

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday 5th July, 1995

The House met at 9.00 a.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Mr. Ndilinge: Mr. Speaker, Sir, before I ask my Question, I would like to thank the Almighty God for I am still alive today because I would have died on---

Mr. Speaker: Would you ask your Question first?

Question No. 113

ESTABLISHMENT OF POLICE POSTS

Mr. Ndilinge asked the Minister of State, Office of the President, if he could consider establishing police posts at Kikoko Market in Kilungu Location, Kalanzoni in Lumbwa, Uvete Market in Mukaa Location, and a full-time police station at the District Officer's office, Kyangala, in order to ensure maximum security in these areas.

The Assistant Minister, Officer of the President (Mr. Awori): Mr. Speaker, Sir, I beg to reply. There are no immediate plans to establish police posts in the areas mentioned since the existing security arrangements are adequate.

Mr. Ndilinge: Mr. Speaker, Sir, I brought this Question before I was attacked by these thugs. Now, it is clear that there is need for these police posts because, already, the area Member of Parliament has been attacked by thugs. What are we waiting for now? If I am attacked by the thugs, what about the common mwananchi? There is need now for the Ministry---

Mr. Speaker: That is now becoming a speech.

Mr. Ndilinge: Can the Assistant Minister now assure the House that he is going to re-think about putting up these police posts?

Mr. Awori: Mr. Speaker, Sir, the number of police stations do not stop thugs from attacking members of the public. As I have stated, in the area there are really no plans because the area the hon. Member is mentioning has many police stations which can help the people there. With regard to this area in particular, there is a police station.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. Arising from that reply, and if his reply is correct that there are many police stations, and yet these attacks are going on, does he want to tell this House that the police are doing nothing to curb the thuggery? Is he waiting until the hon. Member dies, then he puts up the police station?

Mr. Awori: No, Mr. Speaker, Sir.

Mr. Sankori: On a point of order, Mr. Speaker, Sir. Could the Assistant Minister tell this House the criteria the Ministry uses to create police stations and police posts in the country?

Mr. Awori: Mr. Speaker, Sir, the criteria are many. If, for instance, there is an area where thuggery is on the increase, and if at the time the Ministry has got adequate funds, that would be one criteria of setting up a police station. Another criteria is simply the size of the area, and again the availability of funds.

Mr. Ojode: On a point of order, Mr. Speaker, Sir. Since the Assistant Minister is saying that we have enough police stations within Mr. Ndilinge's constituency, could he consider giving enough fuel to patrol policemen for use on the highway?

Mr. Awori: Yes, Mr. Speaker, Sir.

Mr. Ndilinge: Mr. Speaker, Sir, is the Assistant Minister also aware that although police officers down in my constituency are trying to chase these thugs, there are no vehicles?

An hon. Member: What is your question?

Mr. Speaker: That there are no vehicles in the police stations!

Mr. Awori: No, Mr. Speaker, Sir. All police stations have got vehicles.

Hon. Members: No! No!

Mr. Awori: I am referring to hon. Ndilinge's constituency. It was not a general question as far as the whole country is concerned. There are, indeed, many police stations which have no vehicles, but this particular one has got a vehicle.

Question No. 135

PAYMENT OF DEATH GRATUITY

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

(a) if the Minister is aware that Mr. Omas Nyabuga Teya (ID.No. 1504060/65) who was an administration policeman at Oyugis, Homa Bay District, (Personal Number 74014283), died on 24th July, 1994;

(b) when his widow and dependants will be paid their dues; and,

(c) if he is also aware that they have not been paid their dues under Membership No.202395 in Harambee SACCO Society Limited.

The Assistant Minister, Officer of the President (Mr. Awori): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am, indeed, aware.

(b) The widow and other dependants will be paid their dues once the widow has filled form PG.178, enclosing the relevant documents as advised by the District Commissioner, Homa Bay District, through his letter, No.202395/TY/33 of 6th April, 1995.

(c) The Harambee SACCO Society Limited will pay the dependants, the deceased's dues once the widow has written to the society enclosing a certified copy of the death certificate of her husband to the management of the Harambee SACCO Society.

Mr. Obwocha: Mr. Speaker, Sir, we normally ask these questions to be able to assist the dependants left after the death of the breadwinners. This particular gentleman was the breadwinner of his family and the family has not been paid. Could the Assistant Minister tell this House how much is due in terms of his dues from the Government and how much is due from Harambee SACCO Society?

Mr. Awori: Mr. Speaker, Sir, I did understand that you had advised hon. Members that where money is to be paid to dependants or to anybody, for their own security, this should never be disclosed. Am I correct, Mr. Speaker, Sir?

Mr. Speaker: Very well. What is it, Mr. Obwocha?

Mr. Obwocha: Mr. Speaker, Sir, in view of what the Assistant Minister has said on part (b) of the Question, that this lady should contact the District Commissioner in Homa Bay, could he consider channelling these forms through the District Commissioner, Nyamira, where the late policeman resided because from Nyamira to Homa Bay is quite some distance for this widow to process these claim forms? Could he consider channelling them through the Nyamira District Commissioner?

Mr. Awori: Mr. Speaker, Sir, yes, I would consider that because the letter the District Commissioner, Homa Bay, wrote to the widow was copied, in fact, to the District Commissioner, Nyamira. I can direct that the lady should go to Nyamira and produce the original certificates that I have indicated; that is, the death certificate of the deceased, the birth certificates of the surviving children, the original birth certificate of the widow, certificate of marriage or sworn affidavit; latest pay slip of the deceased and certified copy of the widow's identity card.

Mr. Shikuku: Mr. Speaker, Sir, arising from that last reply, does the Assistant Minister realise that what he is asking for is all next to impossibility? Many women are married in the countryside, and we know that they have no marriage certificates; children have no birth certificates, even the Member himself has none. Is he really being realistic if he is not going out to make sure that this woman does not get her due? All that is required is the sub-chief and others who know her to witness, and then she is paid, instead of asking for all those papers.

(Applause)

Mr. Awori: Mr. Speaker, Sir, the letters from the chief plus the affidavit by a Commissioner of Oaths should be quite sufficient, I agree.

Mr. Speaker: Next Question, Mr. G.I. Ndwiga.

Question No.438

RESIDENCE FOR DISTRICT OFFICER

Mr. G.I. Ndwiga asked the Minister of State, Office of the President:-

(a) if he was aware that the District Officer, (DO) Siakago, operates from Embu Town, the district headquarters, which is 26 kilometres from Siakago due to housing problem and lack of water;

(b) whether he was further aware that as a result of this, the people of Siakago have been denied chances of meeting their District Officer as often as they would like to; and,

(c) if the answer to "a" above is in the affirmative, what action he is taking to ensure that the District Officer does not have to drive all the way from Embu Town to Siakago.

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

(a) I am aware that the District Officer for Siakago had temporarily moved out of his house for a short period to enable the Ministry of Public Works and Housing personnel to rehabilitate the house.

(b) The District Officer has, during the repair of his house, been at his office during working hours, attending to his official duties.

(c) Since the District Officer uses his office to attend to wananchi and not his house, my office does not intend to take any action against the officer to restrict his movements.

Mr. G.I. Ndwiga: Mr. Speaker, Sir, three months is not a short period; that house has not been repaired for three months and that is why the DO was operating from Embu Town. Would the hon. Assistant Minister make sure that this house is regularly maintained to make sure that the DO is housed properly?

Mr. Awori: Yes, Mr. Speaker, Sir.

Mr. Ojode: Mr. Speaker, Sir, the Assistant Minister is very much aware that the creation of new divisions has got a lot of problems within the areas where they were created. For example, in my division, we have Nyarongi Division which was created out of Ndhiwa. The DO has got an office in Ndhiwa and he rarely visits Nyarongi because we do not have an office for this DO. Could the Assistant Minister allocate some funds for the construction of the DO's office and house in Nyarongi?

Mr. Awori: Mr. Speaker, Sir, most of the new divisions have been created at the request and appeal of most of the Members of Parliament here. Many times we have declined to create divisional headquarters because of the lack of facilities in the area. I think it would be very helpful, if a Member of Parliament insists on having a new divisional headquarters, to create them and do something about the construction of the houses for the officers.

The second part of the question is that, indeed, we will try every time to build houses and offices for the DOs, but we are restricted on the question of finance. When they are available, we will, indeed, construct them.

Prof. Ouma: Mr. Speaker, Sir, there are places where we have had chieftainships in locations, districts and divisions and so on, and for the last ten years; for instance, in Rangwe Constituency, the DO has got a little hole in the ground called an office. A hole in the ground is only an example of many divisions where there is nothing existing worth calling an office for this Government official called a District Officer.

Mr. Speaker: Are you referring to a cave?

Prof. Ouma: Mr. Speaker, Sir, no we cannot term it as cave because it is just a hole in the ground and not in the wall. What I am trying to say is that with the proliferation of districts and the subsequent and consequent proliferation of district offices, and subsequently with locations, can the Assistant Minister assure this House that there is a definite process through which these headquarters will have meaningful offices instead of holes in the ground? What do you do as a definite process and not holes in the ground?

Mr. Awori: Mr. Speaker, Sir, since the hon. Professor insists on talking about holes in the ground, I think he had better invite me to go and see this before I can answer the balance of his question.

An hon. Member: On a point of order, Sir, Mr. Speaker, Sir!

Mr. Speaker: Order! Order! We have hijacked Mr. Ndwiga's Question and now we are talking about Kadem and some other places, yet his place is in Embu, Siakago. Very well, I can allow one more question and, maybe, we could hear from Meru also.

Mr. Murungi: Mr. Speaker, Sir, I come from nearer to Ndwiga's place, and I come from Eastern Province. It is not quite clear from the questions which have been coming to this House recently that the DOs in this country have been having a lot of problems. The other day, we heard about DOs riding donkeys in hon. Ojode's Constituency. In my own constituency, they have no offices and nowhere to sleep. In Siakago, the DO has to travel 26 kilometres every day. Since the question of security, which is in the jurisdiction of the DOs is of crucial importance to this country, could the Assistant Minister assure this House that the Government is preparing a comprehensive programme of housing and constructing the DOs' offices and providing them with adequate transport throughout the country?

Mr. Awori: Mr. Speaker, Sir, the Office of the President is just one out of several Ministries that request money from the Exchequer and the money can only be distributed to various Ministries according to the amount available. This is a country of self reliance and Harambee. For the leaders who require to ensure that the DOs give the wananchi they represent sufficient service, surely, it is not difficult for them to help in the construction of offices and houses to ensure that the DOs work and live in harmonious surroundings.

Mr. Speaker: Next Question, Mr. Mak'Onyango!

Question No.231

TARMACKING OF ALEGO/USONGA ROADS

Mr. Ojode, on behalf of **Mr. Mak'Onyango,** asked the Minister for Public Works and Housing when the Government would tarmac the Luanda-Kotieno-Rang'ala, Siaya-Nyadorera-Ukwala roads.

Mr. Speaker: Do you have instructions?

Mr. Ojode: Yes, Mr. Speaker, Sir.

Mr. Speaker: Very well. Proceed!

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. Am I having the wrong Order Paper or what, because according to my Order Paper, the next Question should have been---

Mr. Speaker: You are right, Mr. Shikuku. I am absolutely sorry. I have, in fact, skipped several Questions and I do apologise to the House. I will now call the right Question.

Next Question, Mr. Nthenge!

Mr. Nthenge: Mr. Speaker, Sir, I would like to apologise for arriving late.

Mr. Shikuku: On point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to apologise for arriving late when he has not arrived late? He is quite in time.

Mr. Speaker: Maybe he is late for following the proceedings. Now, Mr. Nthenge, you are in time!

Question 228

EVICTON OF TENANTS

Mr. Nthenge asked the Minister for Local Government:-

(a) if he could he confirm whether the head tenants in Shaurimoyo Estate have the right to evict tenants who refuse to pay the inflated rent from Kshs500; and,

(b) if the answer to part "a" is in the negative, whether the unfairly evicted tenants could be given the option to return to their rooms.

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

(a) Yes, I have instructed the Nairobi City Council to make these arrangements to reverse this order and deal directly with the tenants.

(b) The terms for the evicted tenants will be reviewed under this new arrangement.

Mr. Nthenge: Mr. Speaker, Sir, in thanking the Assistant Minister, I would like to inform him also that these tenants were evicted by force by people who wanted to exploit the poor people by forcing them to stop paying rents directly to the City Council and instead pay them first. I am very grateful for the answer.

Mr. Shikuku: Mr. Speaker, Sir, the Assistant Minister has told us that he has instructed the City Council to deal with this matter. Could he assure this House that his instructions will be implemented because, saying that here is one thing, and having it done in the field is another thing.

Dr. Wameyo: Mr. Speaker, Sir, the instructions are from the Minister.

Mr. Nthenge: Mr. Speaker, Sir, what will happen to the money that these tenants have been forced to pay to people to pocket for doing nothing because they never constructed the buildings, nor do they give services to the tenants?

Dr. Wameyo: Mr. Speaker, Sir, the matter will be looked into under the new arrangement.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, the Assistant Minister has just said that cases of those who have been evicted from these houses will be reviewed. Could he state in this House when they will be reinstated instead of their cases being reviewed? Can he assure this House that they will get back those houses because they have a right to them?

Dr. Wameyo: Mr. Speaker, Sir, we are speaking in English. The matter will be reviewed and a decision will be taken.

Col. Kiluta: Mr. Speaker, Sir, while appreciating the new arrangements made that a review will be done, could he give us some indications as to when will this been done? This is a crucial matter. When is this review going to be done; is it tomorrow, the day after or next year? Since they have been evicted, if you wait until next year, it will have no effect.

