Dr. Opere: Mr. Speaker, Sir, Gwasi Division borders both Tanzania and Uganda and for the last three years we have been trying to obtain telephone facilities without success. It is quite possible that some people from outside Kenya can invade Kenya through that area. Is it not possible to instal a simple telephone machine? There are very many machines which are being removed in several parts of Nyanza Province! Can a simple telephone machine not be installed immediately rather than waiting until the next Financial Year?

Mr. Morogo: Mr. Speaker, Sir, we do not have any machines available for now, but the Kenya Posts and Telecommunications Corporation (KPTC) has arranged to purchase the equipment required for next year.

Mr. Mbeo: Mr. Speaker, Sir, during the last by-election, I happened to have visited the area to help my friend and colleague, hon. Opere and, I saw, with my own eyes, poles being removed from Magunga Division and taken to another area. Is it in order for the Assistant Minister to mislead this House that no equipment has been bought in this financial year, when they had planned to do this but, in view of the fact that this is an Opposition zone, they removed these poles?

Mr. Morogo: Mr. Speaker, Sir, I have, time and again, said that my Ministry does not consider development on party lines. Since the hon. Members have nothing else to talk about, may I advise them to leave my Ministry out of their tribal aspects and considerations because we deal with Kenyans and we serve all Kenyans.

Mr. Mbeo: Mr. Speaker, Sir, could the Assistant Minister confirm or deny that telephone poles were

removed from Magunga Division and taken to another area, within the last three or four months?

Mr. Morogo: Mr. Speaker, Sir, we are not talking about poles. We are talking about the installation of a telephone Exchange.

Mr. Speaker: Next Question, Mr. Sankori!

Question No.504

STD FACILITIES AT MASHURU

Mr. Sankori asked the Minister for Transport and Communications when the Ministry will install Subscribers Trunk Dialling (STD) telephone facilities at Mashuru Divisional Headquarters.

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

The Kenya Posts and Telecommunications Corporation is in the process of installing a 70 line manual Exchange in Mashuru Divisional Headquarters which will be operational by the end of this year. The exchange will be automated as soon as it is viable to do so.

Mr. Speaker: Very well, next Question, Dr. Wako!

Question No.620

RURAL POWER IN ISIOLO

Dr. Wako asked the Minister for Energy:-

(a) which part of Isiolo has benefitted from the Rural Electrification Programme since its inception; and,

(b) if he would consider rural electrification for places such as Kinna, Kulamawe and Garba Tulla.

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

(a) Isiolo Township and part of its environs has benefitted from the Rural Electrification Programme since its inception.

(b) Yes, my Ministry will consider Kinna, Kulamawe and Garba Tulla for rural electrification when funds for the implementation of the projects are secured.

Dr. Wako: Mr. Speaker, Sir, while thanking the Assistant Minister, we would like to know when these funds will be secured because, these are some of the rural areas which require electricity. It is only Isiolo Town which has ever had electricity. When can this funds be secured to make sure that this project is implemented?

Mr. Marita: Mr. Speaker, Sir, the amount of money involved in these projects which have been mentioned by the hon. Member is great. It is amounting to Kshs90 million and, as a Ministry, we are trying our level best to see that this money is obtained.

Mr. Shidiye: Mr. Speaker, Sir, the Minister is not answering the question. He was asked a categorical question: When will these funds be available? We are not interested in the figure. We want to know when these funds will be available.

Mr. Marita: Mr. Speaker, Sir, since we are as interested in these projects as the hon. Member is, any time we get the money, we shall carry on with the job.

Mr. Leshore: Mr. Speaker, Sir, in 1993, the Ministry promised to install similar facilities in my division. Now, the Assistant Minister says his Ministry is going to consider providing electricity for Kinna, Kulamawe and Garba Tulla.

I would like to ask him how much money his Ministry has allocated for such projects in the current financial year.

Mr. Marita: Mr. Speaker, Sir, in our 1995/96 budget, the amount of money shown in the Printed Estimates is K£100,000. As I have said, if these projects are given priority by the District Development Committee (DDC), we shall implement them.

Mr. Speaker: Next Question, Mr. Aluoch!

Question No.769

GRADING OF ROAD D.215

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

- (a) if he is aware that Rongo-Rangwe Road (No.D215) has not been murramed for the last five years;
- (b) if he is further aware that this road is currently impassable due to neglect by the respective District Works Officers in Homa Bay and Migori districts; and,
- (c) if he could immediately allocate funds from the Road Maintenance Levy for the grading and murraming of this road.

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

(a) I am aware.

(b) I am also aware that some sections of the road in question between and Rangwe and Oboke are impassable because the gravel wearing coat has been washed away by rains and floods, resulting into gully formation on the black cotton soil. The road has not been neglected by the respective District Works Officers and was last worked on between July and September this year.

(c) Due to lack of funds, the Ministry will not allocate funds for this road from the Road Maintenance Levy, but it will ensure that some of the funds allocated to the two districts for routine maintenance of the roads are utilized to grade the Rongo-Rangwe in accordance with the roads grading work plans for these districts.

Mr. Aluoch: Mr. Speaker, Sir, I am surprised at the answer given by the Assistant Minister. They are claiming here that the road was last worked on between July and September, this year. This Question was asked sometime around May/June, and that is when they sent a grader to scrap through black cotton soil. There was no proper grading. What I asked for is the murraming of this road so that it is passable. However, the little work they have done has been from Nyaratano to Oboke, which is just half-way.

The section between Oboke and Rangwe, which is in Homa Bay district, has not been touched. This is a road that was classified many years ago. What has the Ministry been doing since the 1970s [**Mr. Aluoch**] when this road was classified? Why can the Ministry not allocate enough funds? He is now telling me that he will not allocate the Road Maintenance Levy. Why do the people of Rongo and Rangwe pay the Road Maintenance Levy when it cannot serve them?

Col. Kiluta: Mr. Speaker, Sir, the Road Maintenance Levy is not only utilized on one particular district.

There are roads in that district which are benefitting from this levy. If the people of this area feel that this particular road is a priority, then they should write to the Ministry and instruct us to divert this money from the roads which are benefitting from this levy to this particular one, and we will do that.

Prof. Ouma: I think we should be realistic. There is no point truncating a road which is barely 21 kilometres long. Here is a case where a Question is asked and half of the road is scrapped roughly and the other one is left untouched. Then that road cannot be claimed to be passable. Can the Assistant Minister assure this august House that at least the scrapping will go from one end to the other so that the areas scrapped are usable and secondly, that it will be murramed? It has decayed from a murram road to a potholed bog road.

Col. Kiluta: Mr. Speaker, Sir, as I said, arrangements are ready, according to the work plan laid for the district, to have the Road done and it will be scheduled together with the others. I promise the hon. Member that some work will be done.

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, since the Road Maintenance Levy was introduced last year, the money goes to the Treasury from the collection instead of going directly to the Ministry so that it can be spent on specific roads. Now that we have these problems of roads all over the country, could the Government not make an arrangement where the Road Maintenance Levy goes directly to the Ministry to be spent instead of going to the Treasury for allocation as part of the Consolidated Fund?

Col. Kiluta: Mr. Speaker, Sir, the Minister does not have problems with this money because as I said, we have already allocated money to this district from this Levy. What the hon. Member should be concerned about is whether he is getting his share of the money but not how the Ministry gets the money.

Mr. Alluoch: Mr. Speaker, Sir, can the Assistant Minister tell us how much money has been allocated to murram this Road so that it is permanently passable?

Col. Kiluta: Mr. Speaker, Sir, as I said, so far we have spent just slightly over Kshs 70,000 doing the work on this Road and we have set aside Kshs 2.5 million to do the work. Again this depends on the priority given by the District Development Committee (DDC) from that area.

Question No. 755

BUILDING OF MUTHAMA BRIDGE

Mr. Githiomi, on behalf of Mr. Gichuki, asked the Minister for Public Works and Housing what plans there are to build Muthama Bridge at Shamatta in order to ease transport from Ol'Kalou, which has been made the new District Headquarters for Nyandarua.

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

The Muthama Bridge is an unclassified road and, therefore, both the road and the bridge at present do not fall under the purview of the Ministry.

Mr. Gichuki: Mr. Speaker, Sir, could the Assistant Minister consider classifying both the road and the bridge and also consider building the bridge because it is the only link between Shamatta and Ol'Kalou which is the district headquarters now? People from Shamatta will have problems transacting their Government business at Ol'Kalou if it not built.

Col. Kiluta: Mr. Speaker, Sir, for the benefit of the hon. Member in case he is not aware, this road was done by a communal group and the bridge was constructed with the assistance of the Rural Access Roads Department and since the Road was constructed the matter has never been taken to the DDC. So the issue lies squarely with the hon. Member at the moment.

Mr. Kamuyu: Mr. Speaker, Sir, what is the technical meaning of the terminology "classified roads" and are roads in Dagoretti classified?

Col. Kiluta: I think we will make this a classroom so that the hon. Member---

Mr. Speaker: Col. Kiluta, do not bring a class here. Just answer the question if you can and if you cannot forget it.

Col. Kiluta: Mr. Speaker, Sir, the classified roads are managed by the Ministry whereas the unclassified roads are managed by county councils, urban councils or individuals.

Mr. Kiliku: Mr. Speaker, Sir, the Question is about what plans there are to build Muthama Bridge at Shamatta. It is not about the Road. Could the Assistant Minister tell this House whether there are plans or no plans to build this bridge?

Col. Kiluta: Can the hon. Member repeat his question.

Mr. Speaker: He asked if you have plans to build the Muthama bridge or not.

Col. Kiluta: Mr. Speaker, Sir, I said the issue of the bridge and the road rests squarely with the DDC. They have not even written a letter to recommend the Road.

Mr. Speaker: For the second time Mr. Shikuku's Question.

Mr. Shikuku: I wish to apologise very loudly that I was not here when my Question was called out. I beg to ask Question No. 604.

Question No. 604

UPGRADING OF BUKURA AGRICULTURAL COLLEGE

Mr. Shikuku asked the Minister for Education now that Siriba College has been up-graded to a University College, thereby denying the Western Region a Teachers' Diploma College, what arrangements the Ministry has to up-grade Bukura Agricultural College to a Diploma Teachers' College to serve the region.

The Assistant Minister for Education (Mr. Lengees): Mr. Speaker, Sir, I also apologise for coming in a bit late. I beg to reply.

My Ministry has no plans to up-grade Bukura Agricultural College to a Diploma Teachers' College to serve the Western region.

The Diploma Teachers' Colleges have been supplemented by public universities in supply of trained teachers for our secondary school. The number of these colleges is expected to remain two; Kagumo and Kenya Science with a total student enrolment of 1,350. The two colleges together with the Nairobi, Kenyatta, Moi and Egerton Universities are capable of meeting current demands for secondary schools teachers. It is not a policy of my Ministry to have colleges for particular regions as that will defeat the fundamental objective of my Ministry of promoting national unity.

Mr. Shikuku: Arising from that reply which I consider not true, is the Assistant Minister aware that Siriba was up-graded into a university college and therefore, it is logical that Bukura could be a college too and there should be no problems at all? The fact remains that we have regions here. In the whole of Western Province we have no college or a universities at all. Is it not time we conclude that?

Mr. Lengees: Mr. Speaker, Sir, as I have said before we are not creating or upgrading colleges as per regions. The colleges we have in the country are national.

Mr. Mak'Onyango: Mr. Speaker, Sir, arising from the Assistant Minister's reply that the idea is to promote national unity, can he tell this House whether during the time that Siriba existed there existed a national disunity just because of this particular college.

Mr. Lengees: To me that is a different question and I cannot answer it.

Mr. Shikuku: Arising from that absurd reply, when he talks of unity do we have to pretend that we do have colleges when we do not have them? The whole of Nyanza Province has got only one university. Rift Valley and Central Provinces have got universities. It is only Western Province and probably Coast Province which have never had a university at all. Could the Assistant Minister stop pretending that he is looking for unity by refusing to up-grade Bukura Agricultural College? Is that the only thing that can bring unity when it is not given?

Mr. Lengees: Mr. Speaker, Sir, if the students were not considered for diploma intake in certain colleges in the country, from the constituency of the hon. Member, then that is a different case. The Western block should be happy to have Siriba Teachers College upgraded to a University College status as compared to other parts of the country which do not have such facility.

Mr. Speaker: Next question, Mr. Nyaga? For the second time.

Mr. Nyaga: Mr. Speaker, Sir, I am terribly sorry for coming in late. It was unintentional.

An hon. Member: Where were you?

Mr. Nyaga: Having said so, I beg to ask question number 619.

Question No. 619

MEALS IN EMBU PROVINCIAL HOSPITAL

Mr. Nyaga asked the Minister for Health:-

(a) if he is aware that Kshs.2.0 million is the adequate amount required to feed patients in Embu Provincial Hospital, whereas the Government's contribution is only Kshs.166,000.00 a month; and,

(b) since the Hospital cannot feed its patients with the right or enough nutritious food, and relatives have to compensate, he would allocate at least Kshs.1,000,000.00 towards the feeding programme?

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

(a) I do not agree with the suggestion that Embu Hospital requires Kshs.2 million per month to feed its patients. This figure is exaggerated.

(b) The financial allocation of Kshs.166,000.00 allocated for feeding the patients per month, is slightly below the financial estimates required from the Hospital at that time. However, the current budget is supplemented by cost-sharing funds which enable the patients to get adequate nutritional diet.

Mr. Nyaga: Mr. Speaker, Sir, I am quite surprised by the answer given by the Assistant Minister. The Kshs.2 million quoted here does not come from me, but the Board and the Superintendent of the Hospital, who said that they require Kshs.2 million. He is also quite right in saying that the intention for the cost-sharing, was not meant to go into capital investments which is the case. The question I would like to pose to the Assistant Minister is: Is he aware that Kshs.1 million or so is collected in the cost-sharing by Embu Provincial Hospital, and yet the cost of the capital investments of that money, is more than the money collected in terms of cost-sharing, and hence the patients are unable to get food from the Hospital, but get it from their relatives?

Mr. Criticos: Mr. Speaker, Sir, I am aware. I am also aware that the shortfall we are talking about per month is very little, which is Kshs.7,660, because I am sure we are raising more than that per day which can be used for cost-sharing.

Mr. Mutahi: Mr. Speaker, Sir, can the Assistant Minister tell this House--- We have been told that Kshs.166,000.00 is given by the Government, and that Kshs.1 million is raised through cost-sharing. That brings the total amount to Kshs.1,166,000.00? Is this the money which is misused by your officers who are supposed to be buying food for the hospital, or what is exactly happening, because the hon. Member of that area is saying that people are going without food?

Mr. Criticos: Mr. Speaker, Sir, with regard to the cost-sharing money, the Ministry has got laid down procedures on how this money should be spent. This money mainly goes towards buying drugs, which are

essential for the hospital. As a matter of fact, it is rarely used for buying food for the patients. However, there is an occasion when the Board, or ourselves in the Ministry decide that some of this money can be used in buying food, if the money allocated is less than what they are supposed to get.

