

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 19<sup>th</sup> March, 2014

The House met at 2.30 p.m.

*[Hon. Speaker (Mr. Muturi) in the Chair]*

### PRAYERS

### COMMUNICATION FROM THE CHAIR

**Hon. Speaker:** Hon. Members, I will interrupt proceedings at some appropriate time when we have a sufficient number of hon. Members to make this Communication because it is going to affect hon. Members in many ways, and it is for convenience of the House and Members in general.

### PAPERS LAID

**Hon Speaker:** Hon. Langat, the Chair of Departmental Committee on Finance and Planning and Trade---

Leader of the Majority Party, I think today you have your card; you had a card that was not distinguishing you from the rest of the pack.

**Hon. A.B. Duale:** Yes, Hon. Speaker, since yesterday I had my card. Let me do it on behalf of the Chair of the Departmental Committee on Finance, Planning and Trade. I saw him near the Media Center; he is very busy; I think he is very busy. He wants to further amend the Constitution; I wish him well; it is a very difficult task.

Hon. Speaker, on behalf of the Departmental Committee on Finance, Planning and Trade, I beg to lay the following Paper on the table of the House today, Wednesday 19<sup>th</sup> March, 2014.

The report of the Departmental Committee on Finance, Planning and Trade on the consideration of the Petition to Amend the VAT Act, 2013 by the Kenya Union of Domestic, Hotels, Educational Institutions and Hospitals Workers.

**Hon Speaker:** Leader of the Majority Party, are you giving Notice of Motion of the same Paper you have laid?

Chairperson of the Departmental Committee on Finance, Planning and Trade, in as much as it is good to address the media; you should pay greater attention to proceedings in the House. Those things may be important but what is happening in the House is much more important.

### STATEMENTS REQUESTS

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## FINANCIAL STATUS OF THE KMC

**Hon. Abbass:** Hon. Speaker, pursuant to Standing Order No.44(2)(c), I wish to request a Statement from the Chairperson of the Departmental Committee on Agriculture, Livestock and Co-operatives regarding the deteriorating financial status of the Kenya Meat Commission (KMC). There is great concern that operations at the KMC are once again grinding to a halt, with the livestock traders' and the First Community Bank money, which the KMC owes them, being at risk. The traders and the bank are owed amounts of Kshs152 million and Kshs180 million respectively. The terms of contract signed between farmers and the Commission clearly states that farmers have to pay a down payment of 40 per cent of the total amount within 14 days. Most of the farmers have not been paid for over two years.

Hon. Speaker, in the Statement the Chairperson should inquire into and report on:-

- (i) the capacity of the KMC to offset the money owed to farmers as soon as possible, given that most of the farmers took loans from banks and are now having their properties auctioned;
- (ii) whether the Government is ready to bail out the Commission as it has done with the others as it has done with other State corporations like the Agriculture Finance Corporation (AFC) and the Agriculture Development Corporation (ADC);
- (iii) the plans the Government has to establish financial schemes which are accessible to farmers, particularly the pastoralists and livestock groups, to enable them trade in the livestock business; it should advance some money to the AFC so livestock farmers are paid on time; and,
- (iv) the status of the Kshs100 million allocated to the Credit Finance Corporation during the last recorded drought to bail out livestock farmers, particularly pastoralists.

I would like to expound on the last issue, with your permission. Any time there is drought, money is given to the AFC to purchase animals from the pastoralists. Of course the AFC---

**Hon. Speaker:** That is not part of what I have!

**Hon. Abbass:** I asked for your permission to expound on it.

**Hon. Speaker:** No; you are bound by what you have given the Chair. Please, do not add stories.

**Hon. Abbass:** Thank you!

**Hon. Speaker:** The Chairman of the departmental Committee on Agriculture, Livestock and Co-operatives. Where is Hon. Nooru? Even the chairmen do not seem to know the time when Parliament sits. Who is the Vice-Chairperson of that Committee? Is this a Committee without a Vice-Chairperson? I am not going to allow a situation where the Chair or Vice-Chair are the ones--- If they are not here, an ordinary Member of the Committee is not going---

I am not going to allow it because it is wasting time. If you want to be given responsibility, or be elected as the chair or vice-chair--- Hon. Kemei, I can see you may be eager to say something. I want to deal with leadership now. Hon. Abass, as you can see, the Chairperson who should respond to your request is not here. We will skip it for

the time being. You will read it again when he comes, if at all he will come. But if anybody knows who the Vice-Chair is--- Who is the Vice-Chair of that committee? Hon. Kemei, do you know?

**Hon. Kemei:** Hon. Kareke Mbiuki.

**Hon. Speaker:** It is very sad.

Yes, hon. Ahmed, Member for Wajir West.

#### ESTABLISHMENT OF KDF COMMAND CENTRE IN NAIROBI

**Hon. Ahmed:** Thank you hon. Speaker. Pursuant to Standing Order No.44(2)(c), I wish to request a Statement from the Chairperson of the Departmental Committee on Defence and Foreign Relations concerning the recent establishment of Nairobi Metropolitan command of Kenya Defence Forces---

**Hon. Speaker:** Hon. Ahmed, can we confirm that the Chairperson or Vice-Chair of that Committee is present? You had indicated to me that the Statement was erroneously directed to the Committee on Administration and National Security. Perhaps, that may be the reason why members of the Defence and Foreign Relations Committee are absent. That is hon. Gethenji or hon. Shill. Do they operate from within Parliament? Hon. Ahmed, there is no point of you reading out your request for Statement when there is nobody to respond to it. So, you will hold on. Are you suggesting that you still want to read out your Statement?

**Hon. A.O. Ahmed:** No, hon. Speaker. Much obliged

**Hon. Speaker:** Yes, hon. Dawood.

#### ISSUANCE OF TITLE DEEDS IN MOMBASA

**Hon. Dawood:** Thank you, hon. Speaker. Pursuant to Standing Order No.44(2)(c), I wish to request a Statement from the Departmental Committee on Lands regarding the recent issuance of title deeds in Mombasa.

**Hon. Speaker:** A moment! Is the Chairperson or a Vice-Chair present?

**Hon. Dawood:** I cannot see hon. Mwiru. But it is a question which I asked last time and the Committee has already done the work, I was told I have to re-read it in the House.

**Hon. Speaker:** But there is no point of you reading it if there is nobody to even tell you whether they are ready with the response, or it is going to be given in one year's time or whatever time.

**Hon. Dawood:** Hon. Speaker, I do not know who the Vice-Chair is.

**Hon. Speaker:** Let me get a response from the Leader of the Majority Party, because a number of those members are members of his Coalition.