Dr. Wameyo: Mr. Speaker, Sir, instructions have been given and when the instructions have been given, it is understood that those people who have been given instructions will follow them.

Mr. Speaker: Next Question.

Question No.182

ABOLITION OF HOTELS TAXES

(Question deferred)

Question No.181

DUTIES OF RESEARCH BODIES

Dr. Otieno-Kopiyo asked the Minister for Research, Technical Training and Technology which organisations currently perform the duties of research formerly carried out by East African Marine Fisheries Research Organisation (EAMFRO) and the East African Fresh Water Fisheries Research Organisation (EAFFRO).

Mr. Speaker: Anybody from the Ministry of Research, Technical Training and Technology? Okay, we will come back to that Question. Mr. Kagwima, are you not in that Ministry?

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): Mr. Speaker, Sir, I came prepared for the Motion which I think will come later on.

Mr. Speaker: I am not following what you are saying.

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): Mr. Speaker, Sir, I am not aware of that Question. What I have prepared is a Motion which will be appearing later on. But in a few minutes, I will---

Prof. Mzee: On a point of order, Mr. Speaker, Sir. Could he reply?

Mr. Speaker: Order! He was a few minutes late. I expect every hon. Member to get an Order Paper. It is no excuse for not being aware of a Question coming. Everybody has an Order Paper.

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): Mr. Speaker, Sir, if you could go to the next Question, I will prepare myself and I will be able to answer.

Mr. Speaker: Very well! Mr Otieno Mak'Onyango.

Question No.231

TARMACKING OF ALEGO/USONGA ROADS

Mr. Ojode, on behalf of **Mr. Mak'Onyango**, asked the Minister for Public Works and Housing when the Government would tarmac the Luanda-Kotieno-Rang'ala, Siaya-Bondo and Siaya-Nyadorera-Ukwala roads.

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

give the following reply.

The Ministry has no immediate plans to tarmac the roads in Question because these roads are not included in the District Development Committees (DDCs) proposals for tarmacking in its 1994/95 Development Plan. However, the roads will be maintained and brought to good motorable conditions.

Mr. Ojode: Mr. Speaker, Sir, the hon. Assistant Minister is misleading this House. In 1993, the same roads were passed under the DDCs. In 1994, the same roads were also passed for tarmacking at the DDC level. These roads are impassable during the rainy seasons. I will also bring the details from the DDC which passed the same roads. He is aware that the road from Kendu Bay to Homa Bay would have been tarmacked a long time ago. Could he confirm to this House that the roads would be tarmacked or murramed to a level where they will be passable?

Mr. Mwamzandi: Mr. Speaker, Sir, my Ministry has no record of the DDC recommendations the hon. Member is talking about. However, as I said earlier, my Ministry is keeping the road motorable. In fact, during the current financial year, there is a section of the road, seven kilometres long, which is going to be patched, while the road is going to be graded.

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, Nyanza Province is in a very precarious situation in respect of roads. When it rains, there is abundant fish production. Also, when it rains, the roads become impassable, especially the road from Luanda-Kotieno to Rang'ala. Could the Assistant Minister consider taking very appropriate measures that could bring these roads, particularly during the rainy season, to a motorable condition and guarantee that the roads will continue to be motorable future?

Mr. Mwamzandi: Mr. Speaker, Sir, we have records here relating to Siaya-Bondo Road (D246), which is 21 kilometres long. There is a section of the road, 3.1 kilometres long, which was gravel-patched in September, 1994. The grading of the entire road took place in December, 1994, at a cost of Kshs74,988. So, the Ministry is doing something about this road.

Dr. Oburu: Mr. Speaker, Sir, I think the Assistant Minister is misleading this House. These roads have been recommended every year by the District Development Committee. With regard to the Luanda-Kotieno Road, there is already a contractor on site, who has been awarded a contract to tarmac that road up to Luanda-Kotieno from Ndori. Last year, only Kshs26 million was allocated for that road. That amount is sufficient to tarmac only two kilometres. This year, in the printed Estimates, we have about Kshs20 million allocated for that road. I think the Assistant Minister should clarify this issue to this House. Why is a contract awarded and no sufficient funds are allocated for the completion of this particular project? The contractor is already on site and the Assistant Minister cannot say that the road was not recommended for tarmacking.

Mr. Mwamzandi: Mr. Speaker, Sir, my records show that it is the Siaya-Busia Road, 49 kilometres long, which is being recarpeted now at a cost of Kshs173,250,000. That is the record I have.

Question No.323

WHEREABOUTS OF CO-OPERATIVE FUNDS

Mr. Obwocha, on behalf of **Mr. Kaptan**, asked the Minister for Co-operative Development:-

- (a) why the District Co-operative Officer, Trans Nzoia, took Kshs64,600 belonging to Mbanacho Farmers Co-operative Society Limited on 22nd April, 1988;
- (b) where that money is as of now; and,
- (c) why the said District Co-operative Officer did not issue an official receipt.

The Assistant Minister for Co-operative Development (Mr. Titi): Mr. Speaker, Sir, I beg to give the following reply.

The District Co-operative Officer took for safe custody, Kshs64,000 realised from 323 bags of maize salvaged and sold by the officer on behalf of the society. Part of the money was paid to the Co-operative Bank of Kenya, Nakuru Branch, to partly clear the Society's loan.

The District Co-operative Officer had no official receipt. However, the transaction was adequately documented and witnessed by the chairman of the society.

Mr. Obwocha: Mr. Speaker, Sir, this is one of the unfortunate incidents involving public servants. In part "b", the Assistant Minister says that this District Co-operative Officer took this money and paid part of it to the Co-operative Bank of Kenya. Could this good Assistant Minister tell this House how much money he paid to the Co-operative Bank of Kenya? Where is the balance of that money?

Mr. Titi: Mr. Speaker, Sir, the loan which was outstanding with the bank was Kshs23,046 and the

interest was Kshs14,998.50. So, the only amount which could not be accounted for was Kshs19,000.

Mr. Obwocha: Where is it?

Mr. Titi: Be patient!

Mr. Speaker: Order! When an hon. Member has not resumed his seat--- I know you may want to ask him about the Kshs19,000, but you must wait until he has resumed his seat.

Proceed, Mr. Titi! Have you finished?

Mr. Titi: Mr. Speaker, Sir, there is evidence that the District Co-operative Officer took this money. We could have taken action against him but, unfortunately, he has already retired. So, I am advising the society's members to file a civil suit against the officer.

Prof. Mzee: Mr. Speaker, Sir, the reply given by the Assistant Minister is really shocking. Either the Assistant Minister is trying to cover up something, or he is part of this scheme to defraud the co-operative society of its money. The District Co-operative Officer took the money without issuing an official receipt. He kept part of that money and this is a clear case of theft. The police should have taken action to arrest this person and take him to court. Could the Assistant Minister assure this House that his Ministry is going to protect public money by taking appropriate action against this officer, regardless of whether he retired or not?

Mr. Titi: Mr. Speaker, Sir, I do concur with the sentiments expressed by the hon. Member. I have stated very clearly that the officer has already retired and that it is not easy for us to recover this money unless the society members file a civil suit against him to recover the money. On the other hand, I am going to consult with my officers in the Ministry to see what can be done.

Mr. Shikuku: Mr. Speaker, Sir, I think the hon. Assistant Minister's reply is very clear. He is in agreement with us that this was theft. Why should he ask the co-operators to institute a civil suit against that man when it is a case of direct theft? Could he promise this House that he, himself, will ensure that Mr. Noah arap Too, the Director of CID, gets in touch with this fellow, take him to court and send him to jail?

Mr. Titi: Mr. Speaker, Sir, thank you for the question raised by hon. Shikuku. I shall follow up the matter seriously, but it also requires somebody to make a complaint. As soon as somebody makes a complaint, then we shall take appropriate action.

Mr. Obwocha: Mr. Speaker, Sir, I thank the Assistant Minister for being a very transparent person. Can he now then tell this House why the balance of Kshs19,000 which this man pocketed was not deducted from his final dues if, indeed, the man has retired?

Mr. Titi: Mr. Speaker, Sir, personally, unless you ask for my personal opinion, which I cannot give, officially I have given you the answer of what is being asked. If he wants my opinion, I can give my opinion

Mr. Speaker: Very well. Let us move to Question No. 181 for the second time.

Question No. 181

DUTIES OF RESEARCH BODIES

Dr. Otieno-Kopiyo asked the Minister for Research, Technical Training and Technology which organisations currently perform the duties of research formerly carried out by East African Marine Fisheries Research Organisation (EAMFRO) and the East African Fresh Water Fisheries Research Organisation (EAFPRO).

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): Mr. Speaker, Sir, I want to apologise for that little confusion, and now beg to reply.

The two organisations namely, East African Marine Fisheries Organisation and the East African Fresh Water Fisheries Research Organisation were replaced by Kenya Marine and Fisheries Research Institute (KEMFRI) which is under the Ministry of Research, Technical Training and Technology.

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, the two former organisations that existed under the East African Community were established to carry out research and study and develop species for fish culture, both in marine and fresh water, and their rearing procedures. Could the Assistant Minister inform this House whether this activity is still continuing, in view of the fact that most of the fish species in the fresh water lake, and Lake Victoria specifically, are in danger due to pollution? What activities does KEMFRI now undertake in respect of the activities previously carried out by the two organisations?

Mr. Kagwima: Mr. Speaker, Sir, all those activities that the hon. Member has mentioned are being undertaken by KEMFRI in Mombasa, Lake Victoria, Lake Naivasha, Lake Turkana and related water sources.

Prof. Ouma: Thank you, Mr. Speaker, Sir. In the light of the answer which the Assistant Minister has

given, and in the light of the belief that these research institutes are supposed to improve the productivity of the fresh water and marine waters, what does the Assistant Minister say that the fresh water fisheries and research organisation has done to ensure that there will be continued production of fish from Lake Victoria in particular, in the light of what we have said, that Lake Victoria has been turned into the septic tank of the industries in the basin? What do they do? What does this Ministry say? What does that research institute say they have done to ensure there will be continued production? What have they done to turn it from a septic tank?

Mr. Kagwima: Mr. Speaker, Sir, to start with, my Ministry does not take care of industries. Industries fall under the Ministry of Commerce and Industry, but the other question he has raised on what the institute has done to develop fishing in the fresh water of Lake Victoria, KEMFRI operates under a board of management and has over 100 research scientists, and 1,236 employees---

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. In fact, hon. Kagwima is my friend and I have a lot of respect for him, but either he is not prepared for the Question or he does not understand what we are asking. We are not saying that industries are under his Ministry. One of the activities designated as a responsibility of that organisation is to monitor pollution in fresh and marine waters. Now, hon. Prof. Ouma is saying that there is massive pollution taking place in Lake Victoria as a result of chemical and other sewerage dumping into the lake. What is this organisation doing to ensure that this does not happen? That is all we want to know, and not the number of people employed.

Mr. Kagwima: Mr. Speaker, Sir, I would request that hon. Members be patient because I was trying to explain that we have workers trained and qualified to check what levels of pollution we have in those areas. One of the laws - and I was going to go through them - No.G, is to monitor pollution in fresh and marine waters. I was going to explain that we have people---

Prof. Ouma: Mr. Speaker, Sir, may we help the Assistant Minister to give us the correct answer? Fish does not fly in the air; fish lives in the water and if the home of the fish is poisoned, the fish cannot live. It is alright they are doing the monitoring. What we are asking is, what are the practical steps which have been taken to ensure that the research on pollution and dead fish is undertaken? We are asking the Assistant Minister to tell us what they are doing to prevent fish from dying. Could he tell us what they have done practically? We are not talking about the pushing of files!

Mr. Kagwima: Mr. Speaker, Sir, I have all along thought that Prof. Ouma is a scientist, and the scientific approach is that you have to identify the problem that you want to solve, or you want to identify the problem that you want to solve, or you want to identify the problem you want to stop from happening. That has to happen before any other step is taken, and that is why we are saying that one of the laws is to monitor the level of the pollution that is likely to happen. Once that monitoring has been done, then our people react or start warning the industries so that they do not continue polluting water. If they do, then the Ministry's Act that establishes the institute has a capacity to take those fellows polluting the fresh water to court.

Prof. Mzee: Mr. Speaker, Sir, both EAMFRO and EAFFRO were dissolved in 1970 and their work was taken over by KEMFRI, and the Assistant Minister has informed us that there are over 100 well qualified scientists and over 1,000 employees working in this research institute. All I am interested in is; since the formation of KEMFRI, could the Assistant Minister give us one major breakthrough in their research as far as marine and fresh water is concerned? Just a single breakthrough!

Mr. Kagwima: Mr. Speaker, Sir, I am happy to report that KEMFRI has been able to develop modern methods of fish keeping and anybody wanting to benefit practically from the advice by the institute can go to our offices in Mombasa or come to our offices. At present, we are now able to advise Kenyan farmers, and especially those who want to rear fish, on modern methods of rearing fish. That is one practical aspect. There is also a certain very common variety of fish in the Indian Ocean which we are now able even to rear at the farm level rather than in the sea.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, the Assistant Minister does not understand our problem. Our problem is that the lake is being polluted and the fish is dying. They are floating upside down, which means that they are dead. What is the research institute doing to reduce the pollution caused by the industries around the lake? What is it doing to advise the industries on this issue?

Mr. Kagwima: Mr. Speaker, Sir, the hon. Member has mentioned that fish are dying as a result of water pollution, but I want to say that we are not aware that pollution has reached that level of killing fish in Lake Victoria.