Prof. Mzee: Thank you, Mr. Speaker, Sir. If the Assistant Minister is saying that this figure of Kshs.166,000.00 is enough to buy food for a Provincial Hospital, he must be joking.

Mr. Speaker: Order! Order! Ministers do not joke. Maybe the Chair is joking. So, can you tell that to the Chair?

An hon. Member: The Minister must be joking!

Prof. Mzee: Mr. Speaker, Sir, what I was saying is that this figure of Kshs.166,000.00, to purchase a balanced nutritious diet at a Provincial Hospital must be the biggest joke in this House and in this country. This amount can hardly buy 20 kilograms of meat per day. If you calculate, you will see that 20 kilograms of meat per day, will cost more than Kshs.166,000.00. Can the Assistant Minister be very, very serious because there is a big disparity between Kshs.2 million and one and half plus. Can he be more serious and tell us fully, in his opinion, if Kshs.166,000.00 is sufficient to provide a balanced nutritious diet at a Provincial Hospital?

Mr. Criticos: Mr. Speaker, Sir, in my part (b), I said very, very clearly that it is not sufficient. But, we have maintained that the allocation which was issued was very little. So, what we have done is taken the cost-sharing money and supplemented it. So, it is over Kshs.166,000.00. That is what I would like to clarify to you, Mr. Speaker, Sir.

Mr. Nyaga: Mr. Speaker, Sir, the Assistant Minister is saying that the figure is slightly below the financial estimates required. I am also telling him with authority, that I know the cost-sharing money collected is not enough for capital investments requirement of that Hospital. It has never been and it will never be. What measures is the Ministry going to take to ensure that at least the hospital gets slightly more money to feed the patients? The whole idea or concept of cost-sharing was for this money to go into purchasing of food.

Mr. Criticos: Mr. Speaker, Sir, the hon. Member seems to know a lot about our Ministry more than the hon. Speaker. The hon. Member who is speaking on the Floor right now. I do not think that hon. Nyaga has got any authority to tell me how much our Ministry has. It is up to us to allocate the extra amount to that hospital. I would like to know whether hon. Nyaga has got the documents belonging to the Ministry of Health. He should table them on the Table.

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

Mr. Speaker: Order! Order! I will not encourage that kind of behaviour. What was it, Mr. Ndwiga?

Mr. Ndwiga: Mr. Speaker, Sir, is the Assistant Minister in order to continue to justify the little amount they are giving to Embu Provincial Hospital, when there have been press reports last year and early this year, to the effect that, patients who go to Embu Hospital which one disease, and come out of the same hospital with another disease because they are under-fed? The money allocated is not enough to feed them. Is he in order, Mr. Speaker, Sir?

Mr. Speaker: Order! Order! Before you rise again on Tuesday next week, Mr. Ndwiga, make sure that you have studied the Standing Orders, and understood what a point of order entails.

(Laughter)

QUESTIONS BY PRIVATE NOTICE

DEATH OF MR. MUNYASIA

Mr. Mwaura: Mr. Speaker, Sir, I beg to ask the Minister for Foreign Affairs and International Co-operation the following Question by Private Notice.

(a) Is the Minister aware of the death of a Kenyan National Mr. Rocky Munyasia who was found dead on 30th October, 1995, in Dubai, United Arab Emirates?

(b) Is the Minister informed that the room on 13th floor, where Mr. Munyasia lived, was found ransacked, door broken and the body found on the ground without any injury?

(c) What tangible measures is the Minister taking, in consultation with the authorities in Dubai, to establish the cause of the death of Mr. Munyasia and to bring the culprit(s) to book?

The Assistant Minister for Foreign Affairs and International Co-operation (Dr. Manduku): Mr. Speaker, Sir, I beg to reply:-

(a) Yes, I am aware of the death of Mr. Rocky Munyasia, who was found dead on 30th October, 1995, in

Dubai, United Arab Emirates.

(b) I am also informed that the Police gained entry into the room on the 13th floor, where Mr. Rocky Munyasia lived by breaking the glass on the side of the door in order to open the door from inside. The room was searched by the Police. The initial forensic report indicates that the body had broken ribs, hips, legs and arms with resultant internal bleeding.

(c) The Ministry of Foreign Affairs and International Co-operation, in consultation with the Kenya Embassy, Abu Dabi, has been advised by the police and the forensic doctors that there was no evidence of foul play.

I am however, expecting to receive a comprehensive report on the matter from the authorities in the United Arab Emirates.

Mr. Mwaura: Mr. Speaker, Sir, for me this is a sad matter and I am disappointed by the answer I have got from the Ministry which states that there was no foul play. I have documents from the doctor which says that this young man had committed suicide and I am surprised that the Ministry of Foreign Affairs and International Co-operation does not have this document. Can the Assistant Minister confirm to this House that the Kenya Government---

Mr. Speaker: Mr. Mwaura, are you tabling those documents?

Mr. Mwaura: Yes, I have them Mr. Speaker, Sir.

Mr. Speaker: I said yesterday and I will continue to say so, if you ever intend to table any document do so on the very first opportunity.

Mr. Mwaura: I am sorry, Mr. Speaker, Sir.

Mr. Speaker: So that you give others a chance to look at them.

Mr. Mwaura: Thank you very much, Mr. Speaker, Sir. I will do that I, therefore, beg to lay the documents on the Table.

(Mr. Mwaura Tabled the documents)

Mr. Shikuku: On a point of order Mr. Speaker, Sir. The hon. friend should follow the rules, by briefing us about what he is laying on the Table. Was it a post-mortem report or what?

Mr. Speaker: He said a post-mortem report from a doctor. You will find that out from the documents on the Table. Proceed, Mr. Mwaura!

Mr. Mwaura: Mr. Speaker, Sir, can the Assistant Minister confirm to this House that the Kenya Government will initiate, through Interpol, investigations on the cause of death of this young man? Can the Assistant Minister also find out from the United Arab Emirates Government, when the post-mortem was done, whether there were officials of the Kenyan Embassy at the time of doing the post-mortem and why was the post-mortem done without the presence of the family of this young man?

Mr. Speaker: How many questions are you asking Mr. Mwaura? Sorry, Mr. Mwaura, always one question at a time. I allowed you two more. If you put 20, he will forget them. Proceed, Dr. Manduku!

(Laughter)

Dr. Manduku: Mr. Speaker, Sir, I think this is a very unfortunate case because it involved a son of a staff member of our Ministry and the Ministry is concerned. As I have said in my last statement, the Ministry and the Government, is also expecting to receive more information from the Government of United Arab Emirates.

Secondly, Mr. Speaker, Sir, on the question of post-mortem report, I also understand that a post-mortem is being carried out in Nairobi at Kenyatta National Hospital, this afternoon. Therefore, this question, in fact, has come pretty prematurely for the Ministry to give the exact information about the death of Rocky Munyasia.

Dr. Kituyi: Thank you Mr. Speaker, Sir.

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, The Assistant Minister---

Mr. Speaker: Order! What is it, Dr. Otieno-Kopiyo?

Dr. Otieno-Kopiyo: On a point of order Mr. Speaker, Sir. The Assistant Minister, is confusing the House. You heard him say that forensic report have indicated what caused the death. Then he says in the same breath that there was no foul play. Thirdly, he says that they are expecting more information. Which one of these three replies should we take as the correct position?

Dr. Manduku: Mr. Speaker, Sir, when we are examining a dead body there are stages that we follow to do that. We can make the observation of the body without doing the post-mortem. So, the information I have here is not complete and that is why I talked about "the initial forensic report". That means the observation and examination of the body other than after doing the post-mortem.

Mr. Speaker: Dr. Kituyi, it is your time now!

Dr. Kituyi: Mr. Speaker, Sir, arising from the Assistant Minister's original reply, first of all there is something sick in a logic where you say a person was found with broken ribs, hips, and there is no suspicion of foul play. The Chair is a lawyer and in this matter, it should see the contradiction between the inference and the premises. Having said that, Prof. Aggrey Nyong'o, the Chairman of the Department of Forensic Medicine, University of Nairobi, who did a post-mortem on this body early this afternoon, has also done post-mortem on more than 10 Kenyan students who have died mysteriously in India. There is a growing pattern of obvious indications of foul-play. All of a sudden Kenyan students are falling off trains more than others or having broken ribs and locked doors in their rooms. What specific action is the Ministry of Foreign Affairs and International Co-operation, taking, as part of its international responsibility to its citizens, to follow the matter beyond the official statements from the countries that are concerned? A statement that this was suicide is not convincing enough. What specific measures is the Ministry taking? Look at what the Philippines Government did when a girl was killed in Singapore?

Mr. Speaker: Order! Order!

Dr. Kituyi: What action are you taking as a Ministry which is supposed to protect Kenyans students abroad?

Dr. Manduku: Mr. Speaker, Sir, I think I will dwell on the question of the death of Mr. Munyasia and not other deaths. I would like to say that the body of Mr. Munyasia was found laying on the floor of the house he was living in on the 13th floor and therefore, it is understood that he jumped from the 13th floor and was found with broken legs and all these other body parts down on the ground floor of that building.

Mr. Shikuku: Mr. Speaker, Sir, arising from that reply, the Assistant Minister, is now confusing us---

(Loud consultations)

Mr. Speaker: Order!

Mr. Shikuku: He is telling us this *mwanachi*, was found in his room.

An hon. Member: He did not say that!

Mr. Shikuku: That is what he said. Earlier on he said so. He was found in his room with broken ribs, legs, hands and that the door was broken into. Now he is tell us about the possibility of this very *mwanachi* jumping from 13th floor. Which is which?

Dr. Manduku: Mr. Speaker, Sir, I think I should be heard properly. I did not say that he was found in the house but the house, was broken into by the police officers who were investigating the cause of his death to ascertain how, maybe, he jumped from the room. The Question here---

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

Mr. Speaker: Order! What is your point of order?

Dr. Kituyi: Mr. Speaker, Sir, is the Assistant Minister in order---

Mr. Speaker: Order! Order also Dr. Kituyi! I would like to guide the House particularly when we have the matter as serious as this, it would serve this House and this nation if at least we can get the explanation without unnecessary interruption. Nevertheless, have the Floor!

Dr. Kituyi: Mr. Speaker, Sir, is the Assistant Minister, in order at this stage to be giving an answer that is substantively different from the original answer? He has told us that Mr. Munyasia's body was found in a room. He also told us about the opening of the room and at this point he announces that Mr. Munyasia committed suicide by jumping from the 13th floor. Does the presence of a body 13th floor away from where the room was indicate suicide? Do you exclude the possibility that he was thrown out after being killed?

Dr. Manduku: Mr. Speaker, Sir, I would suggested that hon. Members, should listen when we are reading the answers. If the hon. Members, want I can repeat my written answer---

Mr. Speaker: Do not do that!

Dr. Manduku: I did not say that he was found on the 13th floor.

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

Mr. Speaker: Next Question! Next Question! What is it, Mr. Mwaura?

Mr. Mwaura: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister aware that a Kenyan room-mate by the name James Agaga Obino, found the body of Mr. Munyasia, on the ground yet the Assistant Minister says the room's door was broken by his room-mate when he came in and the body was there, but police were not there. Therefore it is not correct to say that the police broke the door.

Dr. Manduku: Mr. Speaker, Sir, the police went to open the room to find out the cause of death after

they had found the body. They collected the body to conduct investigations so that, at least, we can be able even to answer this Questions here.

Mr. Speaker: Very well. Next Question, Mr. Robert Mungai!

Mr. Speaker: Next Question.

DISCONNECTION OF WATER SUPPLY

Mr. R.K. Mungai: Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice:-

(a) Is the Minister aware that the operations at Thika District Hospital have grounded to a halt as the water supply to the Hospital has been disconnected due to non-payment?

(b) What action is the Minister taking to rectify the situation?

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

(a) I am not aware that the operations at Thika Hospital have grounded to a halt as the water supply to the Hospital has been disconnected due to non-payment.

I am aware that the water supply to Thika District Hospital has been disconnected from time to time due huge inflated water bills. The last time, water was disconnected was on 3rd October, 1995. However, it was reconnected the same day and the operations at the hospital are back to normal.

(b) My Ministry is soliciting funds amounting to Kshs.1,588,000 to be paid to the Thika Municipality as the outing debts.

The Town Clerk the Thika Municipality has been requested to replace the defective water meter with the new ones as a matter of urgency.

Mr. R.K. Mungai: Mr. Speaker, Sir, the reason why I was rising on a point of order is because the Assistant Minister was contradicting himself by telling us that "he is not aware," when the written reply I have here says that "yes, I am aware." So which is which? Is he in order to mislead this House that the operations at the Hospital are back to normal when I was there this week, on Monday, and found that there was not a single drop of water? The water has been disconnected since 3rd October, 1995.

Mr. Speaker, Sir, this is a very serious matter and we would like to know when this hospital is going to start operating again because patients are dying daily and the Ministry of Health is doing nothing about it. Why has he provided only Kshs.1.6 million to a district hospital?

An hon. Member: Hata dawa hakuna!

Mr. Criticos: Mr. Speaker, Sir, what I have here are two questions: One; is about the Hospital's operations coming to a halt. We are saying no, the operations of the Hospital are carrying on. Two; we are aware that there is a water problem in Thika District Hospital. The problem is with the Thika Municipality which has not replaced a water meter while the water bill is Kshs.2,896,000 which they have agreed to readjust to Kshs.1,588,000 and which we are still not happy with.

Mr. Icharia: Mr. Speaker, Sir, can the Assistant Minister explain exactly what he means by saying that he is soliciting funds to the tune of Kshs.1.5 million to pay for the water bill? Is he going to the donors or where is he soliciting funds and when does he expect this money so that the water supply can resume without interruption?

Mr. Criticos: Mr. Speaker, Sir, as I said earlier, we still have got a dispute concerning water bill of Kshs.1.6 million. However, soliciting for funds can also come in terms of cost-sharing. The other point that I want to clarify is that there is water in the hospital right now. It was disconnected for only one day, 3rd October, 1995.

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

Mr. Speaker: Is it a point of order?

Mr. Kamuyu: Yes, Mr. Speaker, Sir. I am rising on a point of order to seek guidance from the Chair. The hon. Member says that there has not been water, not even a drop from 3rd October, 1995, and that Kenyans are dying daily, but the Assistant Minister has said that there is water. So, unless there is a Committee set up by this House to investigate that matter, we are in total confusion and so is the nation.

Mr. Speaker: Order! First of all, hon. Kamuyu this House is incapable of being confused. Secondly, it is for this House to judge as to who to believe between the hon. Member and hon. Assistant Minister. Thirdly, we do not move Motions to set up a select Committee in the way you propose; there are procedures to be followed.

Final question, Mr. Muite.

Mr. Muite: Mr. Speaker, Sir,---

Mr. Nyanja: Mr. Speaker, Sir, you had given me the chance!

Mr. Speaker: Order! I appreciate that I had given you the Floor but I have called upon another hon. Member but I promise I will come back to you.