**Hon. A.B. Duale:** Yes hon. Speaker, I can confirm that a number--- Apart from two committees, the rest of the chairs and vice-chairs are from my Coalition.

Hon. Speaker, from the outset, I want to apologize on behalf of those chairs. I want to apologize to the House on their behalf because this is a very serious matter. At 2.30 p.m. every Wednesday afternoon, there is a Session of the House and this document is in the website from as early as yesterday at 4.00 p.m. This is total disregard of the

leadership roles that this House has bestowed upon them. At least, for the Vice-Chair of Committee on Lands, hon. Sakuda, who is very busy with taking the Maasai leadership to State House---

*(Laughter)*

From what I am reading in the papers, I think hon. Sakuda is so busy with taking the likes of hon. ole Ntimama to see the President. I hope he is at State House with hon. ole Ntimama. But for hon. Mwiru and the Chair of the Committee on Defence and Foreign Relations--- I think your Office and my Office need to sit down and come up with a strategy. We shall make sure that the chairs of committees of this House do not curtail the operations of the House. They are chairs because they were elected by Members and not because they have better CVs or are better than other Members.

*(Applause)*

I am sure the Standing Orders are very clear. It is not for hon. Duale or the Speaker to tell you what to do. If you are sitting here and you are from the Committees on Lands and Defence and Foreign Relations, you know what to do when your Chair fails you. It is not a Jubilee or a CORD matter. The moment you are a member of a committee, you are a committee member of the whole House. So, hon. Members of this House, I am sure as we continue, you will see more chairs missing. I think, from where I sit, as the Leader of the Majority Party, I will definitely take serious action against those Members, including the one who is busy taking ole Ntimama to State House. That is not an agenda.

*(Applause)*

**Hon. Speaker:** There is nothing to debate about. Hon. Dawood, again, there is nothing to be addressed by hon. Wakhungu. I can see he wants to say something. But let us proceed until we finish, and then we can see what---

The next Member is hon. Owour. He has assumed migratory tendencies. I normally associate him with some corner on the other side. Proceed, hon. Owour.

#### TENSION BETWEEN NYAKACH AND BELGUT/SIGOWET-SOIN CONSTITUENCIES

**Hon. Owour:** Thank you, hon. Speaker. Pursuant to Standing Order No.44(2)(c), I wish to request a Statement from the Chairperson of the Departmental Committee on Administration and National Security regarding the unending tension between the residents of Nyakach Constituency and Belgut and Sigowet-Soin Constituencies. Incidents of stock theft in the larger Nyakach area have increased considerably, leading to clashes between neighbouring constituencies. Lives have been lost, houses torched and livestock stolen.

In this Statement, the Chairperson should inquire into and report to the House on the following:-

(i) the number of homes raided and livestock stolen in the constituency in the last one year;

(ii) the allegation that security personnel in the area are abetting crime and, if true, what measures have been taken against the specific officers in the region;

(iii) what the Government is doing to ensure the right to life and ownership of property is upheld in the three constituencies.

Thank you, hon. Speaker.

**Hon. Speaker:** Hon. Abongotum.

**Hon. Abongotum:** Thank you, hon. Speaker. This is a grave matter that has to be addressed by our security personnel, because the people of Belgut and Nyakach have always lived in peace. We need to address this matter as a matter of urgency. In fact, as a Committee, we are planning to visit that area this week or next week among other areas in Nyanza. We will give the information in two weeks' time.

**An hon. Member:** On a point of information, hon, Speaker.

**Hon. Speaker:** Hon. Members, let me just try to remind you about the Standing Orders. There is a request made by hon. Aduma. The Chairperson to whom the request is directed is responding and then a Member purports to want to rise to give information. To whom? You cannot. This is not debate time. It is not done that way. You have no capacity to do that. You are not the Chair of the Committee; neither are you the person making the request.

I know some of you feel excited because, maybe, you come from nearby constituencies, and you think that you have more information than others. No, it is never that way. If you thought that you needed to inform, you should have presented a request. We must be guided by rules and not hijack reactions. The Member purporting to make noise out there---

Yes, hon. Aduma.

**Hon. Owour:** Thank you, hon. Speaker. I am okay with what the Chairman has said. I have a lot of confidence in him.

**Hon. Speaker:** Very well. Anybody else will be allowed to start saying that they have information or seek clarification.

Hon. Eric Keter, I will give you a chance but I hope you are not touching on this matter because it is not in your domain.

**Hon. E.A. Keter:** Yes, but hon. Speaker---

**Hon. Speaker:** It does not matter that you come from Belgut.

*(Laughter)*

You are not going to tackle this matter. What is out of order?

**Hon. E.A. Keter:** What is out of order is that the hon. Member has referred to Belgut, yet that issue does not concern that constituency at all. It concerns Sigowet/Soin Constituency.

**Hon. Speaker:** That is not out of order! The Statement that will be brought will make the correction. You have no business correcting this. In fact, you should be happy that he is talking about the wrong place. You should even rest in peace.

**Hon. E.A. Keter:** Hon. Speaker, I want to defend my constituents. I oblige.

**Hon. Speaker:** But the Statement will clarify that. Hon. Keter, you may feel very excited about the mention of the great constituency called “very good”. It is the constituency called “Belgut” or “very good”.

*(Laughter)*

Hon. Aduma is happy that he has mentioned Belgut. I am sure that hon. E.A. Keter, on the day the Statement will be read out, you will say the areas affected are not in my constituency “very good”. That should suffice hon. Keter.

**Hon. E.A. Keter:** I oblige, hon. Speaker.

**Hon. Speaker:** Yes. Yes, hon. Akujah. Before you make your request, do we ascertain that the Chairperson, Departmental Committee on Labour and Social Welfare, hon. David Were, or the Vice-Chair is present? They are not here. What has happened? Are chairs on a go-slow? Hon. Akujah, it looks like we may have to skip that request and move on to the next request.

Yes, hon. Zuleikha Hassan Juma. Your request is directed to the Committee on Labour and Social Welfare and the Committee on Education, Research and Technology. Is it directed to the two committees?

**Hon (Ms.) Juma:** Yes, hon. Speaker.

**Hon. Speaker:** This request is directed to two Committees. We can allow hon. Zuleikha to read out the request. Hon. Melly will respond.

**Hon. (Ms.) Juma:** Thank you, hon. Speaker. Pursuant to Standing Order No.44(2)(c), I wish to request a Statement from the Chairpersons of the Committees on Labour and Social Welfare and Education, Research and Technology regarding the treatment of Muslim students in public schools.