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, while the institute is doing research, we who come from the lake region can inform the Assistant Minister authoritatively that the lake is being massively polluted. In another 20 years, Lake Victoria will not be able to produce any fish. So, let them not do any research, but recommend what

kind of steps should be taken to ensure that the pollution in the lake is controlled. Could the Assistant Minister go back to the institute and inform them that Lake Victoria is heavily polluted by industries around it, and sewerage and chemicals coming from the coffee and tea farms around there? Therefore, they should recommend what steps should be undertaken to ensure that this pollution is controlled.

Mr. Kagwima: Mr. Speaker, Sir, under the Act that established the institute, we will take any action to ensure that pollution does not continue in Lake Victoria, the Indian Ocean and other water sources.

POINT OF ORDER

ALLOCATION OF SPORTS GROUND

Mr. Kiliku: Mr. Speaker, Sir, my point of order is directed to the Minister for Local Government who is not even listening.

(Mr. Ntimama and several other hon. Members consulted loudly)

Mr. Speaker: Order! Order! Order, everybody! Could we hear what Mr. Kiliku has to say?

Mr. Kiliku: Mr. Speaker, Sir, my point of order is directed to the Minister for Local Government.

Mr. Speaker: Now he is awake!

Mr. Kiliku: Mr. Speaker, Sir, for quite some time now the Mombasa Municipal Council has been allocating individuals public plots, including public toilets in Mombasa. As I speak right now, there is no single public toilet in the town, the second largest town in Kenya. Two weeks ago, the Mombasa Municipal Council allocated to an individual the only sports ground in Changamwe. This is the ground where primary and secondary school children meet for sports activities in the constituency. I am appealing to the Minister to stop this kind of thing. When I left Mombasa, I went to that sports ground and I met a Mr. Patel who had started constructing a wall, sealing off that sports ground, the only one in Changamwe. I stopped the work and went to the Mayor and the Town Clerk and talked with them about this matter. I am appealing to the Minister to stop that development because that is the only sports ground for school children in Changamwe.

Mr. Speaker: I think you have made your point now. Would you, Mr. Minister, like to respond to that?

The Minister for Local Government (Mr. Ntimama): Mr. Speaker, Sir, I want, through you, to tell the hon. Member that His Excellency the President has appointed a commission to look into all irregularities that have been taking place in our local authorities. One of the biggest problems that we have and the biggest anomaly that is being perpetrated by some local authorities is the allocation of plots, including public utility plots. I want to tell the House that local authorities are empowered by the Act to allocate certain plots, but I think some have gone over the normal thing allowed by the law. This is why His Excellency the President has appointed the Omamo Commission, which we actually launched yesterday. The hon. Member can go before the Commission, take all his papers and I am sure his complaints will be taken into account. If you do that, maybe some of these things will be put into the Commission's report and we will see whether we can regularise some of them.

Hon. Members: On a point of order, Mr. Speaker, Sir.

(Several hon. Members stood up on points of order)

Mr. Speaker: Order, hon. Members! I suppose the best thing that the hon. Members can do on an issue like this is to put a Question because a point of order cannot by itself generate debate.

Mr. Shikuku: Mr. Speaker, Sir, arising from the hon. Member's statement, he was more or less, in my opinion, seeking a Ministerial Statement from the Minister, but now, instead of the Minister making a statement to explain what he is going to do, he has referred the hon. Member to a commission whose work we do not know when it will end. Could he not tell him that he has the powers to stop that development because the Commission has no power?

Mr. Speaker: Order! When an hon. Member stands up seeking a Ministerial Statement in the House, we do expect the Ministers to respond to the hon. Members as Ministers because I think the commissions do not report to the House. So, maybe, if he deems it necessary he can do it, but another avenue open to the hon. Member, if he is not satisfied with that reply, is obviously to put a Question which the Minister can answer. We

cannot turn this issue into a debate by having other hon. Members asking questions and asking hon. Ntimama to answer them. That is out of order. So, we will now move on to the next Order.

MOTIONS

REMOVAL OF TRANSFORMERS TAX

THAT, while appreciating the Government effort in removing VAT and Customs Duty on transformers as a measure to reduce cost of electricity supply, and noting that the costs are still beyond the reach of many Kenyans, this House urges the Government to:-

- (a) remove Customs Duty and VAT on creosote chemical; and,
- (b) institute further measures that will facilitate price reduction of overhead wires, underground cables, surge diverters, circuit breakers and other over-line equipment such as air-break switches, fuses, insulators and line connectors to make electricity affordable to as many Kenyans as possible.

(Mr. Kirwa on 14.6.95)

(Resumption of Debate interrupted on 14.6.95)

Mr. Speaker: There was nobody on the Floor. Is there anybody interested in contributing on this Motion?

Mr. Shikuku: Bw. Spika, kama kuna Hoja ambayo inahitaji kuungwa mkono kwa moyo wote, ni hii. Isije ikawa kama yale maji tulioambiwa kwamba ifikapo mwaka wa 2000, yatakuwa yamesambaa kila mahali.

(Hon. Members consulted loudly)

Pengine nitangojea waheshimiwa wamalize mkutano ndio niendelee na hotuba yangu.

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. The consultations by the hon. Members are a bit too loud.

Mr. Speaker: Order! Order! Order! What an exciting Wednesday morning! Can we have some order?

Mr. Shikuku: Bw. Spika, kama kuna Hoja ambayo inahitaji kuungwa mkono na pande zote mbili ni hii. Sijui kama Waziri ambaye anahusika na Hoja hii amejibu kwa sababu sikuwako wiki jana na jana kutwa. Ninasimama kuunga mkono Hoja hii na isije ikawa kama yale maji ambayo tunaambiwa kwamba ifikapo mwaka wa 2000, yatakuwa yamesambazwa kila mahali. Nikiangalia dalili sioni kama kutakuwa na maji mahali popote katika Kenya hii mnamo mwaka wa 2000. Hayo ni maneno tu. Hoja hii inauliza vitu vitatu muhimu.

Jambo la kwanza, tunashukuru kwamba Wizara ya Fedha imepunguza ushuru wa Value Added Tax (VAT) kwa vitu vinavyoitwa transformers. Tunashukuru kwa jambo hilo. Tunauliza hii Serikali, kama kweli inataka kuwasaidia wananchi wapate umeme, iondoe duty. Wakiondoa kodi, bei itapunguka. Na mimi nina hakika kwamba Wizara haitaona shida kwa sababu kama inaweza kutoa kodi ya VAT kwa motokaa ya Mbunge, na tuko Wabunge 200--- Je, Mhe. Katana Ngala hana habari? Yeye anacheka hapa tu. Hana habari kwamba watu wake kule wanahitaji umeme, na mimi nazungumza habari ya watu wake kwa sababu yeye hawezi? Ninazungumza kwa niaba yake na watu wake wa huko.

The Minister for Tourism and Wildlife (Mr. Ngala): Nidhamu, Bw. Spika. Mhe. Mbunge ana haki kuniambia eti ninacheka? Ninafikiri watu wanaruhusiwa kucheka Bungeni. Pengine nilikuwa nacheka kwa uzuri wa maneno yake!

Mr. Shikuku: Bw. Spika, nitamwacha huyo mwanangu kwa sababu zamani nakumbuka nilikuwa pamoja na babake, yeye akiwa mtoto mdogo sana, lakini alikuwa mzuri na hata sasa angali hivyo. Yeye alikuwa akiambiwa, "nendeni mkacheze mbali na msipige kelele", na akaitika: "ndio, baba", halafu mimi nazungumza na babake! Huo ni ukweli mtupu. It is a fact and he is knows that!

(Laughter)

Bw. Spika, kodi ikirudishwa chini umeme utafikia wananchi kila mahali katika Kenya kwa sababu hata masoko kama Khwisero, Butere na kadhalika, watu hawawezi kupata umeme kwa sababu bei ya ile transformer

huwa ni ghali sana. Bei ya vifaa ni ghali sana. Kwa hivyo, tunaishukuru Serikali kwa kupunguza kodi ya VAT. Sasa tunaiomba Serikali pia iondoe kodi ya forodha, yaani customs duty. Wakifanya hivyo, huo ndio utumishi kwa wananchi wengi. Mbona kati ya Wabunge 200, kila Mbunge hatoi kodi ya VAT na kodi ya forodha kwa gari lake? Mbona hawatoi ama waondoe kodi kwa vifaa hivi vya stima ili wananchi waweze kupata umeme mahali popote katika nchi hii? Hakuna kazi na hata hatuoni wala hatusikii mpango wa Serikali hii wa kuwapatia watu kazi. Lakini umeme ukiweza kupatikana, watu wa Jua Kali wanaweza kupata nafasi ya kazi.

Bw. Spika, kuna kelele nyingi sana hapa!

(Loud consultations)

Mr. Speaker: Order! Proceed, Mr. Shikuku.

Mr. Shikuku: Ahsante sana, Bw. Spika, kwa sababu Wabunge wengine hawajui shida za watu wadogo. Wengine wanacheka huko wakipiga domo tu, lakini ukweli utafika hivi karibuni tu.

Bw. Spika, wale watu wa Jua Kali wanaweza kupata umeme na kuanza kufanya kazi ya Jua Kali katika sehemu zao na kujipatia mlo kwa sababu Serikali hii haina mpango wa kuwapatia watu wetu kazi. Watoto wa kidato cha sita, nne na hata kutoka vyuo vikuu hawana kazi kwa sasa. Ni wajibu wa Serikali hii na mimi kuona tutawasaidia kwa njia gani. Njia moja ni kuwapatia umeme ili waweze kuendesha kazi nyingine huko na kujipatia riziki zao.

Jambo la tatu, Bw. Spika, ni kwamba Hoja hii inapendekeza kwamba air-break switches, fuses, insulators, line connectors na kadhalika, kodi ipunguzwe ama ziondolewe kodi kabisa kwa sababu tunaweza kupata manufaa kwa watu wote. Tukifanya mpango kama huo tutakuwa tunaiendesha nchi mbele. Hata wakati huu vitu vingine kama mbolea (fertilizer), agricultural inputs na kadhalika, vikitolewa kodi na sisi wengine wakubwa tupigwe kodi kubwa kwa sababu ndio tunainyonya nchi hii, basi nchi hii itaendelea mbele. Tukifanya hivyo, nina hakika kwamba mkulima atazalisha chakula kingi halafu bei ya chakula itarudi chini. Bei ya chakula ikirudi chini, hata yule mtu ambaye hana kazi anaweza kula. Lakini wakati huu ni vigumu sana kwa mtu kula. Bei ya vitu imekwenda juu zaidi. Hata juzi tuliambiwa, "Oh, petroli imeongezwa senti 50 ambayo imeshafanya bei ya kila kitu kwenda juu. Mtu wa kawaida hasikii uzuri wowote na watu wengi wanapata shida. Hata juzi nilikuwa huko Kerio Valley na kutembelea sehemu za akina mhe. Biwott, mhe. Chepkok, mhe. Cheserek hadi kwa mhe. Kaino. Huko kuna shida nyingi sana ambayo haina kifani. Wananchi hawalali na nitamuuliza Waziri anayehusika na ulinzi aone kwamba wananchi wa sehemu hiyo ya Marakwet wamelindwa. Wananchi wa Marakwet hawako katika Kenya hii; wako katika nchi nyingine. Wao wanaumizwa usiku na mchana na---

Mr. Biwott: Nidhamu, Bw. Spika. Nashangaa kumsikia mhe. Shikuku akizungumza mambo ambayo haelewi. Ana haki kuzungumza mambo ambayo anasema alifanya kwa "njia ya kiwizi"; yaani, akitembeatembea huko kama mwizi bila ruhusa kutoka kwa watu wa sheria na---

Mr. Speaker: Order, Mr. Biwott! I am afraid, hon. Members do not act like thieves, and I think you must withdraw that. They act at all times in a very honourable fashion!

Mr. Biwott: Bw. Spika, nitaliondoa hilo neno la "wizi", lakini mwendo kama huo wa kujichaficha, yaani kunyemelea si mzuri. Huu sio mwendo wa mtu aliye na heshima ya kutosha.

Mr. Shikuku: Bw. Spika, mimi nazungumza maneno ya wananchi wote wa Kenya hii. Tena, mimi ni Mbunge! Kabla yeye hajaingia hapa alifanya kazi chini yangu. Alikuwa Under Secretary nilipokuwa Assistant Minister. Kwa hivyo, ninajua ninasema nini. Ninawakilisha Kenya yote kwa jumla. Shida ya kila Mkenya ni yangu, na kazi ya kila Mbunge ni kuona kwamba wananchi wote wako salama salamini. Mimi nina uhuru wa kutembelea kila mahali. Mimi ndiye nilienda kuleta huu Uhuru. Mhe. Biwott akiwa shule.

Mr. Biwott: Nidhamu, Bw. Spika. Nataka kumsahihisha mhe. Shikuku. Kwanza, mimi sikufanya kazi chini yake. Alikuwa Assistant Minister nikiwa mfanyakazi wa Serikali. I was not under him at all!

Mr. Speaker: Order! I will not have it that way now. Proceed, Mr. Shikuku!

Mr. Shikuku: Ahsante sana, Bw. Spika. Nataka umeme ufikishwe hata huko Marakwet, ambako barabara ya kutoka Tot ni mbovu kuliko ya Butere. Wananchi wana taabu nyingi; hawapati maji na watoto wa miaka mitano wanatembea na upindi kwa sababu hali mbaya ya usalama. Serikali iko hapa na watu wa Marakwet wana taabu. Mimi nitakwenda huko tena na mambo haya ndiyo mhe. Mbunge anataka kuficha, lakini ukweli haufichiki.

Mr. Biwott: Nidhamu, Bw. Spika. Mimi sitaki kuficha kitu. Barabara ni nzuri lakini kuna waheshimiwa. Wabunge wanaowakilisha huko. Yeye hana pesa za kutengeneza barabara hizo.