Mr. Nyanja: Thank you, Mr. Speaker, Sir.

Mr. Speaker: Very well!

Mr. Muite: Mr. Speaker, Sir, I choose to believe the hon. Member for Makuyu because he is very close to the hospital. Can the Assistant Minister tell this House whether this Government accepts responsibility for the deaths that must be occurring in our hospitals, including Thika and all the others, which have not got water, medicine and so on. Does this Government feel guilty for the loss of lives of Kenyans? Does it accept responsibility? Has it got any conscience?

Mr. Criticos: Mr. Speaker, Sir, I cannot say that we take responsibility for people who have been murdered or killed through road accidents, but we can take responsibility for people for which our staffs are working 24 hours a day treating them. So, it is untrue for the hon. Member for to say that our Government, and the Ministry of Health, is working against its own people. I cannot accept that.

Mr. Nyanja: Mr. Speaker, Sir, this issue is very important. It concerns the health of the Kenyans because a healthy people is a healthy nation. We have been told that there is no water, not even a single drop, in Thika Hospital. Could you imagine what is happening in maternity wards delivery rooms, operation theatres and so on? This is very serious! Can the Assistant Minister consider closing down that hospital? I am very sincere because all the operations have been grounded. It is good that you told hon. Kamuyu that some of us cannot be confused, but we can see who is misleading who here? If there is enough water why are they soliciting for funds?

Mr. Speaker: Enough!

Mr. Criticos: Mr. Speaker, Sir, I understand that the hon. Member wants more Kenyans to suffer by urging the Ministry to close down Thika District Hospital. That is what he is suggesting. He is not considering the welfare of these people!

The other thing is: When was the hon. Member last at the Thika District Hospital? He should ask another Question which we could take into consideration. However, our officers are there and we trust our civil servants.

Mr. Speaker: Next Question, Mr. Kiraitu Murungi.

(Laughter)

Sorry, I am confusing Mr. Murungi with Mr. Mwiraria!

VALUE OF IMENTI HOUSE

Mr. Mwiraria: Speaker, Sir, I beg to ask the Minister for Co-operative Development the following Question by Private Notice:-

(a) Is the Minister aware that Imenti House, owned by Meru Central Union, and situated along Tom Mboya Street, Nairobi, is about to be demolished and if so, what is its current market value?

(b) What proportional share of the said value has been attributed to each of the primary coffee societies affiliated to Meru Central Union, which contributed towards the purchase of the building?

(c) What urgent steps is the Ministry taking to protect the rights of these primary coffee societies?

The Minister for Co-operative Development(Mr. Munyi): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that Imenti House is to be sold, but I would like to tell the hon. Member that the property---

Dr. Lwali-Oyondi: On a point of Order, Mr. Speaker, Sir. He is reading the wrong reply!

Mr. Speaker: Order! Order!

The Minister for Co-operative Development (Mr. Munyi): Mr. Speaker, Sir, I am reading the correct reply.

Mr. Speaker, Sir, the present commercial value of Imenti House is KShs.100 million and I would like to tell the hon. Member that during a meeting of the concerned Co-operative Society, the Imenti House issue was discussed. But I would like to inform the hon. Member that as a Ministry, we shall see that the interests of the people of the area are taken care of and we would not like any illegal transactions to take place.

Mr. Mwiraria: Mr. Speaker, Sir---

Dr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir.

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

Dr. Lwali-Oyondi: Mr. Speaker, Sir, I rose on a point of order before him.

Mr. Michuki: Mr. Speaker, Sir,---

Mr. Speaker: Order, Mr. Michuki! Dr. Lwali-Oyondi, you have absolutely no right to demand audience in this House. That is total disrespect to the Chair and it is disorderly and you must be excluded. You must move out now.

Dr. Lwali-Oyondi: Mr. Speaker, Sir,---

Mr. Speaker: Order! Order! You must leave in grace if you do not, further disciplinary action to be meted out.

Order, Mr. Michuki. Can we let the stranger leave?

An. hon. Member: Go home!

(Dr. Lwali-Oyondi left the Chamber)

Mr. Speaker: Proceed, Mr. Michuki!

Mr. Michuki: On a point of order, Mr. Speaker, Sir. The Questioner---

Mr. Speaker: Order! Can we hear the hon. Member for Kangema in silence?

Mr. Michuki: Mr. Speaker, Sir, the Questioner seeks confirmation from the hon. Minister as to whether the building is to be demolished, but he is talking about its sale.

Is he in order to depart from the substance of the Question and stray into other things?

Mr. Speaker: Mr. Michuki, I think you are right. Mr. Minister, the Questioner asked whether you are aware that the house is being demolished, not being sold?

Mr. Munyi: Mr. Speaker, Sir, I am not aware that the house is to be demolished, but I am aware that there is a plan to pull down that building and replace it with a modern one.

(Laughter)

Mr. Speaker: Order! Order! There shall be order after every amusement. Mr. Mwiraria, proceed!

Mr. Mwiraria: Mr. Speaker, Sir, maybe you missed a very interesting point, that the house is not going to be demolished, but it will be pulled down!

An hon. Member: That is one and the same thing!

(Laughter)

Mr. Speaker: Order! Can we proceed? Mr. Mwiraria, can you now ask your question?

Mr. Mwiraria: Mr. Speaker, Sir, the hon. Minister replied only to one-third of my Question which was in three parts. He has only given answer to part (a) all the resent value of the building, which he gave as KShs.100 million. In part (b), I had asked about the proportional share of the said value which is attributable to each primary coffee society affiliated to Meru Central Union and which were a party to buying the building. With regard to that part, he has not answered. In part (c), I had asked him about the urgent measures that he is taking to ensure that he protects the primary societies because Meru Co-operative Union used to be, perhaps, the strongest union in the Republic of Kenya. But after its split, there were poor investments in South Meru for instance which had a building opposite Imenti House is being sold because the other people were anxious to make money through *wacha watoto wasome* (www). So they made money, made poor investments and the buildings are now being sold and the farmers are getting nothing.

So, could the Minister, please answer those two questions?

Mr. Munyi: Mr. Speaker, Sir, I fully agree with what the hon. Member has said, but I would like to inform him that according to available documents which we have, the Imenti House is owned by Meru Central Co-operative Union. Secondly, I would like to inform the hon. Member that as he has just suggested, my Ministry will see to it that the interests of the primary cooperative societies are protected and defended.

An. hon. Member: How?

Mr. Murungi: The hon. Minister said that the house belongs to the Meru Central Farmers Union and, therefore, the primary societies have no interests as it appears there are not interests to be protected. But my question is: It is known in this country that one of the strategies of corruption is to build a gigantic building so that the "www" can also be big. The proposed skyscraper is going to cost KShs.1 billion so that the ten per cent

"www" will be about KShs.100 million!

The Meru Central Farmers Union has been renovating the Meru Safari Hotel for the last three years and it is only supposed to cost KShs.6 million.

Mr. Speaker: Mr. Murungi, can you ask the question now?

Mr. Murungi: Mr. Speaker, Sir, the question is: Can the Minister seriously deny in this House that the whole purpose of putting up this skyscraper is to enable some managers in the union to get KShs.100 million as ten per cent "www"?

Dr. Wako: On a point of order, Mr. Speaker, Sir. What does hon. Murungi mean by "www" which we do not seem to understand?

Mr. Speaker: Order! Order! I prefer hon. Members not to speak in parables in this House. Proceed, if you understand it!

Mr. Munyi: Mr. Speaker, Sir, I do not want to comment on the "www", but all what I want to say is that we shall, for the time being, suspend any dealings until we have carried out thorough investigations into that allegation.

Mr. Maore: Though the hon. Minister has promised to carry out investigations, we are made to understand that the Commissioner of Co-operatives, in collusion with the General Manager of the Co-operative Bank of Kenya, have personal interest on this building.

Can the hon. Minister, in very simple language, state what proportional share of the said value in the future building, has been distributed to the primary coffee societies affiliated to the Meru Central Cooperative Union?

The Minister for Co-operative Development (Mr. Munyi): Mr. Speaker, Sir, I would like to deny very strongly, that there is any deal between the Commissioner of Co-operative and the Managing Director of the Co-operative Bank. There is nothing of the sort. That is what we called "wild allegation".

POINTS OF ORDER

IMPUTING IMPROPER MOTIVE ON THE CHAIR

Mr. Shikuku: Mr. Speaker, Sir, I am rising on a point of order and I would ask hon. Members to give me a hearing. It is a very important point of order in connection with what transpired yesterday. I rise on a matter that I consider to be of great importance to this august House in connection with what took place yesterday afternoon during the Committee of the whole House on the Exchange Control (Repeal) Bill.

It is a cardinal duty of the whole of the House and, indeed, all hon. Members in this august House, to maintain the decorum and dignity of this very House. The spokesman and the highly respected position of the Chair, its conduct and its responsibilities, is one of the issues that Members across the Bench, must respect, protect, defend and uphold totally.

Having said that, I wish to draw your attention to yesterday's afternoon outrageous statement, which I consider outrageous, by the Leader of the Government Business, hon. Prof. Saitoti. And, I quote this is what he said:- "While on that Motion, I was just to express two points here. What I am going to say should not be taken as an affront to the Chair, the procedure, or anything else. However, I think it is fair to say that with regard to the Bill, which was previously discussed here at a time when the Vote was taken, one side had more hon. Members than the other side. Therefore, it is also clear that the Division was called, there was a fact which was not realised, that all hon. Members on the Government side stood up. The number was much larger than the number on the opposite side". This to me, was a challenge to the ruling of the Chairman of the Committee of the whole House, and which should not be stated without a substantive Motion. He goes further, when he was ruled out by the Temporary Deputy Speaker:- "Order"! "Order"! All of you, I think must read the Standing Orders. Once an issue has been determined by this House, it is out of order, for any hon. Member to revisit it. So, can we keep off that issue". That was the position, Mr. Speaker.

He comes again and says, "I have no wish whatsoever to revisit the issue. I was expressing my views, that under difficult circumstances, such as that one, I hope we will be able to find some way, so that decision taken reflects the true majority". Thereby, doubting the Speaker's ruling that Noes had it who actually voted because we believe that there was a problem. But all the same, we are willing to have this Bill postponed so that the Government side can look into it. When the Temporary Deputy Speaker says, "Ayes or Noes have it", he says so, in the open. When we went through the oral voting, it was clear that the Noes had it, and the Chairman ruled so.

But then, Mr. Speaker, I conclude to say that, there is no doubt in my mind, and indeed, of all the hon. Members in this House, who were present at that time, that this statement by hon. Prof. Saitoti, was in

contravention of the Standing Order No. 53 (1) (b). You can only criticise it, as the ruling of the Chair, on a substantive Motion. But the hon. Leader of Government Business shows and tries to do that without going through the proper channel and that is very wrong, indeed.

I go further. When it came to the Committee Stage, and the Chairman of the whole Committee of the House was to report to you, he did so, Mr. Speaker, and even the Minister, in spite of that Bill, stood up and said that the House doth agree with the said report. You were in the Chair, Mr. Speaker, and at that time, when you put the Question, it was only hon. Chebelyon, who stood up and demanded a Division. I was present, only three hon. Members, stood up. You were in the Chair.

Mr. Speaker: I think I get the gist of your complaint!

Mr. Shikuku: Mr. Speaker, I would like to sum up by saying, in view of all what happened, and which is recorded, I would like the Leader of Government Business, who is a very senior Member of this House to know that we cannot treat the Chair of this House in the way he did. I think, it should only be reasonable for him to stand up and apologize for that gross misconduct, as far as I am concerned.

(Applause)

Mr. Speaker: Order! I am glad you raised this issue. First of all, there is also another issue that happened, same afternoon of yesterday, which I believe should have also been raised. That relates to the utterances made again, during Committee time, by the hon. Kamuyu and the hon. Obwocha, to the effect, that the Chairman of the Committee was rigging, and the other also said, that the Clerk of this House was interfering with the Chair. I am referring to both utterances and the one you have just referred to.

In my view, all those utterances against the integrity of the Chair, are absolutely to be discouraged in this House. I will take very firm action against any Member who will, without a substantive Motion, impute improper motive on the Chair or the staff of this National Assembly. I would like to assure this House that the Chair will exercise its functions, duties and powers, on all matters that will come before the House only in accordance with the Standing Orders, and will not be swayed to act otherwise, by any other influence. That must be taken seriously, and I assure this House that is what will continue to be.

I also wish to warn Members, generally, that any Member who will demean or otherwise lower unnecessarily the integrity of the Chair, without a substantive Motion, will not be spared by the Chair, in the interests of the larger Kenyan community, and also in the interests of the dignity of this House. That should end. Next Order.

Mr. Obwocha: On a point of order. Mr. Speaker, I am surprised that my name has been included in this list and yet I was not warned by the Chair at that time, because say I did anything.

Mr. Speaker: Order! Order, Mr. Obwocha, you were, indeed, reprimanded, by the Chairman of the Committee and, in fact, he did tell you at that time, that he had taken very unkindly, those utterances you made. In any case, you are on record and there is nothing you can do about it; it is there.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Speaker, I would not wish it to be on record that indeed, I did not cast any aspersions on the ruling of the Chair. As I said clearly from the outset, I said clearly, whatever I was going to say was not going to be an affront. And if, indeed, what I said constituted an affront, I would wish to take this opportunity to apologize to the House.

(Applause)

The Speaker: There is one other thing on which I wanted to make a clarification before I sat down which happened and again reported through the Press. I think hon. Members were also under the wrong impression on the issue of how many Members constitute the requisite number to call for a Division. I had the opportunity of reading the various newspapers this morning and all them were saying 15 Members. That is absolutely wrong because under Standing Order 53; the required number for a Division is 20 or more Members. The 15 Members requirement is under Standing Order Number 20; to raise a matter of national importance; to adjourn the House. So that should also be understood absolutely by the Members, public, Press and everybody concerned.

Mr. Kamuyu: On a point of order, Mr Speaker, Sir. Well since my name has also been mentioned by the Chair, I want to make it clear that when the matter arose here yesterday, I stood up, withdrew my remarks, apologized and the matter was settled at that level.

The Speaker: Order! Order! As you will all appreciate the Chair is always acceptable to receiving apologies from hon. Members and to move forward and I hope from now on we will all move forward with dignity

and honour that is expected of this House. Next order!

PAYMENT TO EMPLOYEES OF
BIDII INVESTMENT COMPANY

The Assistant Minister for Labour and Manpower Development (Mr. Ali): On a point of Order Mr. Speaker, Sir. I promised to bring the following information to the House regarding the matter which was supposed to be taken to court in relation to the former employees of the Bidii Investment Company and the amount paid. They had engaged a lawyer previously and later on the lawyer, Gatu Magina, did not take the matter to the court and the workers entered into voluntary negotiations with the former employer and they were all paid a total sum of Kshs9,500.

Mr. speaker: Very well. Next order!

BILL

Second Reading

THE CO-OPERATIVE COLLEGE OF KENYA BILL

The Minister for Co-operative Development (Mr. Munyi): Mr. Speaker Sir, I beg to move that the Co-operative College of Kenya Bill be read a Second Time.