Hon. Speaker, the Constitution outlaws discrimination on the basis of religion among other things and this is meant to foster unity in diversity.

In this regard, I wish to hail the recent High Court ruling by Justice Isaac Lenaola that ordered all public schools to respect the religious rights of followers of the Seventh Day Adventist on Monday, 27<sup>th</sup> May, 2013. Whereas we commend educational institutions that respect and uphold the religious rights of Muslim students in public schools, we are concerned about the many that continue to violate the students’ rights to practise their religion. This discrimination includes being denied the right to observe their daily prayers, being forced to take Christian Religious Education and attend church services.

Public girls’ schools, for example Alliance Girls High School and many others are on record for forcing Muslim girls to remove their headscarfs and uncover their legs.

Hon. Speaker, Muslim parents are either forced to accept these conditions or remove their children from these schools. Last year, Muslim parents were forced to remove all their children from Olkejuado High School after their prayer room was burnt down and the Holy Quran destroyed. The Board of Governors there refused to comply

with a directive from the Ministry of Education, Science and Technology to have a pray place for Muslims. Such practices are a threat to national cohesion, integration and diversity.

The Chairperson should inquire and state in cases where there is discrimination in public schools, as outlined above, what the Ministry is doing to remedy this.

**Hon. Speaker:** Indeed, this Statement does not require the two Committees. Almost everything is about education. It will be appropriate that the Departmental Committee on Education, Research and Technology states the Ministry's position or policy regarding issues of this nature, and specifically investigates the alleged violation in the manner that you have stated. To me, the Departmental Committee on Education, Research and Technology is the appropriate Committee.

**Hon. (Ms.) Juma:** That is okay with me, hon. Speaker. I was advised by the Clerks, but that is fine with me.

**Hon. Speaker:** You are saying that the allegation is that girls are being forced to remove scarfs on the head and also stop covering their legs?

**Hon. (Ms.) Juma:** Yes. They cannot wear trousers and long skirts.

**Hon. Speaker:** What do you mean by "covering their legs"? Do you mean wearing socks? Are they forced to stop covering their legs?

**Hon. (Ms.) Juma:** Hon. Speaker, according to Islamic Law, a woman should cover herself. Maybe, only the face and the hands can be left exposed. So, either a long skirt or trousers are acceptable. So, they are not allowed to wear trousers and long skirts. To those who want to practise their religion, it is like being told to walk around nude.

**Hon. Speaker:** Hon. Melly, this is a serious matter.

**Hon. Melly:** Thank you, hon. Speaker. The matter is actually very emotive. I shall request that the Member gives the Committee two weeks to seek clarification from the---

**Hon. A. B. Duale:** On a point of order, Hon. Speaker. This matter came before this House in the Tenth Parliament and the House spoke on it. The Committee needs two weeks, yet this is a matter involving very few schools in this country. If we want, we can shame them on the Floor of this House; who wants to mistreat Muslim students by not allowing them to wear their scarfs. It is not all the schools in Kenya. Those schools are known and I am sure the Ministry of Education, Science and Technology is aware of them. The Committee, through me, can bring an answer to this House by next Wednesday afternoon. The schools are known and when that time comes, we will name them. We groom our kids in the best morals in our religion. I want my daughter to be the best Muslim girl and go to a good school after scoring the required mark. You even saw it in Kisumu and other regions where girls were being told to shave. It was on television.

Whether you have long or short hair has no bearing on your scores after you do examinations. There was a school in western Kenya that said that for the girls to pass this year's KCSE examination, they must all shave their hair. That is ridiculous and shameful. The Vice-Chair can take seven days and we can give him the schools in Kenya, some of them national, which do not want our Muslim girls to wear scarfs.

On the matter of the long trousers, that is not a serious issue. They can wear long skirts and shorts; the most critical issue is the hijab.

**Hon. Melly:** Hon. Speaker, I know we are supposed to seek guidance from the Ministry of Education, Science and Technology and ten days will be enough. We need to go round and find out the real issues on the ground. It is not possible that we can have---

**Hon. Speaker:** Specifically, the issue is the school in Kajiado and even Alliance Girls High School, which have been given as examples by the Member.

**Hon. Melly:** I think because of the seriousness of the issue, ten days will be enough.

**Hon. Speaker:** Hon. hon. Sumra, if you cannot come up with your own request for a Statement, do not hijack others' requests. You must learn how to come up with your own request. Do not hijack other people's efforts. Now that you think it is very popular, and this is the time when you are going to be heard--- You must take your own initiative. Do not jump onto other people's bandwagon.

**Hon. (Ms.) Juma:** Hon. Speaker, I would like to agree with the Leader of the Majority Party. I also asked this question one week before we went on recess and the Committee on Education, Research and Technology promised to bring an answer just before we went. However, I will accept ten days. We have been waiting for years for a change. So, I will wait.

**Hon. Speaker:** The next Statement that I have is from hon. Samuel Ndiritu!

**An Hon. Member:** Hon. Speaker, hon. Samuel Mathenge Ndiritu is in a function in Nakuru; he said that he had your permission to attend it. He had requested that if it is in order, I read out the Statement request on his behalf.

**Hon. Speaker:** He cannot just request you. Remember, you do not preside over these proceedings. The request is misplaced.

**Hon. Member:** It is on the basis that he had asked for permission from you, Mr. Speaker, and also the urgency of the matter.

**Hon. Speaker:** If he knew there was urgency, he ought to have written to me direct. Do not worry. He will ask it on another day when he will give this House priority over Nakuru functions.

The Member for Nakuru East is next; yes, hon. David Gikaria.

**Hon. Gikaria:** Hon. Speaker, I do not know whether the Chairman and the Vice-Chairman of the Committee on Transport, Public Works and Housing are here, so that I can raise mine to the Committee.

**Hon. Speaker:** Chairperson, Transport, Public Works and Housing, hon. Maina Kamanda or the Vice-Chair, hon. (Eng.) Mahamud! Are they here?

**Hon. Gikaria:** If you allow me, I am the Vice-Chair of the Implementation Committee and I needed your guidance. When we were going through the Statements, during the First Session, we had 222 Statements and only 63 were responded to. As the Committee on Implementation, we were a bit scared. Not even a single Committee said that they would give information after one or two months. They were just asking for two weeks and nothing happened.

So, maybe, from the Committee level, we also need some seriousness, so that we can tackle the Members' Statements as they come. As the Implementation Committee, we are a little bit concerned that every time they ask for two weeks nothing happens. We are not even half way through. Only 63 out of 222 requests in the First Session were



responded to. Again, this is a concern in which this House needs your direction, so that we also do not request Statements in vain.