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): Thank

you very much, Mr. Speaker, Sir, for giving me this chance to contribute to this important Motion. I agree that we need enough supply of electricity in the rural areas. But as we continue to demand for more supply of electricity in the rural areas, we should be able to generate enough electricity. I think we are facing shortage of electricity production. I think our dams, such as Turkwel Gorge and the Seven Forks projects, are not producing enough electricity. That is why electricity supply in the rural areas is not continuous. In one night, you might have it missing three or four times. So, I am asking that we generate enough electricity so that we supply it continuously.

Currently, the Tana and Athi Rivers Development Authority (TARDA) is carrying out a feasibility study to construct dams at Mutonga and Grand Falls. I would request the Minister and TARDA to hasten this feasibility study so that these two dams are built to enable the eastern part of this country, and even the rest of the country, to benefit from adequate supply of electricity. I hope that the Minister is paying attention to this because even here in Nairobi, we get a number of black outs. One of the reasons for these black outs is lack of adequate supply of electricity. We are over-stretching our electricity supply.

Once we have generated enough supply of electricity, the next request I would put is that we supply electricity to rural areas so that students of youth polytechnics and technical institutes can use it to train in welding and related fields. If we continue teaching only theory in these institutions, because we do not have enough electricity supply in these institutions, we shall produce graduates who cannot practice in their areas of training.

As for schools, we know quite a number of them in rural areas are using a generator, solar energy or tin lamps. Now, some of the generators breakdown so often that they interrupt study time for students in secondary and boarding primary schools. Can we then supply these schools with electricity so that they benefit like schools in urban areas, and so that our students's studies are not interrupted? Those who use tin lamps are even being exposed to dangers of having bad eyesight. If lighting facilities are on and off, and for long periods, the students concerned might end up using glasses so as to correct the affected eyesight.

A few minutes ago, Mr. Shikuku mentioned about Jua Kali programmes and I want to support him by saying that we require enough electricity in the rural areas so that Jua Kali artisans can smoothly carry out their Jua Kali activities and even produce items for use in this country and even for export. We know that other countries developed from a Jua Kali kind of approach. Talk of South Korea and other Eastern Block countries that have developed industries, and you will see that they started the way we have started with our Jua Kali programmes. So, can we supply enough electricity so as to encourage Jua Kali artisans to produce items for use here and for export?

The Office of the President has done very well to create new districts, divisions and locations. But in order for new district officers throughout the country to be in touch with Kenyans, and especially for security purposes, we are asking the Minister for Energy to ensure that all divisional headquarters are supplied with electricity, so that they can use the electricity supply to run telephone services for 24 hours. In areas where we do not have electricity, some district officers are on telephone for only eight hours and if anything happens in their divisions in terms of security, they cannot communicate with the rest of the country for help. Therefore, we are saying that such a division is locked and excluded from any other services that it could receive if its officers were able to communicate.

Mr. Speaker, Sir, we also require electricity in areas that are affected by bandits, cattle rustling and repeated incidents of insecurity. In some of those areas where we have police and security forces patrols, these personnel use equipment that is operated using batteries. However, such equipment requires frequently charged batteries. I am aware that when batteries run for up to 10 hours they go flat out. Now, when those batteries go for recharging, there is no communication from those operational areas to security forces in the rest of the country.

So, in order for our communities in the areas affected by banditry and cattle rustling to continue benefiting from proper security measures, I am appealing to the Minister to ensure that there is adequate supply of electricity in those areas so that communication equipment can operate continuously.

Finally, we want to request the Kenya Power and Lighting Company and the Ministry of Energy to look at the power distribution that has been carried out in the past and see whether this has been equitably done throughout the country. This is because those who started having electricity supply want to continue to have it, while in other areas there is not a single line of electricity. I want to specifically tell the Minister that in Tharaka there is no electricity supply; there is not a single point of it. Now that VAT rates on transformers, electrical cables, circuit breakers and all associated accessories have been removed or reduced, I am appealing to the Minister to ensure that Tharaka people, like other Kenyans, are supplied with electricity, so that those other activities that I have mentioned earlier on can also be carried out in that part of the world.

With those few remarks, I beg to support.

The Minister for Energy (Mr. D.M. Mbela): Thank you very much, Mr. Speaker, Sir, for this

opportunity to speak on this Motion. I would like to say that it is a Motion that has very good intentions, and other than very minor changes that I will be talking about, we would like to support it completely.

Electricity is not a luxury. It is a very important tool in development, not only in the towns, but also particularly in the rural areas. Take electricity to any small market and you have got instant employment for the small men who would be following the hon. Members through the towns, coming to look for jobs when, in fact, they can be self-sufficient in those areas. So, generally, this is a very good Motion that we would like to support. We would only like to attend to some very minor points on the wording. I would like to start off with part "a" which is talking about creosote chemical. Creosote chemical is obtained by distillation of coal tar. This chemical is not only used for electricity but also for insecticides and germicides, in addition to being a wood-preservative. In fact, it is in the aspect of preserving the poles that this particular chemical is brought in. It is a very insignificant part of the general cost. It is at present taxed under Tariff No.2707.91.00 at 15 per cent duty and 15 per cent VAT. However, in view of the fact that the biggest consumers of this product are just ordinary traders who also have the responsibility to contribute to the general development of the country, and that this chemical is not a significant part of the cost of providing electricity, we would rather not even recommend that its duty and VAT be reduced. Instead, I would like to say that the Government has been taking other measures to ensure that the cost of electricity is brought down.

There has been attention in lowering the cost of materials such as overhead wires, underground cables, surge converters, circuit breakers and over-line equipment. Also, recently, the Government reduced the duty and VAT by 5 per cent. Besides, it is the policy of the Government, and one that I intend to follow very strictly, that any purchases that are to be made for materials for construction of lines by Kenya Power and Lighting Company (KPLC) must be done by competitive and, preferably, international tenders, so that we can take advantage of the best prices that are available in the market. There is also one aspect that I like about KPLC in the sense that they are now using optimum line design in their construction of the lines for the supply of electricity. The main aim is, really, to introduce efficiency and make sure that the product reaches the consumer at the lowest possible price.

Mr. Speaker, Sir, the aspect that interests most of the Members affects rural electrification. Although it is not directly referred to in the Motion, I would like to comment on it. On many occasions, many Members have been interested in knowing what is happening in their areas. I have been given a list of budgets that are available in every district. Every district in Kenya has a budget and it is given priority with the exception of the major towns, because they are given these lines on economic considerations and they can afford them. However, in the Rural Electrification Programme, every district is given recognition but the Ministry prefers not to create priorities. We would like to rely on the DDCs, particularly, to be able to tell us which particular projects they would like to be attended to, first. I personally, feel that every district headquarters must have electricity because there are a lot of other activities that surround that headquarters. Where possible, it is also important to have electricity in the divisional headquarters and the major schools and markets. That should be the target, but more important, of course, are the wananchi themselves. In the course of greeting Mr. Speaker this morning, I was interested to know how much light he has got in his rural home in Dol-dol, and I was surprised that he is listening to a Motion while he has no electricity in his rural home. What I am trying to say, really, is that we would like to see electricity in all the divisional headquarters, markets and the major towns so that we can make employment available to the people by providing industries in those areas.

There has also been the general belief that rural electrification is financed by only two per cent of the revenue that is earned by KPLC. It is true that 2 per cent of the revenue goes into that project, but a bigger sum comes from the Government and friendly donors. I was reading an article the other day and found that in Peru, because the President, Mr. Fujimori, is an indigenous Japanese, he was able to get \$300 million in order to take electricity to all the rural homes. I am not saying that we should import another Japanese to be able to give us power, but I am trying to say that we are not the only ones who actually see the importance of having electricity in the rural areas.

Another point that I would like to talk about is on the blackouts that we have had recently. Generally, Kenya is generating 780 megawatts of electricity and we have an agreement with Uganda to import as much as 30 megawatts from them, but we have had some problems with ageing equipment which is not able to perform adequately. So, we are down by 158 megawatts, although, generally, in the mornings, we have not had major problems. However, at peak times, which fall in the evenings, we have had problems in being able to provide all the electricity requirements for the country.

Mr. Speaker, Sir, having introduced those points, I fully support part "b" of this Motion. I would like, however, to propose an amendment that we delete the word "remove" in part (a) and replace it with the words "continue reviewing the taxation system to bring the costs down". Already, the Government has set in motion a

machinery to be able to cut down the costs and it is that process of continuing to review that we would like to introduce in this Motion in order to make it completely acceptable. If this is acceptable, the Motion would read as follows:-

THAT, while appreciating the Government's effort in removing of VAT and Customs Duty on transformers as a measure to reduce cost of electricity supply and noting that the costs are still beyond the reach of many Kenyans, this House urges the Government to:-

- (a) continue reviewing Customs Duty and VAT on creosote chemical; and,
- (b) institute further measures that will facilitate price reduction of overhead wires, underground cables, surge converters, circuit breakers and other over-line equipment such as air-break switches, fuses, insulators and line connectors to make electricity affordable to as many Kenyans as possible".

Mr. Speaker, Sir, with these few remarks, I beg to move.

Mr. Biwott: Mr. Speaker, Sir, I beg to second this amendment to the Motion which is before us. The amendment as moved by the Minister for Energy, is indeed, a welcome amendment because it does not negate the general theme of the Motion as it is at the moment. It is a positive move that needs to be taken seriously in relation to the provision of electricity generally.

As the Minister has said, the actual chemical mentioned in part (a) of the Motion is not of a particular significance in the contribution of rural electrification. Indeed, I think the greatest beneficiaries are the wood preservative people because it is used for preserving wood. Therefore, those dealing with wood and so on, make better use of this chemical compared to the people who are dealing with electricity as such. The key element in this Motion is, indeed, the need to reduce the cost of electricity generally in order to enable ordinary people, especially those in the rural area, to utilise electricity in the Jua Kali type of businesses, to also utilise it in their own homes for cooking and doing the basic work that requires energy to be able to function especially at this time when wood has become scarce.

Mr. Speaker, Sir, rural electrification in the country is necessary. It has been delayed in the past because of the current issue of aid and the problems associated with it. In the past, it was possible to develop more rural electrification because, at that time, the donors were giving grants towards rural electrification. Today, it is not so. Today, for any rural folks to get electricity, they have to pay enormous amounts of money and this is why people conduct Harambee all the time to raise a lot of money for a small piece of work. This, in fact, is something which I hope the Minister for Finance will look into, so that people can get this facility at the least cost possible. It is not only the taxes that matter, but the quantity of the money that is given towards that programme.

Earlier on, an hon. Member talked about rural electrification in my own district. It is true that not the whole district has got electricity, and especially in the Kerio Valley area that they visited. Other than the fact that the hon. Member had gone there quietly, and ostensibly to try to get some supporters whom he did not get---

An hon. Member: What is wrong with that?

Mr. Biwott: I said ostensibly to try to get some supporters which he did not get. Therefore, that shows that there is absolute freedom in Keiyo and Marakwet and all areas inhabited by Kalenjins in the Rift Valley Province.

An hon. Member: Except Nandi!

Mr. Biwott: I think Nandi is also free; everywhere in Rift Valley Province is free and welcomes everybody. All we want to do is for people to come there and learn how to conduct politics and to see the beauty of KANU zones, where there is peace, love and no tribalism whatsoever, and where Kenyans should aspire to live in that manner in the year 2000 and beyond.

Mr. Speaker, Sir, I am also happy that the hon. Member also saw the kind of roads that we have because some people have been thinking in the past that this Government is only helping the Kalenjins. In fact, the Kalenjins are suffering. This is due to the politics of the Opposition, which for many years has been calling on donors to deny this country whatever money they were giving us. The result of that has been the curtailment of rural electrification which we are now complaining about; the worsening of roads everywhere in the country, and the deterioration of various other things. I think it is time that Kenyans spoke as Kenyans for the good of this country and to develop their own country for their own prosperity.

Mr. Speaker, Sir, I heard an hon. Member talk about "white elephants". I think if there is any "white elephant" in this House, it is Mr. Mulusya.

Mr. Mulusya: On a point of order, Mr. Speaker, Sir. Is hon. Biwott in order to deceive this House that the only "white elephant" in this country is hon. Mulusya? Am I an elephant or am I white? Can the short man---

Mr. Speaker: Order! First of all, any hon. Member who rises on a point of order to seek the assistance of the Chair on any matter is well advised to remain within the rules himself or herself. It does not help at all,

while trying to seek my assistance, to be out of order yourself, and for that reason, I am not bothered now about what he said. This is because you are also referring to him as "this short man." There are no short or tall men in this House. We have hon. Members. Until such a time that hon. Members follow the rules, the Chair will overrule them.

Proceed, Mr. Biwott!

Mr. Biwott: Mr. Speaker, Sir, the reason why I said that was because those words were uttered by himself. Therefore nobody knows anything more about whatever a person talks about other than the one who was talking about it. We ought to be serious in this country. We ought to discuss issues that will lead to the creation of employment for our people in this country. We need to talk about the things that will reduce the fees paid by parents for their children. We need to talk about the kind of help that this country needs to enable us to build better roads, supply more water, provide better medical facilities and---

Mr. Speaker: Order now!

*(Question of the first part of the amendment, that
the word to be left out be left out, proposed)*

Mr. Shikuku: Mr. Speaker, Sir, I spoke on the original Motion and I will confine myself to the amendment. When the Minister stood up he talked a lot about this amendment. Like the majority of hon. Members here, he also represents a rural constituency. I do not see why the Minister had to bring this amendment to say, "continue reviewing". We have had such kinds of amendments in this House since I came to this House 30 years ago, and the result is always negative. I do not know what his constituents will think when they hear him talking of "reviewing", when they need electricity. I wish him luck when he goes back to them. But my wishes are not horses.