I would like to give the life history of the Co-operative College of Kenya which was started in 1967 and ever since that time, the number of students has increased considerably and at present at the Co-operative College of Kenya we have got students from other parts of Africa. We have students from Zimbabwe, Zambia, Ghana, Ethiopia and several other countries. Currently the Co-operative College of Kenya has a capacity of 250 students; both local and foreign.

The Co-operative College of Kenya, ever since it was established by the Co-operative Act which was passed in this House has been going on very well and the College has been doing quite a lot and the graduates from this College have been employed in all areas. Now the College would like to be on its own so that it will be self-reliant with its own constitution and also a Board of the Governors. The college will be independent and it will not rely on the Government. It will be like any other college in Kenya. Therefore, I would like this Bill to be passed---

(Loud consultations)

Mr. Kamuyu: On a point of order. Mr. Speaker Sir. We cannot hear at all what the Minister is saying because hon. Members from the KANU side, especially Dr. Misoi and his colleague are consulting very loudly.

The Speaker: Order! Order! You are all supposed to be attentive so that you know what is going on; whether it is a debate or whether it is a vote. Proceed!

The Minister for Co-operative Development (Mr. Munyi): Thank you Mr. Speaker Sir for that good advice. The cost of financing the capital and annual expenditure of the College will be met with public funds and partly from the income generating sources. We have also some other contacts with friendly external countries. For instance, we have got the Nordic countries which have been giving us some assistance as far as the training of our students is concerned. The admission to the College will be open to all persons who meet the admission requirements of the college. Consequently the college will cater for training needs of the co-operative movement and of the co-operative activities and operations which will benefit the entire country.

With the new policy of liberalisation, we want to provide opportunities for our people, for co-operative societies, for sacco movements in Nairobi and in rural areas all over the country; to be taking care of what will be going on in that College. I remember even the Members had asked many times when the Co-operative College of Kenya will become an independent institution so that many things will be carried on independently. The supervision will be done by the Ministry of co-operative Development for the good of the students who will be in this college.

At present we have got a principal, and for the information of the Members, she is a lady who has been doing a very good job. Therefore, you can see that the Kenyan Government has been giving responsible posts to

women according to what was agreed during the Beijing World Congress which took place in China. Now in Kenya we have women who hold positions of high responsibility. This morning those who read the newspapers, must have come across a comment made by a Kenyan woman judge and this demonstrates that even women can do very well in judicial matters.

Mr. Speaker: Order! Order, Mr. Munyi. What Clause in the Bill has to do with women?

The Minister for Co-operative Development (Mr. Munyi): Mr. Speaker, Sir, anyway thank you. I wanted to inform the House so that they can now that the Principal of that College is a lady. This is a short Bill which we can go through in a short period is a very important Bill which will help the entire country.

With those few remarks, I beg to Move.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Speaker, Sir, I take this opportunity to second this Bill which has been formulated with the objective of making the Co-operative College of Kenya a corporate body. There is no doubt at all in this country that the Co-operative College of Kenya has rendered very substantive contribution to this country in the matters of training co-operative officers who have gone on to serve this country in various areas and much more importantly in the general area of the co-operative movement. After so many years of this service, I think time has come now to recognise the fact that the Co-operative College of Kenya has come to maturity and, therefore, it requires to have its own Act. This also reflects the very great important role played by the co-operative movement in the economy of this country. Perhaps, it is not appreciated that the very large portion of our own economy, over 40 per cent, is actually in the house of the co-operative movement. It is an area that provides a lot of employment for the youth of this country and it is an area that provides food for this country and which earns substantial foreign exchange. Much of the coffee and tea which is grown in this country, indeed, come under the umbrella of the co-operative movement just as much as dairy and many other areas. Even much more important is the fact that the co-operative aspect of the economy has now come within the ambit of the modern economy. Indeed, virtually every Ministry and large companies today have co-operative unions. These are venues which allow members or employees of various Ministries or companies to be able to save in a co-operative manner. The funds are then invested in various ways and the members can always have access to credit for various things. My own wish here is that once this Bill is approved and we do have the Co-operative College of Kenya under an Act, the council that will be appointed under the Act will not only confine itself to the narrow area of training only co-operative people, but to ensure that those who are trained within this College are going to be trained in a contextual manner. So, I mean, that a co-operative officer who comes out of this college should not only know about co-operative movement, but be imparted with the knowledge of the general economy of this country because of the important role played by the co-operative movement in this country. The same graduate of this college should also be exposed to the various areas of banking given the fact that there are quite a number of co-operative societies which handle substantial amounts of money. They need to know various aspects of banking and various aspects of accounting. But I think, perhaps, the most important area that they also need to know, is that they should come out fully trained in on investment because by and large, various co-operatives are called upon to make investments of the surpluses which they normally have after making certain payments. They ought to be trained as to which are the best ways of having prudent investment and to know that the funds that they are going to be handling will be the funds of the members and to understand that members of the various co-operatives or societies will always wish to be paid dividends at the end of every given year. These can only be paid provided prudent investment is made. It is my belief that the Co-operative College of Kenya under the new Act, when it comes into being, will turn out graduates who are broadly trained, not just merely on the co-operative movement, but who are trained in modern management and on the knowledge of the economy of this country and trained on the sociological aspects of this country and to understand what modern banking and modern accounting is.

This Bill is another step, as far as the Government is concerned in trying to widen education in this country. Substantial resources have been expended in the area of education; right from Independence when this country did not have even a single university. We only had a technical college, but today we have several public universities, university colleges and private universities. It is, therefore, my belief and I am very happy to note that, indeed, within this particular Bill, provision is made for the Co-operative College of Kenya to get into liaison into consultation, into some form of affiliation with other institutes of higher learning. It is my belief that the academic Board that is going to be established under this particular Act will do everything possible to liaise with various institutions of higher learning in order to be able to improve the standard of education thereof. The Government believes that there is not better investment that can be made except in the area of manpower development and this is what is being done today. As we go through the tough road of economic reform, it is important that in every sector of economy of this country we do have properly qualified manpower. The management is what is going to push this country forward. Let us always remember that in the world today, there

are several countries which do not even have natural resources whatsoever and yet they are considered today to be among the very rich countries of the world; like Japan, Korea and even Taiwan. These are countries with substantial foreign exchange surpluses and whose growth rate every year is quite high and yet they do not have natural resources, but they do have fairly qualified manpower. The countries invested heavily in manpower and they are today reaping the dividends. They are able to import the raw materials they want and the capital goods, process them into a number of manufactured goods and using the expertise they have of trained manpower, they are able to trade all these products all over the world and the result is that these countries today have no unemployment problems. They are rich and I believe therefore, what we are taking is the right course because we do require these people so that they can make this country rich just as the so called "Tiger countries" of South-East Asia. Most of them do not have raw materials, but they have invested heavily, on manpower development. I believe the Kenya Government and people are on the right track and we hope that the Co-operative College of Kenya under the new Act, once it is in operation, will make its own contribution in the development of this country.

With those very few remarks, it is my pleasure to second the Bill.

(Question proposed)

Mr. Karan: Thank you, Mr Speaker, Sir, for giving me this opportunity to support this Bill, namely, the Co-operative College of Kenya Bill, 1995.

Mr Speaker, Sir, the co-operative movement has been a movement which would have brought development to this country, if the Government would have done proper planning before this Ministry was put in place. It would have been important for this Government to have brought the Co-operative Act for an amendment before this House so that those Acts which are oppressive and are hindering the development of co-operative movement in the country are repealed first before bringing an amendment to institute the Co-operative College of Kenya, as a different entity. I am saying that because in the present Act of co-operative movement, we find so many clauses which are oppressive, and it gives a lot of powers to the Commissioner of Co-operatives, which will actually hinder the development of co-operative movement, and will interfere with work of other officers who will get proper training in this Co-operative College.

Mr Speaker, Sir, if we had checked in the Memorandum of Objects and Reasons, we would have seen that the last clause, admission to the College will be open to all persons who meet the required qualifications to the College. This is a very important clause, but most of the institutions which have been established in this country, have not followed this clause because we find such a clause appearing in every Act, which is brought before this Parliament. We find even in other colleges which have been established, such clause is instituted, but when at the time of admission, we find this is not put in place. We find clannism and nepotism being put in place and we find people who have no proper qualification being admitted into such colleges. This will not really assist co-operative movement development in this country, because it will not produce qualified personnel to man the required co-operative development.

Mr Speaker, Sir, in clause 6, we find that the admission of the candidates for diploma and certificate of other academic awards, shall be open to all persons and accepted being qualified. Also, if we go to clause 7, we find that the appointment of the chairman to run this College, will be vested in the portfolio of a Minister. Most of the institutions in this country, where such powers are vested on political authority, have run down these institutions. We will find even in parastatals and colleges because the person who is supposed to chair a professional body, like the Co-operative College, should be somebody with education, qualified enough to give the College proper guidance. But we will find that, if this position is vested on the Minister, he will make political appointments not that will interfere with the running of the College. Surely, we find the principal is a man who is technically fully qualified to run the College, and the Chairman, being the overall person, will also have his political interest. We will find such cases like the Co-operative Creameries, whereby we find the Minister has power to appoint the manager, such people interfere with the running of such co-operatives, and these have run down institutions in this country.

It would not have been left quite open just for the Minister to have powers to appoint the Chairman of such colleges. This should have been given to a body, who will also have other guidelines on how to appoint this chairman, and this should have been put in the Act. If such cases are not properly spelt in the Act, this leaves the entire responsibility on the Minister and we have seen the Minister of Co-operatives, if he has that authority to appoint the Chairman, we will wonder what chairman, we will get as a chairman of the Co-operative College. So, it will have done this country well, if such clauses would have been included and sub-sections, taking care of the qualifications required for a Chairman to run such a body because a co-operative college is a professional

institution, which should not just be left open to be run down by political appointments. So, these are few clauses which should be taken care of.

Mr Speaker, Sir, the objective of this Bill, if it is properly put into use, will help in the high development of co-operative movement in this country. It will ensure that we get qualified personnel to run the co-operative union and the Ministry department, and to advise various co-operative societies. We will find in the case of savings and credit societies, these organisations are now running quite a colossal amount of funds. They are run like commercial banks, because the staff who are charged with the responsibility of running these societies, do not have the required qualifications to enable them manage these societies properly for the benefit of the members, hence corruption in such kind of societies. For example, the manner in which loans are supposed to be given out in savings and co-operative societies, are spelt out, but the management of these societies is vested in people who are not capable to discharge their duties properly. So, with the establishment of such an organisation, we will ensure that we produce enough personnel to run such organisations, and as a result, we will develop these savings and co-operative societies to compete with the current private commercial banks, I think, that will bring faster development into this country.

Mr Speaker, Sir, we find co-operative societies around the world and even in Kenya, there are a number of problems. This is because these co-operative societies are managed by members who do not have the necessary qualifications or know-how, to run the co-operative societies on behalf of the members. So, with the establishment of the Co-operative College, which will have high and qualified personnel to train the manpower to run this Co-operative College, this will enhance and improve the running of co-operative societies for the benefit of the members. If these things would have been put in place well before, I think, the co-operative movement in this country, will have moved to greater heights by now. But simply because things were put in place before these were thought of, they have been run down and many people tend to think that the co-operative movement is not doing much for the development of this country, which is not right. It was only because these were put in place without proper planning. I do agree with the Minister, and this Act will have been brought in this House quite well some years back. But this will have been done after amending the Co-operative Act because the Co-operative Act is hindering the development of co-operative movement in this country. Powers are vested on a particular individual, and the members of various co-operative societies, are unable to run these co-operative societies.

So, I will urge the Minister that, even if this Bill will be passed, there will still be some problems because if we produce qualified personnel, to go and discharge their duties, according to the knowledge they acquire in these co-operative colleges, still we will find that they will come into collusion with high authority in the Ministry of Co-operatives Development, like the Commissioner of Co-operatives. So, if we amend the Act, and leave the right powers for the Commissioner of Co-operatives, and vest the other powers in various departments of the co-operative societies, the personnel we will get to run these departments, will do their duty with dignity and satisfaction, and we will not be faced with the problems of having to lose our qualified personnel because of bottlenecks in administration.

So, I will urge the Minister to ensure that, even after this Bill is passed, within reasonable time, the entire Co-operative Act is brought before this House for an amendment, so that we repeal the oppressive clauses which are hindering the development of co-operative movement in this country.

Bills like this, when they are brought to this House are well intentioned. If this Government would ensure that the officers who are charged with the duty of ensuring that the laws passed in this House are respected and followed to the letter we would not be having problems in this country. You will find that every clause taking care of what we want for the development of this country; but when it comes to the administration of the Act, you will find that the officers given the responsibility of administering the Act do not really adhere to the requirements of the Act.

In our universities today, the intake of university students was not based on the required qualifications, but on quota system. Students are being enrolled in these universities without the required qualifications. If you check the Act which established these universities, you would find a clause stating as follows:

"Students being admitted in these universities will be those who having the required academic qualifications."

The political appointees who are given responsibility to run these colleges do not adhere to Act requirements. I am calling upon the Minister for Co-operative Development to make sure that once this Bill is passed, the officers responsible for running these institutions do so according to the requirements of the Act. Otherwise we would be passing laws in this House which are not serving the purpose for which they are intended to serve.

With those few remarks, I beg to support.

The Minister for Research Technical Training and Technology (Dr. Onyonka): Thank you Mr. Speaker, Sir, for according me an opportunity also to contribute to this important Bill.

Several hon. Members who have spoken before me have pointed out that the co-operative movement plays a very vital role in the economy of this country. That is not in dispute. In fact, it could be made to play an even greater role. In my remarks, I am going to focus on what I consider a very important function that could be performed by an institution such as the Co-operative College of Kenya which has a very large market to cater for. Of course, the Co-operative College of Kenya has played an important role in the past. But the cooperative movement, like many other movements in the society and the economy, has undergone substantial changes. What the new cooperative movement requires is well trained manpower to be able to discharge the functions that it should be performing in our economy. There is no reason as to why the State should continue getting involved in making subventions to running an organization such as the Co-operative College of Kenya. It is capable, and if it plays its cards well, it should be in a position to provide the sort of services that will give it many customers.

In this connection, I would like to point out the simple fact that one of the serious setbacks that the co-operative societies, and in particular the primary cooperative societies in the rural areas have faced has something to do with the poor quality of its staff. Once in a while you come across competent officers performing a wonderful job. But in many instances, we are faced with a situation where many of the very basic functions that have got to be performed efficiently in any organization, if it is going to succeed, are being handled by individuals who definitely do not have the requisite training or the experience to be able to discharge those responsibilities. Inevitably, a problem has arisen particularly in the management of cooperative finances. Very often, the members are left in the dark as to what actually goes on in these organizations. The necessary basic documents that members ought to be shown in order to appreciate how the organization is functioning are not available. If they are, they are normally in such a bad state that they do not actually represent an accurate picture of what goes on in these societies. Those of us who come from rural constituencies know this fact that by and large, there is a problem that needs to be sorted out. I know that the Ministry has tried its best and needless to say, there are officers who also have done their best in the field. But it would be unrealistic for any of us to say that they all have performed this task with distinction.