**Hon. Speaker:** Well, the Committee Chair is not here, and nor is the Vice-Chair.

For a second time, we will call hon. Abass Mohamed. Your question is directed to the Chair, Agriculture, Livestock and Co-operatives. May I know from the Clerk, are there committees that may be holding their sessions? It is unusual for Chairs and the Vice-Chairs to be absent.

Hon. Abass, since you have already read out your Statement, and this will be noted by the Clerk of the Committee, this matter is referred to the Committee and the Committee is directed to come up with a response in not less than two weeks from the date of today.

Hon. Ahmed Abdikadir for the second time. You may proceed to read out your request.

#### ESTABLISHMENT OF NAIROBI METROPOLITAN COMMAND BY KDF

**Hon. A.O. Ahmed:** Hon. Speaker, Pursuant to the Standing Order No.44(2)(c), I wish to request a Statement from the Chairperson of the Departmental Committee on Defence and Foreign Relations regarding the recent establishment of the Nairobi Metropolitan Command by the Kenya Defence Forces that was created to address terrorism threats in the country. In the Statement, I would like the Chairperson to inquire into and report on the terms of reference of the command and the command structure of this Force. He should also clarify how this Force is linked to the Kenya Police Service and the value that it will add to this nation, especially after what we saw at the Westgate.

*(Hon. Shill walked into the Chamber)*

**Hon. Speaker:** Defence and Foreign Relations! I think I have seen the Vice-Chair strolling in. You see, hon. Vice-Chair as well as your Chair, you are reminded that Parliament begins sitting at 2.30 p.m. on Wednesday afternoon. This is the second time this question is being asked, but because neither yourself, nor your Chair were present, we had to skip it. So, tell us how long it will take you to respond to hon. A.O. Ahmed's Statement.

**Hon. Shill:** Hon. Speaker, I apologise for coming late. Most of the time, we are in the House. We are human beings. Sometimes we are stuck in traffic.

Hon. Chairman, having said so, we will bring the response in two weeks' time.

**Hon. Speaker:** Hon. Abdikadir, what is your response?

**Hon. A.O. Ahmed:** Hon. Speaker, two weeks is okay with me.

**Hon. Speaker:** Yes, hon. Dawood.

#### STATUS OF LAND ADJUDICATION IN KENYA

**Hon. Dawood:** Hon. Speaker, pursuant to Standing Order No.44(2)(c), I would like to request a Statement from the Departmental Committee on Lands regarding the recent issuance of title deeds in Mombasa by His Excellency the President.

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Hon. Speaker, His Excellency the President recently issued 60,000 title deeds in a bid to kick-start an effort to help solve the land crisis in the coast region. The Chairperson should inquire into and report on the following:-

(i) the status of land adjudication in the whole country, and especially in Meru County;

(ii) when title deeds will be issued for land where letters of allotment have been issued; and,

(iii) when title deeds will be issued for land where adjudication has been done but neither letters of allotment nor title deeds have been issued.

Thank you, hon. Speaker.

**Hon. Speaker:** The Chairperson of the Committee is not present.

**Hon. Dawood:** Hon. Speaker, the Statement request was first made in October, 2013. The Committee should, therefore, have finalised by now because they visited Meru County two months ago. So, I expect the answer to be ready by now. I just request your indulgence, so that we can get the answer as soon as possible from the Committee Clerk or the Chairman of the Committee.

**Hon. Speaker:** The Statement is referred to the Committee. The Committee is hereby directed to give its response within two weeks from the date of today.

**Hon. Dawood:** Thank you, hon. Speaker.

**Hon. Speaker:** Clerks-at-the Table, it is important for you to note all the requests in respect of which Committees are directed to respond in two weeks' time.

Yes, hon. Protus Ewesit.

#### DISTRIBUTION OF RELIEF FOOD TO DROUGHT-HIT AREAS

**Hon. Akujah:** Hon. Speaker, pursuant to Standing Order No.44(2)(c), I would like to request a Statement from the Chairperson of the Committee on Labour and Social Welfare regarding the issue of relief food and other disaster response at the county level, formerly carried out by the Offices of the District Commissioners. Currently, some parts of the country are going through hard times. Relief food supply has been of paramount importance in cushioning the very poor, orphans, elderly people and internally displaced persons against hunger in the past, but this has not been the case since last year. Cases of starvation are escalating in most parts of the country. Efforts to get feedback from the responsible offices have not borne fruit. The Special Programmes Office, which was charged with dispatching relief food supplies to needy areas say that money meant for relief food supplies has been sent to the county governments.

Hon. Speaker, the Chairperson should inquire into and report on the following:-

(i) the status of ongoing distribution of relief food supplies to vulnerable parts of the country, and more specifically relief food supplies from the national Government to Turkana County;

(ii) the number of people so far reached by the relief food supplies in the particular county;

(iii) the duration for continued distribution of relief food supplies until the situation stabilises in the affected areas; and,

(iv) the logistical and corruption-free measures that have been put in place to facilitate smooth distribution of relief food supplies to the victims of drought.

Hon. Speaker, we have some information on relief food supplies being sold in Eldoret by brokers in collaboration with some Government officials.

Thank you, hon. Speaker.

**Hon. Speaker:** Hon. Were, for the second time!

**Hon. Were:** Hon. Speaker, first, I apologise for coming late.

Secondly, I would like to inform the House the Vice-Chairperson of the Committee is out of the country until the end of next week. Considering the urgency of the matter, I will give a response to the Statement request in two weeks' time.

**Hon. Speaker:** What is your reaction, hon. Akujah?

**Hon. Akujah:** Hon. Speaker, two weeks is enough, considering the fact that this is the second time I have requested this Statement. I made the first request sometime last year but the Session lapsed before I got a response. I am now trying to request it again. I am okay with two weeks.

**Hon. Speaker:** Yes, hon. Were!

**Hon. Were:** Hon. Speaker, I agree with the hon. Member.

**Hon. Speaker:** Hon. Gikaria, you may as well request your Statement.

#### CONSTRUCTION OF NAIROBI-NAKURU HIGHWAY BYPASS

**Hon. Gikaria:** Hon. Speaker, pursuant to Standing Order No.44(2)(c), I would like to request a Statement from the Chairperson of the Departmental Committee on Transport, Public Works and Housing on the construction of the Nairobi-Nakuru Highway bypass from the Stem Hotel to the Njoro Turn-off. The Chairperson should inquire into and report on the following:-

- (i) the length and route map of the bypass;
- (ii) details on the design of the road, the scope of work and the cost of the project;
- (iii) whether a tender has been awarded and if so, what the commencement and completion dates of the projects are; and,
- (iv) the number of people who will be displaced by the project and the plan for compensating them.