When the Government says that it will continue doing something, that is a diplomatic way of telling us that the issue is not all that important. From his speech, the Minister gave me the impression that he is aware of the need for rural electrification and that requires the reduction of duty and VAT on electrical equipment to reduce the cost of these items and enable us to have electricity in the rural areas. For 30 years, the Government has not been able to supply adequate electricity to all parts of this country. So, why can the Minister not agree with the original Motion and remove VAT altogether, on the creosote chemical? The Ministry took bold steps and removed duty and VAT on transformers. The Minister has the support of this House. The majority of us are from the rural areas; just leave the Motion as it is, so that at least we can keep on moving. How do you go on reviewing these things when the people need electricity?

Therefore, I would like to appeal to the Minister to withdraw his amendment and leave the Motion as it is. Thank you.

Mr. Boy: Ahsante sana, Bw. Spika, kwa kunipatia nafasi hii ili nami niweze kuyaunga mkono mabadiliko haya ambayo yameletwa na Waziri. Nina haki ya kuzungumza hapa kwa sababu nimeletwa hapa na watu wa Matuga. Ni lazima ukweli usemwe. Waswahili husema, kinagaubaga kwamba "Asiyesikia la mkuu huvunjika guu." Pia Waswahili husema "Usipoziba ufa utajenga ukuta." Ningependa Mawaziri wote wafahamu kwamba asiyesikia la mkuu huvunjika guu, na kwamba usipoziba ufa utajenga ukuta.

Bw. Spika, Waziri amesema kwamba ataendelea kulichunguza jambo hili. Je, alianza kulichunguza lini? Hilo ndilo swali. Alianza lini? Hii ndio shida yetu. Huyu "mnyama" ajulikanaye kama VAT anatumiza. Ukweli ni kwamba watu wakianza kupeperusha bendera husahau kwamba baada ya miaka mitano watarudi kuomba kura kwa wananchi. Hii ndio shida yetu. Lakini utaona kwamba wakati Waziri anapopeperusha bendera na kupigiwa saluti, anaona raha sana. Lakini hiyo raha itakoma siku moja. Mtaulizwa mlifanya nini, na mtu atajibu, "Mimi nilikuwa Waziri na nyanya yangu alikuwa balozi." Watu hawataki maneno; wanataka vitendo. Vitendo vyenyewe ni kusambazwa kwa nguvu za umeme, barabara na maji. Vitendo husema zaidi kushinda maneno. Ninamuunga mkono Waziri, lakini shingo upande. Ningependa Waziri anisikilize. Hii ni kwa sababu lililosikia ni jiwe, lakini binadamu husikia; isipokuwa hawa wa KANU!

Bw. Spika, kuna waya za stima kutoka Ng'ombeni moja kwa moja hadi Diani. Pale Ng'ombeni kuna msikiti na tumeomba miaka nenda miaka rudi msikiti huo upatiwe nguvu za umeme lakini hakuna lolote ambalo limefanyika. Huyu Waziri wa Kawi hupitia pale Ng'ombeni akienda shambani kwake Diani. Pale Tiwi pia tuna kituo cha afya. Hata Waziri mwenyewe, Mwenyezi Mungu simuombe apate ajali, akipata ajali, atapelekwa Tiwi Health Centre. Sehemu ya Tiwi haina nguvu za umeme.

Pale Waa kuna shule moja ya zamani sana ambayo ilijengwa mwaka wa 1913, lakini hakuna nguvu za umeme katika shule hiyo ile hali waya za stima zapita pale. Sisi watu wa Pwani hutembelewa wakati wa Maonyesho ya Mombasa na wakati wa Krismasi. Wakati wa maonyesho na Krismasi bendera nyingi huteremka

kule Pwani. Kila mmoja wao akipata pale husema, "Hawa watu kazi yao ni kukaa chini ya minazi walingoja nazi zianguke", ile hali hawatupatii nguvu za umeme. Hayo ni matusi. Je, wao waliipanda hiyo minazi? Hawa watu wana tabia mbaya. Wamezidi sana!

Nguvu zimesambazwa hadi mahali panapoitwa Muhaka, kilomita 30 kutoka Shimba Hills. Wakaazi wa eneo la Shimba Hills ni wafuasi wa KANU. Wao ni Wakamba na hunipigia kura; wao ni KANU damu! Lakini miaka nenda, miaka rudi, watu wetu hawajapatiwa stima. Mawaziri ni hao tu. Kwa hivyo Bw. Spika, mambo hayo yanatushinda sisi, na ndio twasema, "Asiyeambiwa ambaye hasikii ni jiwe, lakini mwanadamu akiambiwa anasikia". Sasa tukiwaambia na hawafanyi, je tutafanyaje, na tukiwaambia hawasikii? Kila mwaka, maofisa huja na kukaa pale na kuandika maneno ya ukumbusho. Wakifika kule ofisini mwao, wanaweka hayo makaratasi kwa shredding machine na kusema hawa jamaa kazi yao ni kupiga kelele tu. Maofisa huletwa hapo na wanakuja na suti na tai. Wanakaa karibu na mimi, lakini wakiandika maneno wanaenda kuyaharibu. Mbona haya tuyasemayo hakuna hata mmoja ayaelewao? Sisi twasema na wao huandika, lakini hakuna hatua wanachukua.

Nilikuja hapa Bunge mwaka wa 1983 nilipochaguliwa. Hoja zimekuja zikirudi, lakini sijaona hata moja ikitekelezwa, na kila Jumatano asubuhi tunasoma Hoja hapa, na maofisa wanakuja vile vile kuchukua ripoti, na Mawaziri wanaotea marekebicho, lakini hakuna chochote hufanywa. Kuna hatari kubwa. Hayo ndio mambo ambayo lazima tuelezane.

Bw. Spika kuna Rais mmoja wa nchi moja ambaye alisema aliambiwa maneno matatu. Aliambiwa yeye ni mchonga meno, akasema, "kweli meno yangu yamechongwa". Akaambiwa yeye ni Mzanati akasemwa, "kweli kabila langu ni Mzanati" Watu wa nchi yake wakamwambia, "Wewe huaminiki, kila tukikwambia husikii". Akasema, "Hiyo sikubali, kwa sababu asiyeaminika ni jiwe". Mwanadamu yeyote ukimwambia maneno anasikia. Sasa nashindwa na hawa watu wetu. Twasema mpaka tunachoka. Sasa ikifika 1997, hatujui tuwaambie wananchi nini, hasa wale wa kule Matuga. Sitoki kwenye chama cha KANU mimi. Nitabaki kwa chama lakini sijui nitawaambia nini wale wananchi. Hilo ndilo tatizo nitakalokuwa nalo. Hawaoni kitu, na waziri Mbela anaonekana kwa barabara. Ni Waziri wa nini; wa stima au spaki? Spaki haionekani, lakini pahali pakiwa na Mzungu anayejenga hoteli, na wakubwa wako na hisa ndani ya hiyo hoteli, spaki itakwenda mbio. Ukiuliza kuna nini, unaambiwa, "Tunajenga akiba ya Mzungu.

Kwa hayo machache, naunga mkono.

*(Question of the first part of the amendment,
that the word to be left out be left out,
put and agreed to)*

*(Question, of the second part of the amendment,
that the words to be inserted in place
thereof be inserted, proposed)*

*(Question of the second part of the amendment,
that the words to be inserted in place
thereof be inserted, put and agreed to)*

(Question of the Motion as amended proposed)

Dr. Lwali-Oyondi: Ahsante sana, Bw. Spika. Nataka niseme kidogo kwa haya mambo ambayo ni mambo ya umeme. Kwanza, tunaongea maneno ya umeme ambayo kwa sasa yanaleta hatari sana kwa viwanda vyetu, ambavyo mara kwa mara hutatizika. Ndio sababu mimi naunga mkono Hoja hii kwa sababu tunataka bei ya vyombo hivi ipunguzwe kidogo, na pia Serikali na Waziri wanaweza kuhakikisha kwamba umeme unazidishwa hapa Kenya, na kama hauko, Waziri aangalie njia za kupata umeme bila kufanya viwanda vyetu kuangamia. Tumesema hapa mara nyingi, na ninafikiria Waziri anatakiwa kuikubali Hoja hii tusije tena kumwambia kwa Hoja nyingine. Tuko na umeme kutoka Uganda. Waziri mwenyewe amesema hapa ya kwamba Kenya inataka megawatt 750 ili ipate kujitosheleza kiumeme. Wakati huu, wanataka megawatts 158 na zaidi. Hayo yamesemwa na Waziri mwenyewe. Waziri amesema Uganda hutuuzia megawatts 30 peke yake, na huko Uganda kuna Ziwa Victoria ambalo halikauki, ambalo linaleta maji mpaka saa hii, na litaendelea. Huko Owen Falls Dam wameshafunga turbines nyingine kwa sababu stima haitumiki kwa wingi huko Uganda. Kwa nini Waziri hawezi, kwa muda ambao tuko na uchache wa stima, kuleta hizi megawatts 158 kutoka Uganda halafu wananchi waendeleo kutumia umeme bila kuharibu vifaa vyao wakati mabwawa ya maji na vifaa vingine vinaharibika na umeme kukatika mara kwa mara?

Isitoshe, huu umeme kutoka Uganda uko na bei ya chini zaidi kuliko hata ule wanaosema watatengeneza huko Kipevu, ambapo watapata megawatts 75 pekee, ambazo hazitatosha. Hata watatumia mafuta ambayo ni ya bei ghali.

Bw. Spika, miji yetu, hata tukisema maneno ya mashambani, inaendelea kudhoofika hasa kwa umeme. Taa za barabarani haziko. Zimesharibiwa, na Kenya Power and Lighting na Town Councils hawataki kuzitengeneza. Upane wa kwetu Nakuru, siku hizi tunatembea gizani. Upane kama Kwa Rhoda, ambako wananchi wako kwa wingi sana, wanatembea kwa giza, na mara kwa mara watu huuwawa. Hata chifu mwenyewe aliuawa kwa sababu ya kutembea kwa giza. Sasa inatajikana kwamba kabla ya kusambaza stima mashambani, zile za mji ni ambazo zilikuwako pia zizidishwe na tuwe na stima kila mahali.

Bw. Spika, kitu kingine ni kwamba watoto wetu wengi wataanguka mtihani kwa sababu ya hizi taa ambazo zinakatwa mara kwa mara. Hii ni kuharibu maisha ya wananchi, na tuko na stima, kama nilivyosema, kutoka Uganda.

Inatakiwa Bw. Waziri pia aangalie maneno kama ya Yala Falls ambayo ingetoa stima kwa sababu maji yako wakati wote hapo. Angeangalia pia ule mvuke ambao unatoka kwa Ziwa Baringo, na Ziwa Magadi, na hata Ziwa Naivasha, utumike kwa wingi, waweke Geothermal Electric Generation Stations. Kwa Jua Kali, Waziri aeleele ya kwamba si lazima sekta ya Jua Kali iwe na nyumba ili ipatiwe mahali pa kutoa stima. Inaweza kupatiwa mahali popote ama waweke kisanduku juu ya miti ili Jua Kali watumie nguvu ya jua. Maana ya Jua Kali ni kwamba unafanya kazi kwa jua, sio ndani ya nyumba. Ndiyo sababu inatakiwa Waziri awape hawa wananchi solar energy, yaani kawi kutoka kwa jua.

Kwa hayo machache, naunga mkono.

[Mr. Speaker left the Chair]

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

The Temporary Deputy Speaker (Mr. Wetangula): I call upon the Mover to reply.

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

I am quite grateful to all the hon. Members who have contributed to this Motion. I am also happy that the Minister has taken into consideration the problems that bedevil our society particularly, in electricity provision, and has thought it wise to bring an amendment that is going to create a conducive atmosphere for review and further review as he has said.

The issue that we have a lot of contention with is commitment. First, it is the commitment of the Ministry; whether it is fully committed to the spirit of this particular Motion, and if so, to see clear measures that are going to make sure that electricity supply is going to be effected to all parts of this country. The Minister mentioned very well that the objective of the Ministry is to provide electricity, one, to all divisional headquarters, and two, to other major centres and schools. That is a very noble objective but the problem is that electricity provision has been done outside the normal laid-down procedure. What I mean by this particular procedure is that there is the Electricity Development Board which is charged with the responsibility of ensuring that the guidelines provided by the Government are strictly followed and adhered to. But the problem is that for the last few years, it has not been possible for even members of the District Development Committee (DDC) to monitor the progress of electricity supply.

In every region you will find that electricity power line is created just because somebody has decided to talk to somebody at the headquarters for that line to be constructed. This line is constructed in total disregard of all the residents of that particular locality. I have in mind a line that has been constructed - I do not want to name the particular individuals involved - through two health centres. It has ignored the health centre, the secondary schools around the area, and even the centre itself. There is no single transformer there and the line just flies over the centre to a house of a particular individual in my constituency. This depicts a very bad image of the company itself and it is a bad reflection on the image of the Government. This Government is a product of the commitment of the people and it is supposed to serve the people. When a Government does not serve the people to the extent that these people are going to be happy it creates a backlash which is not possible for us, politicians, to contain at our local level. These are just the signs of the times.

It is high time the Government realised that it is a political Government and being a political Government, it must go quite hand-in-hand with the wishes and the aspirations of the people in every aspect of its operations. This is because it is not enough just to give power to a few individuals. It is not even economically

viable for the company itself for ten people, instead of a 100, to get power lines constructed to their houses. The total consumption by these ten people may be that of 5,000 or 10,000, while if we had extended electricity to 100 people, the return from the rate of consumption would be higher and would provide more funds for further generation, supply or distribution of the same power line. These are the issues we want the Minister to take into serious consideration.