Mr. Temporary Deputy Speaker, Sir, I have seen very blatant cases where officers who are supposed to work in the interest of the farmers spend their time working against the farmer. Is this what they are paid for? Is that the Government policy? No! The Government policy is very clear that the officers are supposed to work tirelessly to assist the farmer to benefit from the cooperative movement. There is a likelihood that some of them do not have the sort of the education they require. I do hope that, in working out the educational programmes or courses within the whole question of ethics, the whole idea of putting the people's interest before other things should be paramount. Otherwise, the farmer will continue to suffer unnecessarily. I believe that the Government policy is very clear, the intentions have been spelt out, but when it comes to implementation, there are serious problems.

I should also take this opportunity to point out that our new College, I hope, will diversify the kind of courses that will be offered there so that we are able to provide supporting services to our cooperative societies and these exist in very large numbers today; not only in the rural areas, but in the towns as well. In fact, I have reason to suspect that the full magnitude of the contribution of these co-operative societies is not fully appreciated today. They have made major and vital contribution. Many parents who are members of some of these societies have realized that without that membership, they probably could not have raised money to fund endeavour that they had to. I hope that in these training programmes, we shall offer courses that will cater for some of the new areas of co-operation. There are many emerging new areas and I would like to congratulate the Commissioner of Co-operatives and his colleagues and others who have been active in this area for encouraging new developments in the co-operative movement.

[Mr. Speaker left the Chair]

*[The Temporary Deputy Speaker
(Dr. Ombaka) took the Chair]*

We appreciate what is involved in, for example, co-operative insurance, what is involved in the utilization or investment of co-operative resources. This is one area where again we have failed tremendously.

Mr. Temporary Deputy Speaker, Sir, look at the books of many primary societies today. What do you find? Misused resources - misdirected resources - mis-invested resources. In fact, what has happened can hardly be called investment at all. For managers who often do not fully appreciate what is involved in investment have

utilized these resources funnily, to do things which definitely do not augur well for the long term development of our co-operative societies, or co-operative movements. Therefore, this college will have a vital role to play. We will have officers who will both be literate and numerate when it comes to dealing with the affairs of our co-operative movements.

Time is now gone and we had better stop the idea of thinking that we should continue importing co-operative advisors. I think there are enough Kenyans now with basic education at college level who could specialize in all these areas so that we have a self sustaining co-operative movement, with a pool of professionals capable of handling problems that afflict the sector.

Mr. Temporary Deputy Speaker, Sir, I do hope that working with the Ministry, that this Co-operative College will have a role in also educating the farmer. I think it is important that the farmer is the kingpin of the co-operative movement, as far as the agricultural sector is concerned, or the saver and investor. In fact, many, many individuals in the urban centres today belong to these co-operative societies that have become a major vehicle for mobilising savings and for investing them. They need to understand what happens to their savings. They need to appreciate what else could be done to further assist them, to further assist the economy, to further assist sustain the momentum of development of this country. Because, it is a basic fact that without savings, we will have very little investment. So, without savings and investments, there will be hardly any growth and where it is true that foreign investors have an important role to play in the development of this country, it is also important for us to realise that, eventually when we become self-sustaining in terms of mobilising more savings and investing them wisely we shall achieve higher rates of development.

So, this is an area, where we have an emerging institution that could play a critical role in imparting the sort of knowledge that is so vital in getting things moving in the co-operative sector; a sector we all acknowledge, a sector that we all admit, that had played a crucial role in sustaining our development momentum. In fact, given this dominant role of the sector in the economy, we ought to invest even much more than in just one college, in training the manpower that we need.

The college authorities need to realise that all the urban and rural primary societies, constitute part of their markets. There are many young men who would wish to enter and work in this sector. There will be people retiring who would need to be replaced, and if they have sound education credentials from this college, it is much easier to absorb them, and it is much easier for them to play the role we expect them to play.

So, Mr. Temporary Deputy Speaker, Sir, I do hope that once we have succeeded in training the sort of manpower that we require at this college, and it is my hope, a sincere hope, that the primary societies, whether they are urban or rural, will invest resources in training their staff. There is also what is called "primary or co-operative society politics", where members come around and say So-and-so must be the clerk because he comes from my area. Fine, fair representation, I think is vital, if we are going to keep the unity of this co-operative societies. But, for goodness sake, let us ensure that, those pressing for the representation of those interests, provide these societies with people who have been trained adequately, to discharge the responsibilities that they are expected to. Otherwise, what happens? We will load all these societies with individuals who, first of all, do a lot of damage to the societies concerned, and then, thereafter, who can hardly be dismissed, because, they have their "godfathers".

More so, in some of our districts, the most influential people often are leaders of co-operative societies. Even some hon. Members have come to this House through co-operative societies' support and movement. In our area, it is rather different, and we believe that by minimising interference in the operations of these societies they should be able to do a better job. But, occasionally I know, the Commissioner and his colleagues get disappointed because they often discover that, although they have people there, they are not the sort of people with the credentials required to run these societies. So, it may be an interesting thing to play co-operative society politics effectively for individuals, but, for societies as a whole - for communities, it is damaging and very often the damage is such that, it takes years to recover from the losses, occasionally never.

We all know, for instance, that, once a distinguished institution, for example, a high school sinks into oblivion it takes a good ten, twelve, fifteen years to bring it back to its former status. I could give numerous examples where this has been demonstrated beyond any doubt.

I do hope that this College - I agree with the comments made by some of the previous hon. Members - that when appointing the Board, to manage some of these institutions we need to have people with the right credentials. There is no point putting there a chairman who can hardly interpret the syllabus.

An hon. Member: You are talking!

The Minister for Research, Technical Training and Technology (Dr. Onyonka): So, there are areas where one can appoint people who are likely to do very little damage. But, there are other situations where people's presence could play a devastating role so that, an institution with good objectives, with the best of

intentions fails and fails miserably.

Mr. Temporary Deputy Speaker, Sir, I do hope that my good friend here, the Minister, who has many, many years experience in Government, appreciates that fact and that the chairman does not have to come from Embu; he might as well come from Kwale and dispose of those duties with distinction.

So, with those many remarks, Mr. Temporary Deputy Speaker, I support the Bill.

Mr. Kiliku: Bw. Naibu Spika wa Muda, nachukua nafasi hii kuunga mkono Mswada huu kwa sababu, kama si Vyama vya Ushirika, wafanyakazi wengi hawangeweza kusomesha watoto wao. Ushirika umekuwa mkombozi wa wafanyakazi, kwa sababu wafanyakazi wa nchi hii, wanafanya kazi kama watumwa. Mishahara imekuwa kidogo na hawawezi kuweka akiba hata kama wanataka kuweka. Lakini kupitia kwa Vyama vya Ushirika, mfanyakazi anakwenda na kukopa pesa na kulipa karo. Ningetaka tuunge mkono Mswada huu, angalau Chuo hiki kiweze kujitegemea, watu waelimishwe, ili tupate watu ambao wanaweza kuweka sahihi sawasawa; watu ambao wameelimika. Haifai mtu kuchaguliwa kuwa mwenyekiti au mweka hazina na ile hali hajui kuweka sahihi wala kuliandika jina lake; anaweka kidole chake cha zamani. Yafaa sasa wale watu wanaosimamia Vyama vya Ushirika waanze kupelekwa kwenye Chuo hiki kupata mafunzo ili wajue watahifadhi pesa za watu kwa njia gani.

Bw. Naibu Spika wa Muda, Waziri anayehusika na Mambo ya Wafanyakazi yuko hapa. Waajiri wameweka wafanyakazi wengi kama vibarua ili wasiweze kufaulu na kufaidika katika vyama vya ushirika. Hii ni kwa sababu kama wewe ni kibarua, mwajiri hawezi kukubali wewe ujiunge na chama cha ushirika. Wengi wameweka wafanyakazi katika kibarua miaka mingi ili wasifaulu na wasiweze kujiunga na vyama vya ushirika. Yafaa mipango ifanywe ili wale watu ambao wamefanya kazi siku nyingi kama vibarua watafutwiwe njia ya kujiunga na vyama vya ushirika ili wafaidike na kukopa pesa, na kulipa asilimia nane kama riba. Hii ni kwa sababu ni katika vyama vya ushirika ambapo unaweza kupoka pesa no kulipa kiwango cha faida cha asilimia nane. Zamani ilikuwa asilimia moja, sasa ni asilimia nane. Hakuna mahali pengine ambapo unaweza kukopa pesa na kulipa kiwango hicho cha faida, lakini wafanyakazi wengi hawafaidiki.

Bw. Naibu Spika wa Muda, ni lazima Waziri ajue ya kwamba katika vyama vingi vya ushirika wanachukua pesa, wanafanya biashara, wanalipa, wanachukua tena na mtu mwingine akienda huko kukopa anaambiwa hakuna pesa, na anakatwa pesa zake. Itakuwaje mfanyakazi amekatwa pesa zake miaka hii yote na mtoto amechukuliwa katika shule na amefukuzwa, na mzazi akienda kuomba katika Chama cha Ushirika anaambiwa ombi lake limekubaliwa, "lakini pesa utapata baada ya miezi miwili" na pesa zake zimekatwa? Sasa, pesa zake zimechukuliwa na nani? Ni lazima kuwe na kusema kwamba, ikiwa mtu anachukua pesa katika chama chake na ikiwa deni lake amemaliza, ombi lake likubaliwe papo hapo; apewe pesa zake ili asomeshe mtoto wake kwa sababu hizo ni pesa zake. Wazazi wengi hupata shida hasa mwezi wa Januari wakati watoto wanachukuliwa kidato cha kwanza. Wafanyakazi wengi huenda kuomba katika vyama vyao na kuambiwa hakuna pesa mpaka mwezi wa tatu. Ikifika mwezi wa tatu, nafasi ya mtoto wake huwa tayari imechukuliwa na watu wengine na yeye alikuwa anakatwa pesa zake kila mwezi. Ni lazima Waziri atoe amri, ikiwa mtu mfanyakazi ama mtu yeyote ambaye ni mshirika na anakatwa pesa, akiomba mkopo, hakuna haja ya kupewa sababu nyingine, apewe pesa zake mara moja. Na ikiwa kampuni imefilisika, makampuni mengi hufanya njama na kukimbia kama vile Kenya Rayon Mills, Kenya Glass na Kenatco ambayo yalifungwa na washirika wakienda kudai pesa zao hawalipwi. Ni lazima pesa ziangaliwe sawasawa. Pesa za washirika si pesa za kampuni, ama ya mwajiri, ni za wafanyakazi. Hata kama kampuni imefilisika, haiwezi kufilisika na pesa za washirika; imefilisika peke yake. Pesa za washirika lazima ziwekwe kando na ziwe katika akaunti tofauti.

Bw. Naibu Spika wa Muda, nilizungumza kuhusu mambo ya Brollo Kenya Limited hapa na nikaambiwa hayo mambo yako kortini. Hayo ni sawa, lakini pesa za wafanyakazi wa Brollo zilikatwa na baadaye Brollo alipokufa, Mhindi mmoja anayelitwa Doshi akachukua hiyo kampuni, lakini yule Mhindi amejiandikia asilimia 90 na sasa Serikali hiko na asilimia 10! Pesa za wale wafanyakazi zimepotea. Nilipozungumza hapa niliambiwa mambo hayo yamo kortini. Waziri yafaa achunguze pesa za wafanyakazi wa Brollo zilikwenda wapi na wao walikatwa. Mambo ni mengi.

Hata wakati mwingine hapa Bungeni tuliinzisha "Parliamentary Co-operative Society", na mdhamini wetu akawa ni Mtukufu Rais. Tulipewa ploti moja hapa karibu. Tuliambiwa chama chetu kitajenga nyumba kwenye hiyo ploti. Lakini nimesikia kwamba hiyo ploti imenyakuliwa na wale wanaojua sana kunyakua. Ikiwa ni kweli, Waziri ataeleza kama halijanyakuliwa, je, mpango wake tangu 1985 mpaka leo ni gani. Ninajua ambaye amenyakua hiyo ploti. Society ina pesa nyingi na mimi mshirika, na tunaweza kujenga na kuajiri wafanyakazi wa Kenya ili waendele na kazi. Nani amenyakua hiyo ploti? Kama si Waziri mwenyewe, basi Waziri atweleze ni nani.

Bw. Naibu Spika wa Muda, ningomba Waziri wa Wafanyakazi kupitia kwako, washirikiane na Waziri wa Usitawi wa Ushirika ili zile pesa za National Social Security Fund (NSSF) za wafanyakazi ziangaliwe. Hizo

pesa sasa zinachukuliwa na Serikali ya KANU kuwapatia matajiri ili wajenge nyumba kubwa kubwa. Hizo pesa ni za wafanyakazi, na sio pesa za Serikali ya KANU.

The Minister for Labour and Manpower Development (Mr. Masinde): On a point of order, Mr. Temporary Deputy Speaker, Sir. I am not sure whether the hon. Member is debating the Co-operative Bill. However, is he in order to mislead the House that NSSF money is enriching individuals when the reality is that NSSF only lends money basically to financial institutions?

The Temporary Deputy Speaker (Dr. Ombaka): That is not a point of order hon. Masinde. He is entitled to his opinion and you cannot interfere with him.

Mr. Kiliku: NSSF is not a financial institution. Hilo ni shirika la wafanyakazi. Tunataka Waziri atwezeze Folana Hotel huko Mombasa imenunuliwa na nani. Ilinunuliwa na za NSSF, ikauzwa na kukodishwa tena. Nilikuwa ninaomba Waziri atusaidie ili Shirika ili ---

The Minister for Co-operative Development (Mr. Munyi): On a point of order, Mr. Temporary Deputy Speaker, Sir. My point of order is arising from what the hon. Member has just said and I want to tell him that the Chairman recommended the sale. He is completely out of order because I remember the former Minister hon. Wanjigi was the Chairman.*** ???

The Temporary Deputy Speaker (Dr. Ombaka): Mr. Munyi, it is not for you to decide who is in order or out of order. Please, proceed, Mr. Kiliku because you are quite in order.

Mr. Kiliku: Bw. Naibu Spika wa Muda, nilimpa nafasi Waziri huyu alipokuwa akiupendekeza Mswada huu lakini hakusema chochote cha maana. Kwa hivyo, inafaa anisikilize.

Nilikuwa namuomba Waziri Leba wa Ustawi wa Wafanyakazi aanzishe utaratibu sawa na ule wa vyama vya ushirika wa kuonyesha kiasi cha mchango wa mfanyakazi kwa National Social Security Fund (NSSF). Pia inafaa wanachama wa NSSF wawe wakipewa mikopo.

The Temporary Deputy Speaker (Dr. Ombaka): Hon. Kiliku, the debate is on the Co-operative College Bill and not on the Ministry of Labour and manpower Development. So, please stick to the Bill under discussion.