**Hon. Speaker:** Is there anybody from the Departmental Committee on Transport, Public Works and Housing?

*(Several hon. Members  
stood up in their places)*

**Hon. Speaker:** Order! Order, hon. Members! We want responses to Statement requests to come from the Chairpersons or the Vice-Chairpersons. Other Members of Departmental Committees are just Members. They have no capacity to claim that they can also respond, or that they will draw the attention of another person to a matter for response. If you want to address matters of that nature, please, vie for the positions. Once you get them, you will be given due recognition.

Since the Chairperson is not present, I order that the request be transmitted to the Committee and a response be given to hon. Gikaria within two weeks from the date of today. Clerks-at-the-Table shall take note of all those requests in respect of which the Chairpersons are not present.

### COMMUNICATION FROM THE CHAIR

**Hon. Speaker:** Hon. Members, I had intended to give a Communication earlier but there were very few of you in the House. We now have a substantial number.

### CLOSURE OF CONTINENTAL HOUSE CAR PARK

**Hon. Speaker:** Hon. Members, as you may have noticed, there are numerous construction works taking place within the precincts of Parliament. The ongoing works are in tandem with the resolve of the Parliamentary Service Commission (PSC) to make the precincts of Parliament more habitable to the expanded membership and to enhance safety and security. In this regard, the Commission has since engaged a contractor to commence the construction of an office block next to Continental House. The building will accommodate more Committee Rooms and related infrastructure. The office block will cover part of the car park that is situated at Continental House and the adjacent space.

Hon. Members, in order to facilitate the construction works to commence as scheduled, the parking space at Continental House shall be closed with effect from Monday, 24<sup>th</sup> March, 2014. In the meantime, additional parking space has been provided at the COMESA Grounds of Kenyatta International Conference Centre (KICC). This additional parking space, together with the visitors' car park at Main Parliament Buildings, shall be available for use by Members of Parliament.

Hon. Members, this is, therefore, to request your continued co-operation with the Serjeant-At-Arms, so as to ensure that the construction site is vacated and made available for the commencement of works by Monday next week.

I thank you.

Hon. Members, it has never been and it will never be that a communication from the Chair becomes a matter for debate, or a matter that can be out of order. As you know, I am the custodian of the rules and you know Standing Order No.1 is extremely deep and wide. So, please let us proceed with business and not the matter which I have communicated.

### PROCEDURAL MOTION

#### EXTENSION OF SITTING TIME

**Hon. Speaker:** Leader of the Majority Party, move your Motion.

**Hon. A.B. Duale:** Hon. Speaker, I beg to move a Procedural Motion:-

THAT, Pursuant to the provisions of Standing Order No.30(3)(a), this House resolves to extend its sitting time today until the conclusion of business appearing as Order No.12 on the Order Paper.

Order No.12, on the Order Paper is a serious and weighty matter and is at the Committee of the Whole House Stage; we shall discuss the Marriage Bill (National Assembly Bill 13 of 2013). Amendments to it are on the Order Paper and I am sure further amendments by Members to this Bill might take quite substantial time of the day.

Since the Marriage Bill is serious, and touches on the institution of marriage, the family and the nation, we need to set the record straight. This is a law that is going to govern families, real or perceived for many years to come. So I will ask my colleagues that we extend the sitting of the House up to when we will dispose of Order No.12, that is the Committee of the Whole House on the Marriage Bill.

I want to urge my colleagues that we do not want leave the House this afternoon, if you grant my wish. Later we do not want to find you in the corridors of court, with many moribund issues; you know the law will be against you, if we will pass the Bill today. The Marriage Bill is very critical to all of us and the nation.

I will ask my colleague, hon. Jakoyo Midiwo, to second that Procedural Motion.

**Hon. Speaker:** Hon. Midiwo.

**Hon. Midiwo:** Thank you, hon. Speaker. Let me support with a heavy heart. I do not see why something that I weighty needs to be put at the tail end. I would suggest that we reorganize the Order Paper and begin with it while we still have a quorum. This is something that will end marriages, and do all kinds of things. I do not feel that I should stand here to oppose my colleagues. I have a duty to second but I want to plead that we reorganise the Order Paper and begin with the controversial amendments.

Yes, the family is the basic unit of our society and we are a very religious nation. I want to plead and second.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Speaker:** Hon. Members, my attention has been drawn to the fact that not all of us may be in possession of a Supplementary Order Paper; I urge that every Member gets a copy, so that you can see the order in which business is arranged; a lot of the business appearing may not take you too long.

Let us move to the next Order.

## BILLS

### *First Readings*

THE PRIVATE SECURITY REGULATIONS BILL  
(NATIONAL ASSEMBLY BILL NO.4 OF 2014)

THE BUSINESS REGISTRATION SERVICE BILL

(NATIONAL ASSEMBLY BILL NO.5 OF 2014)

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

## MOTION

APPOINTMENT OF HON. MWASHETANI TO RESPECTIVE COMMITTEES

**Hon. Speaker:** Leader of the Majority Party.

**Hon. A.B. Duale:** Thank you, hon. Speaker.

Hon. Speaker, I beg to move:-

THAT, Pursuant to the resolution of the House on 8<sup>th</sup> October, 2013 regarding the appointment of Members to respective committees, this House appoints hon. Khatib Mwashetani, MP to the Budget and Appropriations Committee and the Departmental Committee on Environment and Natural Resources to replace hon. Chrisanthus Wamalwa Wakhungu, MP and hon. Makenga Katemi, MP in the two respective committees.

This is just a simple matter; our colleague, hon. Mwashetani's election was dissolved, but as he was preparing for a by-election, as part of the confusion we get from the Judiciary, one day to the polling day the Court of Appeal reinstated him. Now he is back and lucky enough on 5<sup>th</sup> December, 2013 ten minutes to midnight, hon. Mwashetani was sworn in. I want to thank you because hon. Mwashetani earned his salary for January and February when we were on recess, and today we want to make sure that he goes back to his committees, very ably. I am sure he will work for the people of Lunga Lunga at the border of Tanzania.

Hon. Speaker, this is a simple Motion and I will ask the active and able Deputy Minority Whip, hon. Wakhungu to second.