The other thing is that while the Minister has mentioned that it is only 2 per cent of the total revenue that the power company generates that is used in Rural Electrification while the rest is supposed to be funded by the Government, that is a good position but the problem with that line of thought is that the Ministry, for the last three years, has decided, for reasons best known to it and its officials, that they are not going to supply or release funds to the company for the supply of electricity to the people. Now, the Minister may say that 2 per cent is too small, but they have done nothing on their part to make sure that the money we commit in this particular House is released to the power company for it to utilize that money to supply electricity to as many people as possible. For the last three years nothing has been released. In the last Financial Year, the only amount they were intending to release was Kshs15 million, and this is peanuts because that is only a construction of 15 kilometres of power line, and that is in the entire country. Now, how many constituencies are going to be served? Even Kshs15 million is not enough to supply electricity to a small section of my constituency. What we want is that if the Government is committed, and if they write it in their books, let that money be released.

Mr. Shikuku: They are not serious!

Mr. Kirwa: If they are not serious, then that amount should not be reflected in the Budget, so that we do not draw up the Budget, discuss it and after that nothing is released.

It is also important for the Ministry, while the other components which we have mentioned may just take a small percentage of the cost of the electricity production, to reduce the tax. We would want the Ministry, as much as possible, to steer away from political patronising of electricity construction, distribution and supply. This is because the moment they do not steer away from that kind of phenomenon, it is not going to be possible to supply some parts of this country with electricity. As I am talking, out of four or three constituencies in our district, two constituencies are in total blackout. They do not even have a single kilometre of electricity and this has persisted for quite some time. I urge the Ministry to consider, as the Minister has said, taking electricity at least to all divisional headquarters.

Secondly, as they are doing that, they should not ignore various centres, schools and serious public utilities like health centres. While I may be grateful that the Ministry has supplied electricity to a large extent to my constituency, it is highly disturbing as I said before that all the three health centres in my constituency do not have any electricity whatsoever. Some of them use generators which break down every now and then, and they are quite unreliable. Those should be the target areas, not individuals, because to a Government like this, individuals matter to a very small extent. What is important is our total commitment to the people. How do we take the people? Are we looking at them through an individual, or are we looking at them as serious citizens of this nation? These are the issues the Ministry should consider.

I would like to say something about the Marakwet District. It is not just for mere politicking, but Marakwet, more than any other district of the Rift Valley, is highly disadvantaged. There is little that has been done on road construction and electricity supply in Marakwet District. This issue is compounded by the fact that this district has got a lot of security problems. Last week, over 12,000 goats were stolen from the Marakwet people and because of poor communication, it was not possible for the General Service Unit (GSU) and the police to catch up with the rustlers. These are issues that we must address seriously if we are taking into considerations the feelings of our people. This has been a problem and it is still a problem, and we hope that the Minister is at least going to consider supplying electricity to these people. I also hope that other Ministries will consider constructing roads in Marakwet, making them better than they are. There is no single tarmac road in that particular district.

With those few remarks, I beg to move.

*(Question of the Motion as amended
put and agreed to)*

Resolved accordingly:

THAT, while appreciating the Government's effort in removing of VAT and Customs Duty on transformers as a measure to reduce cost of electricity supply and noting that the costs are still beyond the reach of many Kenyans, this House urges the Government to:-

- (a) continue reviewing Customs Duty and VAT on creosote chemical; and
- (b) institute further measures that will facilitate price reduction of overhead wires, underground

cables, surge diverters, circuit breakers and other over-line equipment such as air breaker switches, fuses, insulators and line connectors to make electricity affordable to as many Kenyans as possible".

REDUCTION OF AIR POLLUTION

Mr. Ogeka: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:- THAT, in view of the Clean Air Act by United Nations Organisations, and given that major air pollutant originate from lead oxide discharged from automobile, this House urges the Government to stop usage of lead as a blender to petroleum products and substitute it with acceptable blender in conformity to the Clean Air Act.

The Minister for Information and Broadcasting (Mr. Makau): On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not like to interrupt my friend, but looking at the Motion before the House, I just hope that he will let us know the Act he is referring to. But I doubt if the UNO operates on Acts, or if he could quote any Act. The UNO operates on treaties, protocols or conventions or charters. So, I feel that this could be a defective Motion.

Mr. Ogeka: Mr. Temporary Deputy Speaker, Sir, in thanking my colleague, I would seek the indulgence of the Speaker that it is a charter or resolution by the UNO on the clean air which is enacted by the respective member states of the UN. If acceptable to the Speaker, I wish to substitute the word "Act" with a "resolution" of the UN.

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Ogeka! You submitted the Motion, it was approved. Just move it the way it is, and it will be dealt with in the normal manner.

Mr. Ogeka: Mr. Temporary Deputy Speaker, Sir, thank you very much. In introducing the Motion, I wish to emphasise the fact that it is of dire need to establish an Act to look at the standards and give mandate to pollutant reduction that would protect the public and provide an adequate marginal safety for all in the environment.

Kenya, being the headquarters of the UN Environmental Programme, has the challenge to set up a model of environmental standards that is acceptable to the international community. According to the UN Department of Economic and Social Affairs, lead has been one of the products that have been wholly disapproved and alongside that basis, Kenya goes on record as having completely stopped the lead-based cosmetics. But whereas the cosmetics industry is discriminatory in terms of being attended to by only a section of the community, when we talk of aerial pollution, we talk of the universal product that is consumed by all of us. Therefore, a need to establish the cleanliness of the air, as a commodity that is basically used by all of us, remains an obvious issue.

Talking of the effects of lead, Kenya Government goes on record, particularly Office of the President, as having at one stage introduced administrators in charge of environment. Presently, the world has confirmed a need that cure is not a priority, but prevention is better than cure. Environmental factor that will help us protect our people from acute diseases emanating from the environment takes first priority.

Mr. Temporary Deputy Speaker, Sir, I wish to introduce to this House as a priority that there is a dire need for our Kenya Government to introduce an environmental agency which will be mandated to enforce action against any organisation or institution that does not observe the standards of environment, or an Act to cater for pollutant reduction, for provision of adequate margin of safety, and in particular emphasis in the air. The air is so universal, basic and essential that all of us here, and wananchi on whose behalf we talk, inhale it every second and every minute. It is being polluted and it is poisonous and dangerous. It should take a lot of our concern to review it. I challenge my colleagues with an important fundamental question: Are we adequately protecting the public health with regard to aerial-based diseases? Further to that, are we also meeting the needs of the wananchi and the already compromised members of this country with regards to environmental pollution?

Mr. Temporary Deputy Speaker, Sir, in trying to answer some of these questions, first, we have aerial pollution hazards resulting to very high mortality rates, according to the medical reports recently. One of them is the respiratory infection disease. Actually, the biggest toll of infancy mortality is highest in the respiratory infectious diseases, and it is so easy in adults. Most of us suffer problems of such diseases as asthma, pulmonary diseases, which imbalance our respiratory system. Second to that, and it is very common, we do ask: Why not our ancestors, but ourselves, that the present generation is acutely attacked by cardiac cancer, lung cancer, heart problems and more often than not, as you drive along the road, you see your colleague sneezing and spitting, and you wonder what the cause of the irritation of the throat is all about, more so in Nairobi? We never look back and think what the cause of that is, even though we are the victims.

Talking also of the morbidity, issues like leukaemia, heart diseases, coughing and so on, are all caused by environmental pollution. To mention just a few out of the long list, more often than not you will see many drivers carrying handkerchiefs in the hands for cleaning their eyes. This happens because of irritation from environmental pollution which results from emission of smoke by car exhaust pipes.

Mr. Temporary Deputy Speaker, Sir, one of the main causes of aerial pollution is lead. Following a resolution on clean air by the United Nations Organisation (UNO) the United States of America (USA) has already legislated on clean air. Furthermore, last year the US Environmental Protection Agency (USEPA) took the US Institute of Petroleum (USIP) to court to enforce a ban on the use of lead, despite the fact that the USA is the biggest supplier of lead in the international market. The USIP challenged the case, but still, lead is no longer acceptable as a blender of petroleum products. The same goes for our cosmetics industry.

However, it is not enough to talk of stopping the use of lead without proposing an alternative. Kenya is best placed in respect of utilisation of local resources. It has a meaningful, economic and abundant substitute for lead. The best alternative is ethanol which can be easily extracted as a by-product of sisal. In the Coast Province we have abundant sisal. I wish Mr. Criticos was here; as a national sisal farmer, he should know that sisal is very rich in ethanol. A second source of ethanol is molasses, a bi-product of sugar-cane. If ethanol is blended with gasoline it will help in improving the quality of petrol. In this way, we shall increase the combustible capacity of petrol to nearly 92 per cent. Therefore, if we use ethanol, we shall have no need for super petrol. Ethanol is widely used in Latin America. Secondly, there will be volume increase of 0.23 per cent if 10 per cent of ethanol is blended with gasoline. If you increase the amount of ethanol to 12.5 per cent, you will increase the volume of your product by 0.55 per cent. These are results of research work carried out in Toronto, Canada, by Biomedical Resources International Institute. I challenge the Ministry concerned to go and check this research work and they will find that if we introduce use of ethanol in place of lead, we will get a bigger amount of gasoline. Last, but not in any way the least, by mixing ethanol with gasoline we will be doing a fantastic job in protecting the environment from pollution. Carbon monoxide, which has a high amount of lead in the aerial pollution, will be reduced by between 20 and 50 per cent. While we can afford to take risk in issues of luxury, we cannot gamble with our health. Prevention is better than cure. Why do we not save by promoting our local resources and stopping importation of lead? In this way, we will create employment in our various institutions.

In conclusion, I want to inform the Minister that all available evidence shows that alcohol fuel options offer certain environmental and biomedical benefits that should be taken into full consideration. We should act on this soon for the good of our environment; for our good image as the host of UNEP Headquarters, and in the realisation of the fact that we are a party to the UN resolution on clean air. Furthermore, in the long run, our action will be of tremendous advantage to this country.

With those remarks I beg to move.

Prof. Anyang-Nyong'o: Mr. Temporary Deputy Speaker, Sir, I beg to second this Motion. I want to add three or four important points to what hon. Ogeka has said about it. This is an extremely important Motion; it is calling upon the Government to establish an environmental protection agency to protect our nation and people against the hazards of using leaded gasoline.

There are three major hazards of using leaded gasoline. One of them, to which my hon. friend has referred, is with regard to environmental damages. It has been proved that using leaded gasoline has widespread damage to trees and crops through air pollution. Kenya depends on agriculture and derives a lot of benefits from its environment through our flora and fauna that play an important role in terms of income generation in the tourist industry.

We should also know that only 13 per cent of our land surface is arable, and we have to do all that we can to protect this 13 per cent of our land source from being destroyed by human action, such as using leaded gasoline.

Indeed, the Government has an important programme on arid and semi-arid lands whereby we are trying to reclaim land that is marginal. If we are going to have a complementary programme to that, it must be one that defends that part of our country which has good environment or that has flora and fauna which is not yet destroyed. It is also known that using lead in gasoline has a contributory effect on drought. In other words, it enhances drought. This was proved in Mexico where pollution was never controlled until it got completely out of control. It is known in Mexico

that drought was spreading rather fast and, hence, in the early 1980s, they started implementing a very drastic pollution control programme, by stopping the use of leaded gasoline.

Mr. Temporary Deputy Speaker, thirdly, using leaded gasoline also affects what is called unseasonal heat and cold; that is, heat and cold that come out of the seasons that we know about. This has something to do with the greenhouse effect, the so-called ozone layer depletion. A country like ours, which is already affected from the

lack of pollution control, in industrialised countries, cannot really contribute to that by not implementing standards and rules that guard against polluting the air by using leaded gasoline.

Finally, we also know that the use of leaded gasoline, which leads to polluted air, can also lead to high winds that will destroy a lot of facilities in our society. The second important effect of using leaded gas has to do with health. Hon. Ogeka has already referred to some health hazards. I would like to tell you that, already, in advanced countries, the use of lead oxide and lead salts has been withdrawn in the manufacture of cosmetics. Indeed, the Centre for Disease Control in Atlanta has pointed out very clearly that certain creams that are used for cosmetics have been banned by the USA government because of the traces of lead and leaded salts. If we begin releasing this lead into the air, we are really going against what is already known by science and, we should, in fact, be ahead of this.

Secondly, when you have pollution where demographic congestion is increasing--- We know that demographic congestion is increasing in our urban areas and even the rural areas. Our people are rather "athletic around the waist" and, so the population in Kenya is rather high because of this athletic prowess of our people around the waist. Now, we should not add to the dangers of population control by destroying it through high pollution. Finally, I would like to say something about the economics of using unleaded gas. If we were to reduce the use of leaded gas and introduce unleaded gas, we shall begin by using power alcohol, for example. This will lead to a much higher value added in the processing of gasoline in our economy. This is good for our economy. Secondly, it will also lead to much higher employment in processing this power alcohol. I know, for example, that if the Kisumu molasses plant had been operational, it would have employed at least 400 professionals. These would have included agro-chemists, civil engineers, food technologists, chemists, mechanical engineers, economists, and so on. Four hundred professionals is a very high number of people that would have been employed.