Mr. Kiliku: Bw. Naibu Spika wa Muda, vyuo vingi vimefunguliwa katika nchi hii. Sipingi kujengwa kwa vyuo popote katika nchi hii, lakini imekuwaji kwamba sehemu nyingine hazina vyuo vyovyote? Mikoa ya Pwani na Mashariki haifikiriwi kwa chochote!

Pia kuna ukabila katika kuchaguliwa kwa wanafunzi kujiunga na vyuo vya humu nchini, na ukabila ndio utakayoiangamiza nchi hii. Inafaa wakuu wa vyuo wawachague wanafunzi wao bila kujali makabila yao. Hii ni kwa sababu ukabila ukiendelea kutukuzwa siku moja utakuja kuiangamiza nchi hii. Wakati huu tunazichekelea nchi za Rwanda na Somalia kwa sababu ya vurugu za kikabila, lakini ukabila pia "utaimaliza" nchi hii. Kwa sababu ya kupinga ukabila nichaguliwa kuwa mwenyekiti wa kamati iliyochunguza vita vya kikabila humu chini. Pia nilipinga mazungumzo baina ya makabila ya Kamatusa and yale ya Gema, ambayo yalikuwa na nia ya kuiangamiza nchi hii. Hatuna nchi ya makabila fulani ila nchi hii ni ya Wakenya wote. Nilishangaa kuona kwamba watu wakubwa Serikalini waliyaunga mkono mazungumzo hayo ya kikabila. Lakini kwa sababu Mungu si Athumani, aliwatawanya watu waliokuwa wakishiriki katika mazungumzo hayo.

Nikimalizia hotuba yangu, nataka kusema kwamba haifai Chuo hiki cha Ushirika kiongeze karo yake kwa asilimia nane. Hii ni kwa sababu mwananchi wa kawaida anategemea vyama vya ushirika. Nchi hii zamani ilikuwa numbari nne kwa utajiri katika Africa, lakini sasa tuko numbari 24 kwa umaskini. Pengine kufikia mwaka 2000 tutakuwa tukiongoza kwa umaskini ikiwa mambo hayatabadilika katika mwaka wa 1997. Lakini kwa vile kuna dalili, na dalili ya mvua ni mawingo, kwamba mabadiliko mazuri yatapatikana kwa sababu Mungu si Athumani.

Kwa hayo machache naunga mkono.

The Minister for Labour and Manpower Development (Mr. Masinde): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to also contribute to this important Bill. This Bill is very timely in that we need properly educated people to run our affairs, especially in the area of the co-operative movement. I have looked at the Bill and seen that among the functions of the college is:-

"to provide co-operative education and training for various categories of personnel in the co-operative movement..."

Another function is:-

"to promote development and expansion of opportunities for continuing education in co-operatives..." and

"To provide consultancy services in co-operative management and in other development areas relating to co-operatives."

Mr. Temporary Deputy Speaker, Sir, I hope the college is going to be very serious on this issue. Most of our people have been in the co-operative movement. However, only savings and credit co-operative societies have succeeded in a way or have tried to succeed because of the check-off system. But they are also going down hill. In all other areas co-operative societies have been a miserable failure. I assume that people who are running the co-operative movement activities, both in the Ministry and within the societies, are educated and dedicated people who are there to serve the co-operators. Unfortunately, the area of the co-operatives has been a complete failure and, in fact, has brought a lot of miseries to wananchi who had gladly joined the co-operative societies.

An example is in the area of cotton growing. Formerly when wananchi sold their cotton to Asians they were paid on the spot. They went home with their money to look after their families and educate their children. Eventually the co-operative societies came in. At one time these societies were being controlled by the then Cotton Lint and Seed Marketing Board. Wananchi would then be told to deliver their cotton to stores and register their names on the strength of promises of being paid within a week. They would go for payment and be told that money had not arrived, and be asked to go back the following week. This would go on until they discovered that money had arrived but the officers concerned had misused it. The farmer would now go without money even if his cotton had been taken from him and sold.

This affected cotton growing very seriously. For example, in Busia District right now we have five idle ginneries when they should be providing a lot of employment in that area. Ginneries were meant to run 24 hours per day, seven days a week and 52 weeks in a year. They would definitely have been run on shifts - perhaps in three shifts in a day. This would have meant a lot of people being employed in a year. Unfortunately, at the moment these ginneries operate for only one month in a year and then they are idle for the other 11 months. Failure emanated from the mismanagement of the co-operative societies.

Later the Ministry started appointing commissions to run societies. I hope that when my fellow Minister comes to reply he will tell us which of the collapsed co-operative societies have been revived by commissions. I do not know of any and I wait to be told of it. This failure is affecting our people. We could be having a lot of employment in the countryside. So, we hope that when this College is constituted, it will admit candidates with the right standards of education who will then learn and come out fully qualified and actually do what we are being told here. They can provide advice, carry out research and all those other things. At the moment, [**The Minister for Labour and Manpower Development**]

we have a mix-up in the cotton industry, for example. We would like to see these sort of people helping the Ministry of Agriculture in carrying out investigations on seed so that the right kind of seed is given to the co-operators in order to increase yields and productivity and, thus, create employment for wananchi. To do this, we will need very determined staff. The students will also need to be determined in their studies. We will need good governance, as far as Board members are concerned, in order to achieve the aims and objectives that are being outlined here.

Mr. Temporary Deputy Speaker, Sir, Clause 7 (h) talks about the Council of the College. As I have said, I hope the appointment of the people concerned on the Council will be done with discretion in order to enable the Council to steer the management of the college towards the fulfilment of the set out objectives. This part of the Bill states that: "There are three other persons representing the co-operative movement nominated by the movement". At the moment, most of the officers in the co-operative societies, as hon. Onyonka mentioned earlier, are either appointed on political basis or after canvassing within themselves to be appointed. If the same co-operators will be allowed to nominate three people on their own to come and sit on this Council, I do not think there is any contribution they are going to make to the Council. In this respect, I would like to say that the Minister should be given authority, not just to accept those that have been nominated by co-operators, but also to approve such nominated officers, so that the Minister can be given the opportunity to check and counter-check whether these nominated people are the type of people who will help meet the objectives that are being mentioned here.

Mr. Temporary Deputy Speaker, Sir, some of the duties or the functions of the Council are to administer property and funds of the college in a manner and for the purposes which can promote the interests of the college. At the moment, we are discussing the Ministry's intention to transform the existing institution to a higher college.

I heard the Minister praise the Principal. I think the current principal is a lady. I assume she is honest enough, nonetheless, I hope that when the transition occurs, the Minister will have a proper inventory of what is existing now, including furniture, buildings, money and everything else that belongs to the college, so that it is properly handed over to the new management, even if this principal is supposed to continue in that post. I do not think

that we should, at any time, assume that because she is honest, then nothing will go wrong. If it is a law, let us follow it strictly. Some of the things that the Council is entitled to do is to receive gifts, donations, grants or other monies on behalf of the college. We have heard stories where gifts have been given to colleges and later, they have been turned into personal property for personal use. I think we need a clarification here which should clearly state that gifts, donations and finances received must be properly accounted for and be included within the inventory of the college so that everything is clear and transparent.

Mr. Temporary Deputy Speaker, Sir, it is important that the college, being a specialized college, also aspires to prove its speciality so that it does not just stay where we intend to place it, but probably, eventually becomes a university college, while still maintaining its specialised line. I would, however, like to emphasize the practical side of whatever the college is going to impart into the students. The students must be trained to come out as very practical people so that they can stimulate the co-operative movement in this country. They should come up with some innovative ideas because, I think the current ideas which were imported here just before Independence have been so much diluted that the occupants of the positions within the society have only learnt to destroy rather than to build. The youths who will come out of this college should now be trained to build and not to destroy.

With those few remarks, I beg to support.

Mr. Mwaura: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this important Bill. We all know that this country is an agricultural country, thanks to the founding father of this nation, the late Mzee Jomo Kenyatta, who brought the spirit of Harambee in this country, I believe, because of his earlier training in one of the countries where the co-operative system has made those countries very highly developed. I am referring to Denmark where he went during the many years of his stay in Europe.

What the government and the leaders in this country must do is to ensure that when we run institutes like this one which the Ministry of Co-operative Development is trying to establish, transparency, accountability and good governance are observed. It seems to me that the ethics of this country's leaders and technocrats have, over the years, declined.

Mr. Temporary Deputy Speaker, Sir, as hon. Onyonka said, any nation that has no ethics and commitment to its own development cannot rise in terms of development. Recently, a French Minister in charge of trade suggested that, in the 21st Century, Africa might become the next economic dragon. Africa could become like the Far East Asian "tigers" like for example, Singapore where our President passed through on his way to New Zealand the other day. This is a country where we understand that transaction of foreign exchange in a day is in terms of Kshs 80 billion, yet this is a country with only 2 million people. We should ask ourselves why this is not the case in our country. If a country small as that can succeed and become highly industrialized why not Kenya? If our own President and his team visit a country like that and they see what is happening why can we not manage ours like that? I speak like that because as I said earlier on, our country is an agricultural country. It is the Kenyan farmers who have created the Co-operative Movement in this country. The poor farmers in my own area where I come from where coffee and tea are major cash crops, are the people who have made the Co-operative Bank to be what it is today. If this College which the Ministry is introducing is going to enable the young people who will be trained there to be committed and be good leaders then it is a worthwhile cause.

Corruption is what is going to destroy this country and many other countries. In Africa today lack of accountability and ethics have contributed to the underdevelopment of African countries and that is why our country is not taking off economically.

Earlier on hon. Kiliku said that 10 or 15 years ago this country was among the countries which were not listed among the least development countries. We should ask ourselves why it is that Kenya today is graded as one of the poorest countries yet we have coffee, tea, fish and many other commodities. Can the Minister help the communities that live along the Lake and the Ocean to establish strong co-operative societies dealing with fish industry because the fish industry in this country has not been exploited? The sugar-cane farmers too have not been made to form strong co-operatives. A Minister here has talked about the cotton industry. We want to see that College taking Kenyans from all corners of the country. We do not want to see students being taken on tribal basis. We must know that the people from, for example, North-Eastern Province have a lifestyle that is basically based on livestock. These people need to be trained to have good co-operators so that they can go back to their areas and help develop the livestock industry.

Another hon. Member talked about the National Social Security Fund (NSSF). As the speaker was speaking I thought; if NSSF can give billions and billions of shillings to various individuals, why can it not help our co-operative industry by pumping some money there so that it can become a giant industry? I believe that if this country can take the agriculture sector seriously, it can, indeed, take off in development.

The other day, I saw the World Bank leader in this country speaking and saying that the liberalization process that we have undertaken in our country today is directed in a better way. It is positive. Our country's growth rate today is about 3 per cent and there is no reason why Kenya today cannot achieve an economic growth rate of about 8 or 10 per cent. That can only come about if our leaders, those who have been given the mandate to manage Ministries and institutions become committed and transparent. They should not view these institutions as a source of making themselves rich overnight. This is an economic crime that is being committed by people who are given institutions to run.

I would also like the Ministry to ensure that women and youth in Kenya are encouraged to engage in co-operative societies. We know today that according to the population figures of this country women are the majority and we also know that women are the backbone of our agricultural sector in the rural areas. Our women have not been prepared to run co-operatives which are managed by men. I am saying this because you will find that sometimes because of the HIV/AIDS scourge, a woman is left alone to take care of her family. Sometimes she has to educate her children.

Unemployment is so much rampant today that even our graduates today are not getting employed. You will find a family where a woman is the breadwinner. If women are involved in running co-operatives they will be able to find some source of revenue to help their families. I would like to see the Kenyan youth encouraged to engage in co-operative affairs. There are so many graduates today who are not in employment. They have degrees and have to run around in the streets for a period of four or five years after completion of their education, looking for employment. These people can become a security risk in our society. They have education, but they have no way of earning their daily bread. I think the Co-operative Movement in this country can bring together these youths and encourage them to manage themselves. Let us be serious leaders in this country.

*[The Temporary Deputy Speaker
(Dr. Ombaka) left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, the other day the Minister for Commerce and Industry said that Mauritius is one example of a developing country which is talking off. Why is this so? This is because Mauritius has used her textile industry in a better way to industrialize that country. Why can we not develop our agricultural sector so that this country can take off? Time will come when we will die. What will happen to the children that you are bringing into this world? Where are we going to leave our children and grandchildren tomorrow when we are no longer in this world?

Mr. Temporary Deputy Speaker, Sir, I have told the Minister, who is here in this House that in my area, farmers in one location grow tea worth Kshs.0.5 billion per year. The tea prices have dropped from Kshs.18 per kilogramme to Kshs.8, and no explanation is given to the farmers as to why there is such a drastic drop in tea prices. If there was transparency in the co-operatives and KTDA, people should be advised why their tea is not fetching money as they expect. When you demoralise the farmers, they lose interest. They do not take care of their crops because they are not paid properly.

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

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

My last comment is to say this is a good Bill. Let the independent colleges that we are establishing look forward to the day when instead of giving diplomas, they will be awarding degrees to their graduates. Let the colleges admit students because of their ability and their qualifications, but not on the basis of which community and tribe they come from. Today, we all know that tourism is one of the major foreign exchange earner, and yet Utalii College here, I do not want to go into details, admits students from a given community for training. We do not want to see that happening to the co-operative college because this country belong to all of us. If we develop North Eastern, Lake Baringo, Kisii and other Kenyan places, it is this country which we will be developing and help Kenya to overcome unemployment and to industrialise.

With these few remarks, I beg to support.

The Minister for Health (Mr. Angatia): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity so that I can also make my contribution on this important Bill. I want to commend my colleague, the Minister for Co-operative Development for bringing this Bill, and also for the manner in which he moved it, although he was interrupted very many times.

I am looking at the Bill starting with Clause 5. Apart from the functions, the other functions of the college that I can think of, in addition to those ones which have been put here, first of all, we would like the Co-operative College to assist co-operative societies evolve ethics, methods and systems of management, which can make societies succeed. If you have listened to what most of the hon. Members have said so far, you will have realised that the complaints or criticism is on mis-management. Mis-management cannot be easily taught, but we would like the college to be seen to go out of its way, to find out why most of our co-operative societies are mis-managed, and to assist in removing causes for mis-management, so that efficiency may be instilled in the co-operative movement in this country. The college will be very well placed to study these characteristics in our co-operative movement and assist to remove the bad things that have happened which most hon. Members have talked about.

The second thing that I think the college could assist on, is also to try to test out their theories. An academic institution can only prove its efficiency and the truth about the theories they teach in schools, by seeing these theories in practice. It will be a good opportunity for this college in its research and in its teaching, to study how various societies are being managed in order that they may assist them in instilling the proper sense and integrity in management.