**Hon. Wakhungu:** Thank you, hon. Speaker. I rise to second. As you know, hon. Mwashetani is a senior Member of my political party FORD (K); he is my deputy party leader. I wish him well. I am told some people have gone to the Supreme Court, but it is my prayer that the Supreme Court upholds what the Court of Appeal decision.

I, therefore, second and thank you.

*(Question proposed)*

*(Question put and agreed to)*

## MOTION

ADOPTION OF REPORT ON 2014/2015  
BUDGET POLICY STATEMENT

*(Hon. Musyimi on 13.3.2014)*

*(Resumption of Debate interrupted on 18.3.2014)*

**Hon. Speaker:** The hon. Isaac Mwaura, you have a balance of five minutes.

**Hon. Mwaura:** Thank you, hon. Speaker. I rise to support this Motion. I want to recapitulate what I said yesterday, that if you look at the amount of money we are proposing to go to the counties--- The idea of having Kshs1.4 billion given to village polytechnics is very welcome. If you calculate you will see that every county will receive Kshs29.2 million. This will also take care of young people who drop off the educational system.

The statistics show that if you look at the year 2005, pupils who showed up for Class One were 1.3 million, but those who finished Class Eight were actually about 630,000. If you look at this cumulatively for eight years, you can see clearly that we have an army of young people, who are not getting proper education and, therefore, cannot do proper literacy and numeracy skills.

Hon. Speaker, if you look again at the amount of money that is being proposed to support service delivery in various counties there is a high number of public servants. It is important because all counties must move forward in development. No county should be seen to be deprived of development money simply because it took over a huge workforce from the national Government and the former local authorities.

However, if you followed the conversation on the issue of wage bill, it has been said on this Floor of the House that we need to reduce the number of nominated hon. Members of Parliament, county women representatives, hon. Members and Senators. I beg to differ. If you look at the cumulative amount of funds that are actually used on these nominees, it is actually less than half a billion. Whatever Parliament gets compared to the Executive's allocation, its share is only Kshs16 billion out of a Budget of over Kshs1 trillion.

Hon. Speaker, the wage bill debate, in my opinion, is, therefore, actually misguided; if you look at our wage bill, we are only spending about Kshs300 billion and not the purported Kshs500 billion. I note with concern the fact that if you look the wastage in Government, we still have over Kshs330 billion being lost to corruption, leakage and misappropriation.

There are also allegations of existence of ghost workers, who need to be eliminated. Our parastatals are gobbling up to Ksh140 billion a year; there are 247 of them. This House and the previous Houses have actually established various implementing agencies in the various statutes that have been passed. I think it is high time we looked at whether there is actually value for our money with regard to this.

I rise to support this Motion but with a caveat that we cannot say we are reducing the wage bill when we are also reducing representation of marginalized groups, special interest groups and women. If, for example, today there were no women representatives in this House, there would be only 15 women who were directly elected. If the Senate did not have the women nominees, indeed, it would be a bull dance; only men would be dancing in it. I think the word "nomination" here is an anomaly; it is actually a form of election through party lists.

Therefore, I would want to say that even as we go forward and look at the economy as whole--- Just the other day, the World Bank gave our economy thumbs up. If

you look at the Budget Policy Outlook Paper, it predicts that our economy is going to grow by 5.1 per cent. The combined growth of the last three quarters is 4.6 per cent. If you look again at the wage bill against the GDP, it is actually 13.0 per cent; this is still very okay within the East African region, Kenya being the biggest economy.

Therefore, I want to support this and insist that the National Assembly must not be seen to be an extension of the National Treasury. We have a responsibility to ensure we deliver to Kenyans, and that we have a Budget that is responsive to the needs of Kenyans.

Hon. Speaker, independent research has shown that for every Kshs100 that is allocated by Government to its own people, people only get Kshs30. The reason why the Budget and Appropriations Committee has 51 hon. Members is because we have the capacity. Much as we concur with the National Treasury that we actually prioritize our programmes to ensure that the Budget is pragmatic, we should put money where the mouths of Kenyans are.

Hon. Speaker, even when you look at this Budget Policy Statement, it is important to look at the revenue raising measures. Statistics also show that the entities that pay taxes to Government are only 1.1 million people. If you tabulate that you will see that the people who are employed by Government are 700,000; then you will see that we have a very small private sector.

However, we have failed as a House to legislate on how to actually benefit from capital gains; this would have the Government more money. Therefore, we should actually come up with the solution to various deficits that we experience.

Hon. Speaker, if you look at the ratio of the national debt to the GDP, I think I am worried. I know we have been compared with economic giants like Japan; it has been alleged that they are over 200 per cent in terms of debt. Of course, if you look at the USA, the international practice is actually between 28 and 35 per cent. Therefore, we need to be careful about the kind of money we borrow; if we are to invest, we should invest in areas from where we will get maximum gain.

Hon. Speaker, I think it is only in order to look at how we can allocate resources; this will actually help in creating the promised one million jobs.

On the contrary, how do you create jobs while retrenching people? We need to look at how we can actually stem corruption. Even if all hon. Members were to take a salary cut of 20 per cent or 10 per cent, we would not even be sure whether this kind of money would be appropriated properly. Therefore, I think this whole idea, in my opinion, of wage bill is a smoke screen; it is something that is meant to divert public attention from the failures of the Jubilee administration. The Jubilee administration promised that they would put food on the table of Kenyans, but we have not seen food on the table. The cost of living has gone very high. If you look at our neighbours in Tanzania, the price of sugar there is three times lower than what we are paying here. The cost of petrol is going high and we are wondering really whether we can actually talk about austerity measures when we are not actually trying to subsidise productivity; we are actually trying to say we reduce consumption but we are not accounting for the money that we are supposed to save. I grudgingly support and say that we need to be realistic. We should not be kicking the ball--- We need to address real issues because we are real leaders for real Kenyans.

**Hon. Speaker:** Hon Njagagua.



**Hon. Njagagua:** Thank you, hon. Speaker for giving me this chance to contribute on this matter by the Budget and Appropriations Committee. I stand here to support this Motion. One, I must, as a member of the Committee, let this House know that the members of that Committee have been working tirelessly since the Budget process began to make sure that money is actually well appropriated and for the rightful purposes.

Hon. Speaker, as I actually support this Motion, I must say that I am doing this with a heavy heart; a lot of money is going to the counties. Money being sent to the counties is actually money being sent to assist *Wanjiku*, as we refer to the common *mwananchi*. However, it is quite unfortunate that the governors to whom we are giving this money are using a lot of it for Recurrent Expenditure and not Development Expenditure. A lot of this money is again used on unnecessary projects like going for trips, seminars and entertainment. We all know that last year a particular governor allocated himself a whopping Kshs50 million as entertainment allowance for one year. That would actually translate to about Kshs1 million per week on entertainment. One is left wondering whether this governor or the governors are keen on entertaining themselves or giving service to the common *mwananchi*.