Secondly, it would have employed at least 1,000 labourers and several hundreds of casual workers. We are talking about at least 2,000 households which would have benefited from that molasses plant. That is a wage bill of close to Kshs20 million per month. That amount of wage bill is quite substantial and could lead to tremendous backward linkages in that economy. This would be in terms of demand for food, transport, housing and wage goods. You cannot imagine the number of people who could have by now put up supermarkets, travel agencies, tourist agencies, insurance firms and so on, just as a result of that molasses plant coming into operation. This is why it is important that in as much as we shall be fighting to clean our environment and clear our air using unleaded gas, we shall, at the same time, be taking economic measures for more value addition in having something like power alcohol produced in our economy which will be used to mix with imported gasoline from abroad, so that we have, for example, super petrol, which has a much lower lead content but a much higher value addition derived from a power alcohol industry in our economy.

It is very unfortunate that the Government finds it very difficult to revive the molasses plant. I do understand that, maybe, after so many years of disuse, it might not be economically operational. However, a decision must be made to dismantle the plant and sell it to whoever wants to buy it, and a much more economically designed plant put up to produce alcohol. It is very unfortunate that we can have that kind of capital investment lying idle for so many years, and yet we are paying for it. This tendency of starting high capital investment projects and not using them for so many years has led to a lot of loss of revenue in our economy, and I think it should stop. It should stop today by putting into operation a policy of having an environmental protection agency which will be supported by the establishment of things like power alcohol industries, which will lead to more value addition in the processing of gasoline in our economy; which will have much more substantial backward linkages into our economy. We shall be killing many birds with only one stone

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I would like to second this Motion.

(Question proposed)

Mr. Raila: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this Motion which, I think, is long overdue. The question of lead as an additive in the manufacture of gasoline is something that has aroused a lot of concern not only among environmentalist, but also among those who are concerned with the health of the human population. Lead is known to be highly carcinogenic. It affects the heart; it is also responsible for a lot of diseases of the liver. It also affects the throat and so on, and all those other things that the Mover of this Motion talked about. There are also other impurities in gasoline which are equally harmful to human health, such as sulphur. This subject has been debated in this country for a very long time. Way back in early 1982, we were talking about vehicular pollution in this country. Let me just add that it is not just vehicular pollution that is dangerous; there are other sources of pollution, particularly industrial pollution, which are equally

dangerous. All these contribute to what has come to be known as the acid rain, which is very destructive to the environment. That is the reason why it is important for the Government to take very seriously the issue of legislation for protection of the environment.

As the Mover has already said, the American Petroleum Institute (API) recently took the Environmental Protection Agency of the USA to court to enforce the regulations on leadless gasoline in the USA. As a result of this, with effect from the 1st of June, this year, the USA has now legislated for totally leadless gasoline. Why do we really have lead? Why must we have lead in gasoline? It is basically because of the refining process, that the technology has not developed to the extent that we could completely do without lead to enhance the octane rating or the octane number of the gasoline. However, we now do have very advanced technologies. I would like to say that the refinery we have at Mombasa is one of the refineries with a secondhand plant which was brought in here from Singapore way back in 1961, and does not have the capacity to manufacture leadless gasoline. It requires what is called a cat cracking equipment.

QUORUM

Prof. Ouma: Mr. Temporary Deputy Speaker, Sir, I am sorry to interrupt Mr. Raila, but this is an important issue. Could we please have a quorum in the House?

The Temporary Deputy Speaker (Mr. Wetangula): We have no quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Wetangula): We now have a quorum. You may proceed, Mr. Raila!

Mr. Raila: Thank you, Mr. Temporary Deputy Speaker, Sir. I was saying that the refinery is not capable of producing lead-free gasoline at the moment because it does not have a cat cracker that is required for producing lead-free gasoline. This would involve heavy capital expenditure. However, the Government has now liberalised the marketing of oil and most of oil companies are actually bringing in refined products.

I have at my disposal here, the Kenya Bureau of Standards specification published this year on the quality of gasoline. The strangest thing here is that this standard specification has been produced in anticipation of the liberalisation of oil marketing, and most members who produce this specification here were oil marketers themselves. Majority of the members of the Technical Committee of the Kenya Bureau of Standards which produced this specification are oil marketers and, therefore, this is a specification which is determined by the user, the oil companies, because they already know the sources from where they are going to get the refined gasoline. And that is what they have put in this specification.

If the oil companies are importing gasoline, we can, in fact, afford to enforce very strict and higher standards. These standards put the lead content of gramme or lead per litre at .4. As I have said, the international standard is zero. It was 1.5 in Europe up to 1991, and from then they were all supposed to go to zero per cent lead. It is possible for these oil marketing companies to bring into this country gasoline that is lead-free. The idea is to enable the refinery to blend whatever they are producing and thus reduce the overall content of lead in what is being refined at the refinery in Mombasa.

Mr. Temporary Deputy Speaker, Sir, I would like to quote a statement from a publication by European Environmental Agency. They say the following with regard to enforcement of standards for the protection of the environment:-

"It is the task of the authorities to set the environmental standards and it is the task of the industry to meet these standards in the most efficient manner. The quality of gasoline and diesel fuel is best controlled by a combination of performance parameters measured in the test engines and physical properties. This will enable the refineries to both meet fuel quality requirements and ensure an adequate supply."

This, therefore, says that it is the responsibility of the Government to set the standards and then require the refineries and the industries to meet those specifications. In our case, it seems that it is the industry which has in effect dictated the kind of standards that we are supposed to have in this country, and this is totally unacceptable.

Mr. Temporary Deputy Speaker, Sir, having said that, I would like to move to another subject which is relevant to this particular one. Recently, the Government said that we are going to set up LPG receiving facilities at the port of Mombasa. We all know that with the liberalisation, there has been a shortage of LPG in the country and, therefore, there was need to put up LPG facilities at Mombasa. But we do know that it is not the

Government that intends to do this. We do know that there is an oil company called Kenol-Kobil, which is right now trying to force the Kenya Pipeline Company to go into partnership with it so that they can use the petroleum development funds for the establishment of this facility. Kenol-Kobil is a privately owned company; it is not a state corporation, while the Kenya Pipeline Company is state owned and if it is going to go into this kind of venture, it has to be done in a very transparent manner. As things are, one of the big sharks in Government is behind the scenes influencing and forcing the Kenya Pipeline Company to use public funds to go into a venture which is purely private. This is happening at the time when we are talking about liberalisation, transparency and accountability and, therefore, this is totally unacceptable to this country. I would like, therefore, to---

The Assistant Minister, Office of the President (Mr. Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it not really in order for the hon. Member for Langata to declare his interest since it is a matter of common knowledge that he has an interest in the particular matter that he is referring to, and he is breaching the Standing Orders by not declaring his interest?

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, I have no interest in the importation of LPG. I manufacture equipment for the local distribution of LPG, but that does not really stop me from coming and highlighting what I see as a corrupt action by an hon. Member of the House.

The Temporary Deputy Speaker (Mr. Wetangula): What he is saying, hon. Raila, is that under Standing Order No.75, when an hon. Member speaks on a matter in which he has a personal interest, courtesy demands that he declares that interest to the House and then he can proceed to say what he wants to say.

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, I am happy that you have drawn my attention to the Standing Order No. 75.

The Assistant Minister, Office of the President (Mr. Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Wetangula): He is responding to a point of order.

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, I am responding to a point of order. Yes, I have an indirect interest because I am a manufacturer of gas cylinders used for distribution of LPG in this country. But that is all I need to do. What I am trying to say here is that what Kenol-Kobil is doing right now is trying to take advantage of a State-owned corporation to be able to finance its own particular project of setting LPG receiving facilities.

The Minister for Energy (Mr. Mbela): On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Raila has just said that there is corruption implied in the joint venture that the Kenya Pipeline Company is discussing with Kenol-Kobil. Could he substantiate that? Is this the first time that parastatals are having to finance joint ventures? Even the Kenya Commercial Bank finances joint ventures.

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, I have documents at my disposal that I can table in this House to show that this deal is not clean. If I am given time, I will be able to substantiate.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, what we are discussing here is a more fundamental issue of the environment. As His Excellency the President said in Rio De Janeiro, when the question of the environment comes first, then development will become durable. Hon. Ogeka has brought a Question here regarding the pollution of the environment by lead. I am saying that environmental pollution is actually caused by a number of substances and not just lead, of course. The highest pollutants are sulphur dioxide, nitrogen oxides, ammonia and volatile organic compounds. Lead is only one of them. It is good to draw the attention of the House to the fact that lead, which is a heavy and durable metal, with a low melting point has acquired a number of uses of late. Of course, historically, lead has been described as the "father" of all metals. It was used by the ancient Egyptians for mintage of coins and other purposes.

Since the early 1960s, lead has been used in gasoline. The real reason why lead has been used as a blender to petroleum products is that in order to get good quality gasoline, there are three ingredients that are necessary. First of all, good fuel must be able to burn smoothly without detonating. One of the purposes of lead is to ensure that fuel burns smoothly without detonating so that the vehicle can move smoothly without any hitch. Petroleum itself has several impurities and lead or sulphur are used to improve its quality. Another quality of good fuel is that an automobile must be able to start smoothly in cold weather. So, once lead is blended with fuel, that fuel burns quickly because lead has a low melting point and it ensures that fuel burns smoothly even during cold weather. Also, a good fuel must not become vapour-locked. So, lead has been used to ensure that fuel burns smoothly. Of course we know that lead itself has its own by-products. In most urban areas the amount of air-borne lead has increased. In fact, it is true that we need to look for a way of controlling air-borne lead as well as controlling the emission of lead oxide which is another by-product of lead. Of course, lead also produces other carbons and when they react with oxygen in the atmosphere, they become either carbon monoxide or carbon

dioxide, depending on the reaction of it all. But that is a very remote way of looking at it. But the most immediate product that we need to deal with is lead oxide.

As I was saying, Mr. Temporary Deputy Speaker, Sir, this is not the only way of polluting the environment. The environment is also polluted by sulphur which, when it burns, turns into sulphur oxide. Today, quite a number of countries in the world have started dealing with the question of lead. Whereas the amount of sulphur required for petroleum purification has been reduced considerably, there are very, very few countries in the world that have actually done away totally with the use of lead.

Mr. Temporary Deputy Speaker, Sir, one hon. Member here said that in Europe the amount of lead that is required is zero. I do not know what country the hon. Member was referring to. This is because, as far as I know, in Hungary, for example, the amount of lead that is required is 0.4 per cent. In Austria, which is even more radical, the amount of lead that is required is 0.6 per cent. What was required as per 1993 was that there should be available in Austria and in Hungary and in many countries of the world, unleaded fuel. In fact, there is available, in many countries of Europe, unleaded fuel. But there is no country in Europe where we have totally unleaded fuel. There is unleaded fuel running concurrently with leaded. The reason why I am going to defend---

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, it is not true because I know that, for example, in the Netherlands---

The Temporary Deputy Speaker (Mr. Wetangula): Order! That is an argument. Are you on a point of order?

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, is the hon. Member in order to mislead the House---

The Temporary Deputy Speaker (Mr. Wetangula): Order! Under what Standing Order are you saying what you are saying? You do not just shoot up and start advancing a counter-argument against your colleague.

Mr. Raila: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is he in order to mislead the House by saying that there is no country in Europe where there is totally lead-free gasoline when we know, for example, that in the Netherlands, they have lead-free gasoline?

The Temporary Deputy Speaker (Mr. Wetangula): That is better.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, in all capitals of the Western World there is unleaded fuel. But I am saying that it is not against the law of any of those countries to produce fuel with lead. In fact, there is liberalisation so that you can produce either leaded fuel or unleaded fuel. But my argument against this Motion is that, first of all, it offers no option. The Mover did not stand up here and say that the alternative for lead, for example, is ethanol. I do not think that the hon. Member is addressing the reality of a Third World country like Kenya. The real reason why leaded fuel is not being used in the Western World is because the extent of the use of the automobile is very high. Mr. Temporary Deputy Speaker, Sir, I think that lead can only be a big danger to the environment in Kenya in areas where the automobile is highly used; for instance here in Nairobi. I think what the Motion should actually ask the Government to do is to produce an alternative; to have unleaded fuel, and this is not for the Government to do any more. It is for the oil companies to come up with fuel that does not contain lead, to be used particularly in areas where the automobile is highly used. But unless lead is released into the environment in very high quantities, it does not really become harmful to the environment. I think what the hon. Member should concern himself with is the amount of sulphur oxide, sulphur dioxide and nitrogen compounds that are introduced into the environment through various methods. He should also address himself to the degradation of the environment by the human being himself. This is from the areas that we come from ourselves; the greatest danger to the environment is not lead but the human being who has moved into our natural habitats and devastated the environment so that the water catchment areas have ceased to be there. It is mainly the rural area where the control of environment should be treated a little more seriously. I think that if we provided Nairobi with unleaded fuel, then we would not have to bother about the rest of the country because in certain areas like where he comes from, there is only one car moving there every day. I do not think that, that is amounting to the pollution of the environment. I think that the hon. Member should be able to rephrase this particular Motion. I do not know what my colleague, the Minister here will be able to say about this Motion, but I should say that this Motion should actually be rejected because it is not offering any alternative to the use of lead. The hon. Mover has not been able to show us what the lead are to the republic of Kenya, and that in fact the hon. Member should bring a Motion to this House that addresses the environments of Kenya in totality.

With those few words, Mr. Speaker, I beg to oppose.

Mr. Mak'Onyango: Thank you, Temporary Deputy Mr. Speaker, Sir, for according me this chance to add my voice to this very important Motion. Kenya houses the United Nations Environmental Programme

(UNEP) which, as you know, is the world body spearheading or crusading for the environment in this country. By virtue of that, it is only natural that we should be able to lead the way on environmental matters. The Motion seeks to do just that, and because of that, I, therefore, feel that it is time we did something that would help enhance our environment. In that connection, I do not agree with my friend from the other side who would rather that we address other aspects of air pollution than, of course, start off with this one. I think whatever you are going to do, you have to start off from somewhere. In this case, this Motion seeks to get Kenya started on addressing this very crucial issue of what we call our environment, and ensuring that we remove any of the harmful oxides or dioxide or whatever, that make our environment unhealthy. So, I do feel that time is, indeed, ripe that we make a move in this particular direction.