The third point that needs to be added as one of the functions is for the college, is of course, to assist in providing management services. If the college provides management services, and I have seen this one in Clause 5, this would help it to make money, and it will also help it to discover the reality in managing these co-operative societies. It will enable the college to discover whether the system of electing anybody who produces anything, and putting it into management committees, and then the system of appointing unqualified people just because they have been to school, and they are accountants, or personnel managers or whatever, into the co-operative system whether in fact, it can work or whether we need specifically and deliberately taught systems and methods of managing, in order for the co-operative movement to succeed. The fourth point which I think needs to be added as a function of this college is to assist in developing the co-operative movement in this country, through its admission procedures, creating consciousness and researching on solutions to various problems in the co-operative movement and finding out whether, in fact, Kenyans are not capable of producing through co-operative movements. To say this is not to say that the co-operative movement has not seen some element of success. There has been successes, and I know that we have been beset by people and by practices which are detrimental to the movement, and in most of the cases in most of the areas, what has been most noticeable has been weaknesses in management, leading to farmers losing confidence and the organisations and societies not performing well, therefore, making the co-operative movement look as if it cannot function in Kenya. It can function very well and, in fact, for a while, when credit and savings co-operative societies were introduced in this country, for a while, they worked very well. But later on, people learned how to mis-manage other people's money and how not to handle large sums of money properly and even in those organisations which were based on single employer. Indeed now, corruption and mis-management have crept in and they are scaring away resources which had been given out earlier on and which could have been used for investments and which could have been used as loans to farmers, in order for the them to improve production.

I consider this to be an area that the Minister may consider when formulating functions, and even if he does not include in the Act, I hope that the council and the academic boards will consider this area as their responsibility when they become functional.

According to Clause 7, 1 (h), three other persons to represent the co-operative movement will be nominated by the movement. Also, the governing body will nominate the members of the council. I am wondering why names should not be submitted by the movement to the Minister, so that he can gazette the appointments finally.

Mr. Temporary Deputy Speaker, Sir, I am saying this because the Minister is in a position to look at balancing of representation on this Council in the whole country. If we get dominant movements like either the Credit Savings and Co-operative Societies dominating the agricultural societies, it would be unfair. If we get the agricultural societies dominating the Credit and Co-operative Societies Movement, it would be unfair. It is, therefore, appropriate to give the Minister powers to balance out and for him to do this, it maybe necessary to define what kind of co-operatives will nominate people.

Mr. Temporary Deputy Speaker, Sir, when you just say that, "three other persons representing the Co-operative movement nominated by the Movement", you are actually giving responsibility to nobody. I do not

know which is the co-operative movement itself and who will be nominated by the Movement. How will the Co-operative Movement sit in order to nominate these three people? I feel that the Minister should have received these names because they are nominated and appoint the final three putting into consideration a balancing act as to the sectors and regions even if it means making sure that women should be represented. Supposing all those who have been appointed are all men and there are no women, the Minister should have the powers to consider including women and I consider that the Minister is the only authority competent to do that balancing act.

Mr. Temporary Deputy Speaker, Sir, on Clause 12, which is about the Academic and Administrative Staff of the College, I see one Principal and two Deputy Principals. This seems to be okay, but the idea of two Deputy Principals of course have come in from our universities. I am not sure that the Co-operative College of Kenya is going to be big enough to warrant having two Deputy Principals. It is true that it will also set-up smaller colleges which it can supervise, but there has to be a minimum number of students enrolled to warrant the appointment of a second Deputy Principal. The Principal and his or her Deputy should be able to handle all the duties of the College, if it is going to be as small as the College we have at the moment. Even if the present College is doubled, I am not sure that it warrants having two Deputy Principals.

Mr. Temporary Deputy Speaker, Sir, nevertheless, this Bill has left out one office that I think is important and this is the Registrar. There should be a Registrar or a Chief Administrative Officer, somebody who will implement the day to day running of the College. The smaller matters that do not need to go to the Principal or his Deputy. The matters that are not so academic as to go to Heads of Academic Departments, should be handled by an administrative officer of some sort, whom we can call, Chief Administrative Officer or Registrar or somebody to implement the various decisions of the Council and also of the Academic Board.

It is not going to be possible for the Principal or his Deputy to be attending to the smaller matters of the College.

Mr. Temporary Deputy Speaker, Sir, Clause 14 (1), deals with the Academic Board. I find this a bit odd also because they say that the Principal will be the Chairman and one of the two Deputy Principals, will be the Secretary, but it does not specify, whether it is the Academic one or the Administrative one who is going to be the Secretary. Again, this is one area that I recommend that we have a Registrar or a Chief Administrative Officer. So, for two reasons now, one is implementing smaller matters than those that should concern the Principals and those that are definitely of a day to day nature should be handled by the Secretary to the Academic Board.

Mr. Temporary Deputy Speaker, Sir, when we say that "either of the Deputy Principals", it means that we are not sure which Deputy Principal should be dealing with this. Matters will be there which are of financial and administrative nature and there will also be other matters which will be of academic nature. It is better to have somebody who can be directed by the Principal to take minutes, and to attend to the day-to-day administrative matters.

Mr. Temporary Deputy Speaker, Sir, I am sure the Minister is going to make sure that the Principal and his or her Deputy are academically qualified and capable, not just to head the institution, but also to lecture. So, if they are involved in those academic matters, then it would be better that they have somebody as a Registrar, who is also academically qualified, but not necessarily to lecture but qualified to be able to deal with the day-to-day administration.

Mr. Temporary Deputy Speaker, Sir, in Clause 14 (2), the Academic Board, should also have the responsibility of developing academic programmes or course programmes. I am looking at these Clauses which are here and I do not see that specific duty. It may come out in the items which are listed (a)-(e), but I think that it must be stated specifically that the Academic Board will develop, design the courses syllabus and present them after approval by the Academic Board them to the Council for approval. The Academic Board also will design the criteria for admission. These are academic issues, admission, examinations, what courses will be taught, up to what level who will be admitted for what course. The entire academic cluster needs to be put in the hands of the Academic Board. Then the Academic Board will decide what needs to be done and go to the Council for approval because, the Council have people who are experienced enough to be able to make comments on even academic matters. But the people to design the details, work out teaching programmes and the actual implementation of the schemes of service will have to be academic staff themselves, but each department will design its own syllabus, subject to approval by the Academic Board and subsequent approval by the Council.

Mr. Temporary Deputy Speaker, Sir, I want to touch on what other hon. Members have commented upon which is that the Co-operative Movement could have been an economic machine in this country to lift the low standards of living of our people. But it has experienced a lot of problems which my colleagues have put across very ably and I do not want to repeat them. What has come through at the moment now is that, the view of most farmers, especially us who represent farming communities, is that Co-operative Societies are established to enrich a few people. This is now the most common view that most small-scale peasant farmers have got because I

cannot think of any Co-operative Movement, for example, in Western Province that has succeed, particularly farmers co-operative societies. I cannot think of any that has succeed. Most of them have failed not because the produce was not there, not because the farmers were not making their contributions, but because those elected to be in the management, even when they are elected from their own folk, have let the farmers down. But what has been worse is co-operative officials throughout the Republic. I will speak more specifically about Kakamega District. The Co-operative Officers have been the biggest problem to the Co-operative Movement in Western Province. We will call upon the Minister to look into this problem. The College alone will do very little to change this. The College will not have the powers to go out there and act as a supervisor. Some people who are in the Co-operative offices are actually trained, others are farmers, some of them are workers like everybody else, but they have turned against their own fellow farmers, fellow workers or fellow co-operators and let the Movement down very seriously.

So, Mr. Temporary Deputy Speaker, Sir, I do not know whether it is the Act which is so weak that these people cannot be controlled and punished or prevented from mis-managing funds, the activities and resources of farmers. This is a matter that is so urgent because in a lot of areas you can see that the only way this small scale farmers could survive is through Co-operative Movement. But the moment you set up a Co-operative Movement, they are exploited so much that it were better if they did not join a Co-operative Movement.

Mr. Temporary Deputy Speaker, Sir, these people are in a dilemma because on their own they are too few to make progress. But when they join together with somebody else or even among themselves a Government co-operative officer comes and exploits them to the extent that they simply collapse. The dairy industry have been the best example in this case. In some cases, they have been interfered with even people who are not co-operators; Government officers. But because they are senior and strong Government officers, they can interfere and loot people's property simply because it is a co-operative's property.

Co-operative property does not seem to belong to any specific person and there is nobody who can follow up the matter. As long as people can collude to loot, they get away with it and then the farmers are left completely helpless with nothing that they can do to save themselves.

I think we would have liked the Minister for Co-operative Development to try and take some measures to make sure that this tendency is corrected and the view by the small-scale farmers that the Co-operative society is simply a machine or an organisation for a few people who exploit the small-scale farmers, this should be changed.

But it will be only changed by good work, management, and after results being seen so that the farmers can appreciate what they are doing jointly together so that they can alleviate themselves from poverty.

Mr. Temporary Deputy Speaker, Sir, my final point is on all other training institutions. Hon. Members of Parliament have spoken before and I think I also want to add my voice to this. Our universities and middle level colleges like polytechnics, farmers training centres like Bukura and other institutions like medical training colleges (MTCs) and so on, should be streamlined. These middle-level colleges like certificate level colleges, agricultural colleges, and others should be streamlined. The Government should review their teaching curriculum to see whether we can instil a sense of integrity, love and quality of work, and proper habits for work and ethics in them.

All these have escaped from our people's minds especially those who are in the service today and even among those who are undergoing training today; they all have the wrong working attitude. Our students are capable of learning the right things and are capable of implementing them, but when they come out and join the kind of officers that hon. Members have been describing they do not perform well. Those are the officers who do not value high quality of work; who do not get satisfied by the quality of work, but want only to be satisfied by the amount of money they can be paid at the end month or the amount of money they themselves can lay their hands on even illegally. Once we set this as a measure of success, we put too much confidence in wealth, too much respect for wealth to the extent that a person is considered to be a success if he is very wealthy. Life does not consist only of wealth. We need to put respect into human beings, service to other people, doing a good job and feeling happy that you are able to do that good job for mankind. These things are more rewarding and important than simply making money. People can get strange opportunities and make large sums of money but they are not necessarily good people. They get opportunities to loot or rob as some people are known to have done. That is not a measure for success.

Mr. Temporary Deputy Speaker, Sir, there was a time when hon. Shikuku used to ask in this House from time to time how some people have made so much money in such a short time and when they are asked how they amassed that wealth, they say that they worked hard. But when you look around, we are all here in Parliament, sitting and toiling from morning to evening. We will go home and eat our ugali and sumawiki, but tomorrow somebody bounces into millions of shillings and comes to tell you that he has worked very hard! This kind of attitude has been passed on to our young people so that when they are in schools, colleges or wherever they are,

they want to work hard and be a successful person one must be wealthy and that wealth does not matter how gets it. One can go and loot a co-operative society or do anything to be rich.

Mr. Temporary Deputy Speaker, Sir, right now even in the Government offices, officers are very concerned about the little money they can make out of various claims, but are not even doing their work. Send an officer out, he looks only for night allowance; send him for something, he will be looking for a receipt. In fact, I think the Government needs to review this issue. I think we shall be asking the Treasurer to review the idea of accounting money simply by producing receipts. It seems to be a very common secret that officers just go out and look for some receipts come and account for imprests and they go away with all the money in their pockets. All of us are seeing and I do not see why we pretend that we are not seeing that officers are, in fact, robbing us while we sit and watch. They may produce receipts, but surely, the profession of the accountants, and hon. Obwocha is one of them, he should look round and ask if it is not enough for somebody to account for money simply by producing receipts. Is it not more appropriately for the job to be done rather than simply accounting for the money? Anybody can account for the money. You can go out in the street print receipts and come to claim some money, but is that really proper even in accounting institutions?

Mr. Temporary Deputy Speaker, Sir, I think it is time that we reviewed all these in our various Acts that govern these areas. It is time also people become "Kenyans." I am trying to avoid using the word "patriotic" but it seems to be the most appropriate word for the time being. Patriotism seems to have been misunderstood in this country. Most of our people think that it is only politicians who should be patriotic. In this era of multi-partism, people seems to think it is only KANU which should have patriotic Members, but patriotism is for everybody. It is the love for your country. Because whether you like it or not you belong to Kenya, and if you belong to Kenya, you have got duty to be patriotic, serve Kenya, like Kenya, defend Kenya and to increase the quality of services in Kenya, and to increase the wealth of Kenya for Kenya. So it should not be a matter to be left to the politicians, KANU Members or to those people who are working while excluding the farmers. It is not that! Patriotism is for everybody, and for it to be for everybody one should not just increase his wealth at the expenses of Kenyans. Increase your wealth for Kenya in a fair manner which patriotic and in a manner that brings integrity and good respect for human kinds in this country.

Mr. Temporary Deputy Speaker, Sir, people are worrying to much about human rights and all sort of other things. But human rights without proper patriotism, devotion to service to Kenyans is not enough. There are some people who think that it is their right to do things which benefit them regardless of whether society suffers. That kind of human right is improper. Human rights should not be at the expense of the country and good quality work and at the expense of other Kenyans.

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

Mr. Obwocha: Mr. Temporary Deputy Speaker, Sir, I would like on the onset to and associate my feelings with the---

The Temporary Deputy Speaker(Mr. Wetangula): Yes, Mr. Shikuku. I can see you pointing at the Chair. What is the problem?

Mr. Shikuku: Mr. Temporary Deputy Speaker, Sir, I have said nothing.

The Temporary Deputy Speaker (Mr. Wetangula): I thought you were pointing towards the Chair.

Mr. Shikuku: No, Mr. Temporary Deputy Speaker, Sir, I was wondering where hon. Mutere was going to speak. He has been here throughout.

Mr. Obwocha: Mr. Temporary Deputy Speaker, Sir, I wish to proceed by associating myself with the comments of some of the hon. Members that what this House expected from the Minister for Co-operative Development was to repeal to completely revise the Societies Act Cap.490. This is what we expected from the Minister even before bringing this Bill here.

With the changing world and what is happening in the country over the years in the Co-operative movement, I think we have reached a stage where there is a lot of need to revise the societies Act Cap. 490. We know that the Co-operative Movement in Kenya in general, from the SACCO to the marketing societies has expanded tremendously and therefore, there is need to now formalise the establishment of this College.

I would also like to say that I do not know whether by passing, the Co-operative College of Kenya Bill 1995, the graduates are going to get employment. The current graduates who are at home have not been absorbed anywhere and I do not know whether the Ministry of Co-operative Development have a programme for these graduates that are coming or are going to come out of this College. Is it going to be substantial different. We are just passing this Bill to move from the stage where there was no Act?

Mr. Temporary Deputy Speaker, Sir, I would like to first of all go to Clause No.5 of the Bill which lists the functions of the College. When you go through these functions, they look okay, but the kind of graduates we

are requesting this College to produce should help the movement in two areas; one, in management and two, in accounting. The management aspect is well covered under this Bill, but the accounting aspect is missing on one end that we would request that when the syllabus and the academic curricula are drawn up, they include professional courses. For example, the Certified Public Accountants of Kenya (CPA). This should be done so that these people can play a dual role since they know the Corporative accounts as well as commercial accounting in order that they can help the Co-operative movement, then we will be producing a whole man or woman. In the functions that have been listed, we would, indeed, request that the Minister does consider including the functions of producing commercial accounting graduates from this College.