Hon. Speaker, while at it again, we have been told by the Central Bank of Kenya (CBK) and the Treasury that much of the money that we allocated to them last year, another whopping Kshs50 million, has been lying at the CBK. They have been unable to utilise this money. In the short-term, what I am saying is that they do not have the capacity to absorb this money. I am saying this money should go to the counties, and I believe there is no Member of Parliament (MP), who is opposed to devolution; but this money must, as of necessity, be utilised for the purposes that we want it to be used for, which is assisting the common *mwananchi*.

Hon. Speaker, I must also hasten to add that there is a second part of the coin. We have proposed that about Kshs1.4 billion be utilised for construction of polytechnics. We all know that after students sit their Standard Eight examination there are those who never make it to universities or to Form One. It is this money that we are saying we are sending to the governors; it must be ring-fenced. It should not be used for luxuries. That money must be used to construct polytechnics that will absorb our children, who are not able to make it to secondary schools.

Hon. Speaker, also on the issue of electrification, we all know that we need to light this country. The Government has always been very keen and it has promised us that within the next five years we will have about 5,000 megawatts of electricity being produced. That is why we are proposing that Kshs7.4 billion go to the Rural Electrification Authority (REA) for purposes of rural electrification.

Hon. Speaker, I am again very happy to support what His Excellencies the President and the Deputy President said. They took the bold step to open up a national debate to check the ballooning and almost bursting national wage bill. It is on that basis that I would wish to say that in as much as we are saying we need to reduce the wage bill, we must also take cognisance of some institutions in the Constitution that “eat” into that wage bill. They increase the wage bill.

Hon. Speaker, with a lot of tremendous respect to the other House, we know that there is a Senate which was created by this Constitution, but we must ask ourselves: Is this House really working? The Speaker of that Senate is out of this country today as we

speak. He is in Geneva. His deputy is also in New York. The Clerk of that Senate is also away and even the Senior Deputy Clerk (SDC) of the Senate is away.

That House has again changed their Standing Orders to say that they must meet only thrice in a week; they are now amended by their Standing Orders not to meet on Wednesday morning. I do not know whether they are unable to wake up in the morning and attend to the business of the House. So, they are only meeting on Tuesday afternoon, Wednesday afternoon and Thursday afternoon. Do we really need a House that sits only for three days in a week?

Hon. Speaker, while still at it, we must appreciate that we only have about 67 Senators. They have gone ahead to create more committees for that House to match the number of the committees that are in this House. You find that each Senator is now sitting in about seven to ten committees. Surely, are they able to transact the business of the day seriously when a man or a woman has to sit in about seven or ten committees? Are they able to discharge their duties? Are they able to give their best to those committees?

So, we are saying in as much as it is in the Constitution, we must agree that some organs must be done away with. I am not saying that the Senate should go, but we must open up that national debate, debate and agree on whether we need the Senate. Do we need 47 counties? We know that some of them could be merged to create a bigger trading block. We all know that India, China and Nigeria have big populations. Nigeria has about 150 million people but it has fewer counties than us. China has over one billion people and they do not even have 30 counties. What are we doing with our 47 counties? These are the organs that are “eating” into our Budget and ballooning the national wage bill.

Hon. Speaker, again it is on record from none other than the Cabinet Secretary for the National Treasury that a third of our Budget goes to waste. There are so many loopholes in expenditure by national agencies. So, the Government must, of necessity try and seal the loopholes through which money are lost.

Hon. Speaker, lastly and before I sit down, we must again look at the issue of procurement. Many projects are stalling because of the red tape, or bureaucratic procedures, in procurement. I am happy to have heard the Leader of the Majority Party today read the first Bill on the issue of business legislation. We must again look at the issue of procurement, so that many projects can commence within the coming year and that the same is not bogged down by unnecessary procurement red tape.

Hon. Speaker, I support the Motion. Thank you.

**Hon. Nyamweya:** Thank you, Hon. Speaker, for giving me a chance to support this Motion from the outset.

**Hon. Chepkonga:** On a point of order, Hon. Speaker. Of course, you know I respect Hon. Nyamweya; it is just that I was concerned about Hon. Njagagua when he was speaking; he wanted to abolish the Senate.

I rise on a point of order pursuant to Standing Order No.83, as read together with Standing Order No---

**Hon. Speaker:** Did you say he wanted to abolish the Senate?

**Hon. Chepkonga:** Hon. Speaker, he was seeking our support but he did not get it.

*(Laughter)*

I rise pursuant to Standing Order No.83, as read together with Standing Order No.97(4). I know this is a very important matter and it is of concern to hon. members, and, in particular, myself. But since I notice that a number of us have requested to speak, would I be in order to request you to reduce the time from ten minutes, so that a number of us can speak for three minutes? I note that we have spoken for the last three days on this particular matter; we should be able to be relevant in terms of Standing Order No.107. We do not seek to abolish the Senate in the process of contributing to this important debate. So, would I be in order to request you to reduce contributing time to three minutes?

**Hon. Speaker:** What is the general consensus?

**Hon. Members:** Five minutes!

**Hon. Speaker:** So five minutes? Hon. Members, Hon. Chepkonga has raised the issue, indeed, which is on limitation of debate time under Standing Order No.97. Remember this is notwithstanding the resolution of the House to limit debate on reports of a Committee to a maximum of ten minutes for each hon. Member speaking, other than those listed and the Chair of the Committee. Therefore, I will put the Question that debate on the current Bill be limited to five minutes.

*(Question, that speaking time be reduced to five Minutes, put and agreed to)*

**Hon. Nyamweya:** Hon. Speaker, hopefully you will not penalize me because you had given me the Floor for ten minutes. I was on the Floor at the discretion of the Speaker.