It is particularly important in this particular case that we start off with what we have because as the Motion says, it seeks to enhance the use of a raw material that we have in this country - gasohol. So, by moving or getting this country to use gasohol and the likes in a bigger way, we will be placing the future of this country on such natural resources or on such resources as we have locally.

Mr. Temporary Deputy Speaker, Sir, as you all know, we have sugar-cane in plenty in this country, and the potentials are very great indeed. It has already been proved that this particular product called gasohol can be used to blend what you call petroleum, and since we have it, I think it is only important that what we should do is to enhance the use of this commodity and in the process place our industrial base on such raw materials as are readily available in this country. In this way, we will not only be addressing the all important question of environment, but we will at one and the same time be providing employment opportunities for our people. We will at one and the same time be enabling our farmers to contribute more meaningfully to the economic wellbeing of this country.

Mr. Temporary Deputy Speaker, Sir, it is well known, for example, that one of the biggest projects ever undertaken in this country, the Kisumu Molasses Plant, in which the Government had already sunk billions of shillings, remains a white elephant to this very day. If we can be able to enhance the use of gasohol, we will be able to at least realise such projects like the Molasses Plant in Kisumu. I am sure the way is not lost and in this connection, I really would like to call upon our researchers to intensify their research in the use of gasohol as a blender and, indeed, its use in other ways so that the likes of the Kisumu Molasses Plant can find use or can be rehabilitated and put to full use.

Mr. Temporary Deputy Speaker, Sir, I think in supporting this particular Motion, I do feel that as was pointed out by an hon. Member earlier, we do need at least to streamline the Motion so that at least we end up with the right Motion on the Floor of the House, and to this end, I would like to propose an amendment to the Motion. My amendment runs thus:-

"THAT, in view of the Clean Air Resolutions", I replace "Act" with the word "Resolutions" and immediately thereafter, continue that the Resolutions of the United Nations". So, instead of "by", we say, "of the United Nations Organisations and given that major pollutants originate". "Pollutants" in plural, and not just "pollutant". So, "major pollutants originate from lead oxide discharged from automobiles". Not just "automobile" but "automobiles". So, we add an "s" to automobile, "...this House urges the Government to stop usage of lead as a blender to petroleum products and substitute it with acceptable blender in conformity to the said Clean Air Resolutions".

Mr. Temporary Deputy Speaker, Sir, as I did point out, it is a well known fact that lead is harmful to health. This being the case, I do think that Kenya coming up with such measures---

The Minister for Energy (Mr. D. M. Mbela): On a point of order, Mr. Temporary Deputy Speaker, Sir.

Is it possible for the hon. Member to give us a copy of the resolution he is talking about, and particularly the numbers that he is referring to?

Mr. Temporary Deputy Speaker (Mr. Wetangula): Let him finish his arguments.

Mr. Mak'Onyango: Okay, Mr. Temporary Deputy Speaker, Sir, the relevant numbers are there. I do not think that is a problem, but as I have said, the Motion as amended should read:-

THAT, in view of the clean Air Resolutions of the United Nations Organisation, and given that major pollutants originate from lead oxide discharged from automobiles, this House urges the Government to stop usage of lead as a blender to petroleum products and substitute acceptable blender in conformity to the said Clean Air Resolution.

I beg to I move.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Mr. Mak'Onyango, you are being asked by the Minister to give the resolution numbers that you are making reference to. Otherwise, it remains so vague.

Mak'Onyango: Mr. Temporary Deputy Speaker, Sir, the Resolution numbers are 37/137, 38/148, 39/229 and 44/226.

The Temporary Deputy Speaker (Mr. Wetangula): Are they part of your amendment?

Mr. Mak'Onyango: They are, Mr. Temporary Deputy Speaker, Sir.

An hon. Member: Which ones?

The Temporary Deputy Speaker (Mr. Wetangula): Order! There is no across-the-Floor communication.

The Minister for Information and Broadcasting (Mr. Makau): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Wetangula): Order! I have not finished with him.

Are these resolutions part of your amendment?

Mr. Mak'Onyango: They are.

The Temporary Deputy Speaker (Mr. Wetangula): Can you read your Motion as amended?

Mr. Mak'Onyango: I will read the Motion as amended:-

THAT, in view of the Clean Air Resolution Numbers 37/137, 38/149,39/229 and 44/226 of the United Nations Organization, and given that the major pollutant originate from lead oxide discharged from automobiles, this House urges the Government to stop usage of lead as a blender to petroleum products and substitute it with acceptable blender in conformity to the said Clean Air Resolutions.

I beg to move.

Mr. Nthenge: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I would like to second the amendment because it makes the Motion clearer. Basically, without being scientific and causing confusion to those who are artists and, maybe, not--

The Minister for Information and Broadcasting (Mr. Makau): On a point of order, Mr. Temporary Deputy Speaker, Sir. In the beginning I had raised this issue of the technical problem of this Motion. In the amendment that has been moved, we have not been told of the dates of those Resolution numbers that have been quoted.

Mr. Nthenge: They are a public documents.

The Minister for Information and Broadcasting (Mr. Makau): They are public documents but we need to be briefed on them.

The Temporary Deputy Speaker (Mr. Wetangula): The proper procedure is, that he has moved an amendment. It is being seconded and if you want to oppose it, I will put the Question and you can either uphold it or defeat it.

Mr. Nthenge: Mr. Temporary Deputy Speaker, Sir, without having to go very deep into science, because not every hon. Member here is a scientist, the Mover of this Motion, and the hon. Member amending it, were putting across the idea of us looking at how we can purify the air in the cities and towns where there are many automobiles. When you are in a town where there are many vehicles, you feel that you are not breathing clean air as compared to when you are playing golf in the woods or when you are in a field.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Nthenge, I have given you an opportunity to second the amendment proposed. Can I hear more about seconding that amendment?

Mr. Nthenge: Mr. Temporary Deputy Speaker, Sir, the amendment is very simple. One, it has been agreed by the biggest organization of the world, that is, the United Nations Organization (UNO) that we stop usage of lead as a blender to petroleum products. Resolutions have been quoted and we are not quarrelling with the details. All we are saying is that we are amending the Motion to make it easier to be understood. The basic thing is that the amendment was actually trying to clarify the original Motion and not killing it. That is why we should be able to speak on both the original and the amended version of the Motion. That is why I should be able to speak on both versions of the Motion because I will not have another chance to do so.

The point I am making is that the amendment has been very simple. There is an additional "s" to the word "automobile". This refers to anything that moves and might be using petroleum which is mixed with lead. Basically, we want pure air. We want to eliminate anything that is dangerous to our health and whether we like it or not, we have many automobiles all over Kenya and each one is producing lead oxide. If this gas is produced in large amounts then it becomes dangerous for good health, particularly in towns. As you very well know, air knows no boundary. So the same air we are breathing in here in Nairobi will also move to the rural areas and it will affect our people. Everybody would like a long life and it is better to prevent than to cure. A lot of people who get tuberculosis and other diseases that have something to do with breathing of good air and oxygen being less, will not take this matter lightly. So, instead of going to a very expensive doctor to be

treated and hospitalised, we are simply asking the Government to go all its way and say, "Do not use this material; use the other alternative", and achieve the same goal.

Mr. Temporary Deputy Speaker, Sir, the knowledge of those in the industry and those in science is all we are saying, "Let us use that so that things are smooth for everybody; whether you live in town or not". Hon. Sunkuli, the Assistant Minister, brought that point and it is true that the environment is being interfered with all over the country. You find people felling trees and not replacing them. If you think of the consequences, it is dangerous for our living. We should not spoil the environment for our future. The idea is why do we not do the correct things early enough. It has been seen and it is also acceptable internationally that the correct type of petrol should not be produced the way it is done in Kenya. So, why do we not do it the correct way? Why wait until our people are in danger?

Mr. Temporary Deputy Speaker, Sir, when you look at Nairobi, just the registration of cars alone shows you how many we have. Each car producing a little bit of pollution multiplied by the number of cars we have becomes so much pollution that we require to control it. I have no quarrel with anybody who says "Let us go for good things" since most people are not scientists. So, they do not understand anything. But some of us who happen to know deeper what can affect us or the effects of these things after so many years, are failing in our duty if we not prevent it early. God created some people with more knowledge to help those who do not know much. So, we will be failing in our duty if we do not take action to take make sure that everybody in this country is well provided in as far as breathing is concerned. When you breathe in air, you cannot eliminate what has come from the motorcar exhaust pipe or from the trees because it is all mixed up. Finally, you swallow what you should not put into your lungs. So, my idea is that let us become reasonable and do the correct things. Let us also come to a common understanding so that we can improve our environment.

Mr. Temporary Deputy Speaker, Sir, we in Kenya cannot live in isolation from the rest of the world because we are also members of the world. So, whatever is good from elsewhere, we must borrow. Those who do not borrow good ideas are not wise.

Europe and the rest of the Western World have changed from using that type of petroleum to using what is being suggested by this Motion. I am very glad that the hon. Mover has brought the Motion. There is always a better way of doing something. In this case, it is the one where the air is not polluted. We, hon. Members, use motorcars and that means we pollute the air. However, it is possible for us to use our cars without interfering with the breathing welfare of the ordinary person and also ourselves. Sometimes when you drive behind another vehicle, smoke from it is so much that you do not know what do about it. In fact, every hon. Member is in danger of getting into trouble with inhalation of a lot of these harmful products.

With those remarks, I beg to second the amendment.

*(Question of the first part of the amendment, that
the words to be left out be left out, proposed)*

The Minister for Information and Broadcasting (Mr. Makau): Thank you, Mr. Temporary Deputy Speaker, Sir. Although the spirit of this Motion is in line with Government objectives and policy in environmental protection, right from the beginning I pointed out that it is defective. The amendment which has been proposed makes the Motion even undesirable. The Government is very committed to environmental protection. This is not the first time that a Motion asking for effective legislation on environment has been brought to this House. I remember that I tabled a Motion here on comprehensive legislation on pollution of our environment, and it was accepted. While we appreciate the spirit of this Motion, we have to ask ourselves: Are we being driven by the fact that liberalisation of our institutions has taken place? What costs are we going to incur by implementing this Motion?

I would like to say that we are already moving to where the Motion is directing us. I wish to bring to the attention of the Mover of the Motion that the Government has been acting. We know that the world study which looked into effects of lead in petroleum in the Sub-Saharan region had recommended 0.6 per cent lead content. The Kenya Bureau of Standards have gone further and we are now operating on 0.4 per cent. This means that improvement is taking place. We have heard objections from the US and other industrialised countries. Here we should be asking ourselves whether it is right for us to bring a Motion here when that Motion cannot be implemented in its form. When you look at the cost; first, you have to look for the cat converters, then the refinery itself, and even the vehicles that are driven in this country. There must be a lot of changes because you must convert various parts of the engine, look at the exhaust pipe system and all these are going to be extremely costly. When you look at the population or the statistics of the vehicles available in this country and you decide that, all of a sudden, you are going to implement this Motion, it is impossible to do it. This is because, first, the

vehicle owners will not be able to afford the converters for these vehicles. Secondly, when a Motion is being brought into this House, especially a Private Member's Motion, it is very important for whoever is moving the Motion to be conversant with the Motion that he is bringing here. Secondly, the financial implication is very crucial. This is a point that we should point out---

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the speaker on the Floor in order to mislead this House by saying that if we exclude lead from our petroleum products, we have to do a hell of a conversion? That is a misleading proposition.

The Minister for Information and Broadcasting (Mr. Makau): Mr. Temporary Deputy Speaker, I wish Dr. Lwali-Oyondi could understand what I am saying as far as the implications are concerned. I said that the spirit of this Motion is quite in order. This is where we are moving to. The Western World had started the way, and we are moving in the same direction. The Inter-Ministerial Committee that has been set up has resorted to the Kenya Bureau of Standards specification, which puts the acceptable level at 0.4 per cent. The World Bank study recommended the Sub-Saharan region to have 0.6 per cent. The Western World, as was quoted earlier, has a 0 level. We are moving towards that. I am opposing this amendment because of the financial implications. We can do this in stages, and not suddenly. We know that this substance is harmful and that is why, internationally---

Mr. Mak'Onyango: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister not misleading the House by implying that this Motion calls on the Government to immediately do this and that, and that Kenyans should continue dying just because the Government does not have money?

The Temporary Deputy Speaker (Mr. Wetangula): Order! That is a question and not a point of order!

The Minister for Information and Broadcasting (Mr. Makau): I have said the spirit of this Motion is good. I have stated that despite the World Bank study which stipulated a level of 0.6 per cent for the Sub-Saharan region, because of our concern for the environment and the dangers that are posed by lead, we have gone further and put this level at 0.4 per cent. The Mover of the Motion is aware of this. What we are asking is that we should not put ourselves at the same level as the USA. They had moved to that level of 0. The Inter-Ministerial Committee that is looking into this is giving it that consideration, but I am opposing this amendment on the basis of the financial implications involved. I am also suggesting that the Minister for Energy and the Government should continuously do an assessment through the Inter-Ministerial Committee and, one day, we will end up at the 0 level, just like the Western World. The spirit of the Motion is good, but the amendment and the implications it has make it impossible for us to accept it.

With those few remarks, I oppose the amendment.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Order! Hon. Members, it is now time for the interruption of business. The House, therefore, stands adjourned until 2.30 p.m, this afternoon.

The House rose at 12.30 p.m.