Under Clause No.6, the Bill reads as follows:-

"The admission to the College, as candidates for Diplomas, certificates or other academic awards shall be open to all persons accepted as being qualified by the Academic Board".

Mr. Temporary Deputy Speaker, Sir, I presume that these are people who are going to be accepted by the College after finishing their KCSE. We would expect that they should have included in this Clause, that they are going to be accepted according to the laid down procedures by the Academic Board because that is not coming out very well under this Clause. What we have seen in other Colleges and even in our Universities, where the cut-off points are set and you find, through these unusual deals like *wacha watoto wasome* (www), students who are not qualified being admitted into those Colleges.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Obwocha, you were warned by the Speaker not to speak in parables.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Obwocha to---

The Temporary Deputy Speaker (Mr. Wetangula): I cannot hear you.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Temporary Deputy Speaker, Sir, is it in order for hon. Obwocha to use acronym "www"? Is it a name of a person or what is it?

An hon. Member: *Wacha watoto wasome!*

Mr. Obwocha: Mr. Temporary Deputy Speaker, Sir, this is a common language in Kenya where the phrase *wacha watoto wasome* is used by these officers in admitting students who are not qualified. This is what we are discouraging by stressing that the Academic Board should set standards of admission to these Colleges.

I would like to take speak on Clause 7(i)(h) which has been touched by some hon. Ministers and hon. Members who have contributed to this Bill. It says as follows:

"The Governing Body of the College shall consist, among others, three other persons representing the Co-operative Movement, nominated by the Movement."

As we know, the Co-operative Movement is wide. Currently, the Savings and Credit Societies form the largest portion of the Co-operative Movement. From what is happening at the moment, we know that their representation in the Co-operative Bank is through elections. One hon. Minister, in fact, said that they should scrap these representatives because some of them are illiterate. I am sure he must be talking about this Cotton Co-operative Society in Busia. Some of the most knowledgeable people in this country in running of the Co-operative Societies are in the Savings and Credit Societies. Some of the Managers in the Marketing Society are very knowledgeable people. So, we would propose to the Minister that in this Clause, instead of having three persons, we should have, in fact, five people so that in the SACCO societies, we have a representative representing the bigger societies or national societies like Harambee, Afya and other societies that are spread over the country. Then there should be another representative on the SACCO Society, representing the small ones, for example the small companies like Kisumu Cotton Mills, Pareto Savings and Credit Society *etcetera*. There are Societies in one place. There are many Marketing Societies spread all over in maize, sugar cane growing areas *etcetera*. These too should have three representatives. So, under this Clause, we are requesting to the Minister to increase the representatives in the movement because we want this College to produce people who can help the movement to grow and to have five representatives, three representing the Marketing Societies and two representing the SACCO Societies.

Mr. Temporary Deputy Speaker, Sir, there is also Clause 7(3) which lays down the methods on how members of the Council can be removed are designed. It reads as follows:

"The office of a member of the Council shall be come vacant-

(a) if, not being an *ex officio* member-

(i) he resigns his office in writing to the Secretary to the Council;

(ii) he is convicted of a criminal offence and sentenced to imprisonment for a term exceeding

three months; or

(iii) he is absent without reasonable cause from three consecutive meetings."

I want to take issue with the third method which says that a member can be removed if he is absent without reasonable cause from three consecutive meetings.

Mr. Temporary Deputy Speaker, Sir, this particular Clause or proviso has been misused to force a critical member of the council to lose his job. I think the Minister should delete this particular proviso because it can be misused. If you have a critical member, and in the Co-operative movement, there are very critical members who know how societies are being run--- So, I am appealing to the Minister, to see into it that this particular proviso is removed from the Bill.

Now, Mr. Temporary Deputy Speaker, Sir, I would also like to take issue with Clause 8 (2) (f). This Clause provides for the welfare of the students of the College and the formation of the students' Alumni Association. We expect to be moving from this Alumni Association, and allow students from this college to form a union, or a body that represents them in the council or the Senate, and articulates their problems in the college. I do not know what the Minister means by saying the students' Alumni Association, is actually going to be a union because there are a lot of problems in the way colleges and universities are being run. These students are not being given their due share on what they should do, or what is their role? Therefore, I am appealing also to the Minister, to see if this particular Clause or Section can be changed to give the students a union.

The other portion I would like to take issue with is the portion on the appointments of the principal and his deputies. Now, I would like to agree with the Minister, Mr. Joshua Angatia, that a small college like this, does not need to have two deputies. But here, the Minister has proposed to have two deputies under the principal, but under Clause 13 (1), it says that in the event of incapacity of the principal, the functions of the principal, shall, during the incapacity be performed by one of the deputy principals. I think, that kind of provision is too vague to be accepted in an Act. Because, if indeed, you wanted somebody to act in place of the principal, you should be very specific and say, it is either the deputy principal in charge of academic affairs, or the deputy principal in charge of administration or what you have called here, college funds and assets. So, the Minister should be very specific, in the event the principal is not there--- When you leave it open, you are going to bring a lot of acrimony or you are going to bring a lot of in-fighting. These fellows are going to under-cut one another and the smooth running of the college is going to be disrupted. Therefore, it is important to enumerate here, that when the principal is not there, the deputy in charge of this section should act.

I would also like to---

QUORUM

Mr. J.N. Mungai: On a point of order. Mr. Temporary Deputy Speaker, Sir. Is it in order for the House to continue without a quorum?

Mr. Shikuku: There is no quorum, Sir.

The Temporary Deputy Speaker (Mr. Wetangula): If you want to say, there is no Quorum, you do not have to make a speech about it. Ring the Division Bell, there is no Quorum.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Wetangula): Order! Order! Members. We have a quorum now. Mr. Obwocha, may continue.

Mr. Obwocha: Mr. Temporary Deputy Speaker, Sir, the other clause that I would like to take issue with is 17(3). Now in this clause, the Minister has proposed in this Bill that "the Council may place on deposit with the Co-operative Bank of Kenya or such another bank as it may determine any money not immediately required for the purposes of the College". Now, I do not know why the Minister wants to be very specific on the Co-operative Bank. I would have expected, because if the Co-operative Bank was to go up in flames or under liquidation or receivership, then it will probably mean that you as the Minister, you should bring an amendment to the House again to amend this particular clause. So I would have expected you to leave the other bit open by saying, "or such other bank, as it may determine". In other words, there is no point of being specific about where these deposits should be put. Although we know that the Co-operative Bank is offering services to co-operators, it is not necessary that we be very specific in an Act as to which bank where these funds should be deposited.

Mr. Temporary Deputy Speaker, Sir. I would also like to take issue with Clause 19 which talks about accounting or the accounts. Now that clause 19 says that "The college should submit its accounts to the

Auditor-General (Corporations) at least within three months after the end of each financial year". Now, as we know, this clause has not been followed by many co-operatives, parastatals and institutions. Right now in Parliament here we have been receiving audit reports from most corporations dating as far back as 1989, 1990 and 1991. We would expect the Minister on this part to indicate if these accounts are not submitted within three months, what powers the Minister has to force the college to prepare the accounts. It is very important that, that provision is made so that this college does not proceed to do what other parastatals are doing in this country.

Mr. Temporary Deputy Speaker, I would like to say that accounting is one aspect which is missing in many of our co-operative societies. Now, some of these co-operative societies have employed bookkeepers who do not know any bookkeeping at all. For instance, in one of the co-operative societies, the chairman brought one of his relatives to be a book-keeper and when there was an inspection, he was interviewed by the inspectors. He was asked what book-keeping was and he said, "book-keeping is keeping books, vertically and horizontally in a nice way."

(Laughter)

That is not book-keeping! There are several societies and co-operative unions, for example, in Kisii. I am talking about the collapse of the Kisii Co-operative Union and the Masaba Co-operative union where the accountants and managers defrauded the union of Kshs1.5 million. We even requested the Minister to investigate this but up to now he has never come up with his probe report. People are waiting for their money and the Minister has never taken any action about the misappropriation of this money in Masaba Co-operative Union. If this college was to produce graduates with the accounting knowledge, this is where we would like these people to assist the co-operative movement, unions and the primary societies who do not have qualified book-keepers.

I would also like to mention something about what co-operative societies are doing in general. First of all, the kind of investments that they are to be undertaken, particularly by these national co-operative SACCO societies have got to be checked. First of all, the evaluation of these projects, I do not know how far the Ministry is involved in the evaluation of this project because this is where the TKK (*toa kitu kidogo*) is taking place. Secondly, are the dividends from these investments really going to the members? Is it worth investing in these big tall buildings in Nairobi?

I would like to request the Minister that in view of the fact that most co-operative societies are not run properly, both SACCO societies and the marketing societies, should he set an inspectorate unit in the Ministry to check what is happening; in big societies or even the small ones. This inspectorate unit should check what is happening in these societies. Right now we know that, for example, in the societies these days, the co-operative officers do not counter-sign cheques. The responsibility has been left to the management committees. If the inspectorate unit is not strengthened or has not been formulated, the members are going to lose a lot of money. I cannot think of some member in this House and in the country in general, who has not lost any money through some dubious ways in these societies because the inspectorate unit is not sufficient.

Finally, I would like to say that, in this Bill, the college does educate and train co-operative graduates on insurance because what is happening at the moment is that the big co-operative societies have taken their own insurance schemes within the society instead of going to the Co-operative Insurance Services (CIS). They are managing their own insurance schemes.

If this education was given through the Co-operative College to these officers, some of whom are being employed in these co-operative societies, they will assist these societies tremendously in ensuring that the insurance scheme works properly, the members get their benefits, and they do not lose any money.

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

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Thank you very much, Mr Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this important Bill.

Mr Temporary Deputy Speaker, Sir, the Co-operative College of Kenya Bill, 1995, is a good legislation which is designed to produce officers who will assist in proper management and development of the co-operative movement in this country. It will have been desirable if the Minister had brought, in fact, the amendment to the Co-operative Act, which governs the running of the co-operative movement in this country. I hope that such an amendment will be brought into this House, as soon as possible, so that the co-operative societies can be managed in a better manner, for the benefit of the co-operators.

Mr Temporary Deputy Speaker, Sir, I have looked at the functions of the College--- But the previous Speakers have pointed out, that there is need to have some code of ethics in the running of the co-operative movement. As it is at the moment, the co-operators have been disillusioned, de-motivated, and they are very

disappointed in the way some of the co-operative movements and societies being managed. It is because there has been lack of commitment, education and professionalism in running and managing these vital institutions, which are key to the economic development of this country. Co-operative societies are vital in pulling resources from Kenyans towards economic participation and the sharing of the economy of this country. It is, indeed, then, that I thought that one of the functions of the College, should include an item on professional matters related to this discipline because the co-operative movement is distinct from other institutions such as the companies and so on, which fall under a different Act. I will propose that such a subject be included under Clause 5.

Mr Temporary Deputy Speaker, Sir, looking at clause 6, regarding the admission of candidates for diplomas courses and so on. I feel that candidate should have entry requirements for various courses. They should be admitted without discrimination on grounds of race, place of origin, residence or other local connection, political opinion, colour, creed or sex, and that no barrier based on any ground shall be enforced upon a person interested to join the Co-operative College.

I hope this will be implemented in its true sense and meaning as stated here. If this is done, then we will be doing justice to Kenyans, particularly the young generation. If this is done in all other training and employment institutions and all other endeavours of our economic life, Kenyans would have few complaints to make because we would be dispensing justice and honouring the rights of Kenyans by allowing them to participate in any activity without hindrance. We would not be complaining of the various ills which affect the Kenyan society, for example, tribalism, corruption, bribery, nepotism and all the other anti-social practices which, indeed, beset this country in a very high degree.

I hope that the Co-operative College of Kenya will strictly implement this provision so that Kenyans enter the College on merit and because they deserve. Nobody has got any right to deny a Kenyan his right to do what he is qualified to do. The problems we have had is because, at other times we put merit as a secondary requirement in placing people in positions of trust. This is a great mistake and it is a de-service to the integrity of this country. If all our decisions were based on what is right, correct and what is acceptable to all Kenyans, we would have few complaints and this country would be a paradise. But because we qualify our decisions on other criteria which cannot be measured, and then we create problems for ourselves; problems which cause havoc to the whole society and hinder our development efforts. All of us complaint about mismanagement of our resources, corruption, bribery and looting. Indeed, we have laws and regulations in this country for example, the Anti-corruption Act and many others. They are there, but those who are charged with the responsibility of implementing these laws and regulations are not doing so; and so, in a way we disobey the laws of the land. This means that we are encouraging disobedience, and this is very dangerous, because, at the end of the day it will filter down. People will disobey laws, they will disobey traffic regulations, or over-speed and cause accidents because they are disobeying the law. This is a form of disobedience. We disobey laws, we steal drugs from hospitals, despite the fact that the laws are there. Politicians also disobey laws by abusing the rights of others, by promoting tribalism, yet the Constitution says nobody should use tribalism for any purpose. We are also promoting disobedience to the Constitution and to the laws of the land. It is very important that all the laws of the land are observed.

Mr. Mak'Onyango: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is Dr. Misoi in order to wonder about and avoid the Bill? Can you get hon. Misoi to come back to the Bill?

The Temporary Deputy Speaker (Mr. Wetangula): If you followed his argument, he is, in fact, talking about the Bill. He is on clause 6 of the Bill.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Temporary Deputy Speaker, Sir, hon. Members in this House are expected to read---

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

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Mr. Mulusya! You have been thrown out of this House so many times that it has ceased to be a punishment to you. The Speaker said this afternoon that, no Member shall be allowed to make any disparaging remarks against the Chair. You withdraw what you said and apologise.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, I withdraw and apologise.

Mr. Nthenge: On a point of Order, Mr. Temporary Deputy Speaker, Sir. What the Speaker said today is for the interest of all the Members of this House. So, when the Chair is being belittled we are all being belittled because the standards tend to go lower.

The Speaker's remarks must be taken seriously by all hon. Members.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Nthenge, if he did not apologise, he would be

out through that door.

Mr. Kamuyu: On a point of order, Mr. Temporary Deputy Speaker, Sir. I did hear very vividly, Dr. Misoi say that, tribalism is being promoted. That is what he said just now. Can he substantiate who is promoting it?

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Misoi, did you say that?

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Temporary Deputy Speaker, Sir, I do not remember saying that. I will ignore it.

Mr. Mak'Onyango: On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Wetangula): Order! Order! Mr. Mak'Onyango. I did not hear him say that.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Temporary Deputy Speaker, Sir, what I said and I believe, and I hope Members of Parliament can read the Bills which are brought into the House, so that they can comment and react sensibly and reasonably instead of being irrelevant. Mr. Temporary Deputy Speaker, Sir, going to Clause 7, which talks about the Council of the College--

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Members, it is now time for the interruption of the business of the House. Therefore, this House stands adjourned until Tuesday, 14th November at 2.30 p.m.

The House rose at 6.30 p.m.