I want to raise a very serious concern; I want us to go through the policy statement that we have just been given and refer you to a specific section. I want us to refer to our Standing Order No.232(e) which is very clear on the total resources to be allocated to individual programmes and projects within a sector, Ministry or department for a period identified in subparagraph (a) indicating the outputs expected from each such programme or project during the period. This has not been complied with and also public participation is a requirement. This has not been complied with. How did they reach the figures they gave us? I am a student of Mathematics. If you are doing mathematics you must show how you have reached an answer. Do not just give the answer. What these people have done is that they have given us the answer without explaining how they arrived at the figures. Hon. Members, this is a very serious issue; we, as a House, have committees which were to interrogate the National Treasury officials before they came up with the Budget Policy Statement (BPS). This has not been done in details. I have looked at the provisions according to the BPS and I want hon. Members to take keen interest, to see how they have allocated the funds. I want to be very specific here; I want to go to the Ministry of Transport and Infrastructure. This Ministry has outstanding bills of Kshs66 billion. The amount that has been allocated here for development is between Kshs117 billion and Kshs200 billion. But we have an outstanding bill of Kshs66 billion to be paid first. So we are left with a balance of Kshs50 billion. When you look at development, the GoK is giving us Kshs52 billion and foreign partners are giving us Kshs65 billion.

Basically, the message is very clear here that this Government is not taking infrastructure seriously.

I want to ask the people in the Ministry of Transport and Infrastructure where the money is for the Kenya Rural Roads Authority (KERRA). Where is the money for Kenya National Highways Authority (KENHA)? Where is the money for the entire roads infrastructure for roads? We can sit here today working on a project for laptops yet we do not have roads. To me, this Budget is upside down. As we move on, let us interrogate this document properly. We are responsible for bringing development across the country.

The Chair, in his statement, has said clearly that for us to develop and for us to move forward, infrastructure is key. But the point that is coming from the Government is less revenue for infrastructure as compared to last year. How are we going to take our produce to the markets? I am asking the hon. Members concerned, the Committee, to take its work seriously and realise that if we are not careful, we are chasing ourselves out of Parliament. The policies of this Government are upside down. Can we, as Parliament, tell this Government that it needs to wake up? They have brought a document without following the due process.

I will now touch on agriculture. If you look at the funds allocated for agriculture, there is no money for it yet we say we want to feed ourselves. I wish you could give me more time, so that I can continue---

With those few remarks, I am concerned about the Budget making process. I am concerned that this Government has no agenda for this country. So we need to wake up as Parliament to show the Government what it needs to do. Finally, I want to say that there is a lot of corruption. The report which we have passed here---

**Hon. Speaker:** Your time is up!

*(Loud consultations)*

*(Several hon. Members entered the Chamber)*

Order, hon. Members, especially those who have just walked into the Chamber when they were supposed to respond to Statements. You obviously know that equity looks with disfavour at those who do not come to it with clean hands. Clean hands in this case would mean if you do not come in late.

**Hon. (Ms.) Kiptui:** Hon. Speaker, thank you for the opportunity. I rise to support the Motion, though grudgingly, as my colleagues have said, because of the worry that the governors may not utilize the funds for the development of the counties as it was intended. According to me, we are saying that there is a runaway wage bill in Kenya but the solution is not doing away with women leaders of this country. The solution is not to contract the Budget but to make more money that will be used for our development. The women of Kenya have only had the only chance to be in the political decision making in the country. I hear my colleagues debating about sending away women - those nominated and those elected - to solve the problem, but that is not the solution. The best thing to do is to make sure that the amount of wastage of money that this Government, or previous Governments, have experienced has had the cumulative effect of a runaway wage bill.

Secondly, there is a lot of duplication. There are so many people in this country doing to the same job, employed for the same thing and they are not delivering. If we do not have production, how are we going to have a lot of money to pay everybody? Even if we were to talk of retrenching people, it would be a very expensive affair; it would demoralize people. We need to look at the issues of stopping money leakages, and ensure that we employ people where there is need for them to work but not for political convenience.

Thank you

**Hon. Speaker:** Yes hon. Prof. Nyikal.

**Hon. (Prof) Nyikal:** Thank you, hon. Speaker, for giving me this opportunity to contribute to this Motion. I stand to support this Motion. I must start by expressing my appreciation to the Committee – to which I am a Member - and the leadership of our Chair. It was hard work and one of the reasons that have been noted is that we got the Report late. I think that has been said as an extremely important point. That may account for some of the shortcomings that have been expressed by several Members here.

The other issue that we noted as a Committee and that, I think, we need to take up is the issue of lack of synchronization of reports when they are brought to this House, particularly this particular Budget Policy Statement. It is not synchronized with what is happening in the counties. We know this policy statement will lead to the Division of Revenue Bill. I think, either through the Senate or whatever route we will take, it is important to synchronize the two processes, so that the process at the county and the process here work in a synchronized way. That way, when we are looking at the Budget process, we will know how to look at the Division of Revenue Bill. I think that is an important point that we should look into.

The other issue that I think we need to address, as a nation, is interest rates. I do not understand how people are expected to borrow at 20 per cent, make a profit and still repay those loans. We may have to, as a House, look again at the Donde Bill. I think banks are fleecing us.

With regard to the amendments that have been proposed, I really support them. I support the issue of youth polytechnics. Hon. Mwaura mentioned the large number of youths who drop out after primary school. Where do those kids go to? They have no skills. Even the Youth Enterprise Development Fund that has been in place and the *Uwezo* Fund that we are putting in place cannot assist them. The youth are not using the youth funds basically because they do not have any skills to enable them do so. So, I think that setting aside money for polytechnics where we will give those youths skills, do capacity building and show them how they can utilize the resources that the Government has made available to better their welfare is an important thing.

I also support the need to support the health sector, especially the Level Five Hospitals and maternity services. Something is happening in this country and we have to look at it through the devolution process - a process that I support very much. When we looked at this, we found that from the figures we have at the national level, we have only 3 per cent of the national budget going to health. We do not have the information on what proportion of the Budget at the county level will go to health. I have since received some information, and it is just 4 per cent. There is a clear relationship between the health status of a country and the money that is put in it. I think we have done well to increase

this. But I think we must move towards the required 15 per cent. The highest this country has ever gone is 8 per cent; we can show clearly that, between 2003 and 2008, when we put 8 per cent of our Budget into the health sector, we actually had a significant reduction in the health problems. The infant mortality rate went down, the under-five year mortality rate went down and the only thing that did not go down was maternal mortality. That needs more funding - particularly at Level Five Hospitals. That is something that, as a country, we must look forward to. I am very sure that when we go to the Supplementary Budget, we will be looking for more money for health services. We are aware that health workers, particularly doctors, are resigning yet, we are under-funding the same sector. There is no replacement for those health workers. They are not people you will go to the market and get. Those are people we train and when they leave us, they actually go to other countries. We must just put more money into the health sector.

I am also happy that we looked at the economic stimulus projects. In some places, those projects are a shame. Projects were started; some are half-way done and if we do not look at them--- In fact, we suggested that we actually need to do a survey of all the sectors where there was---

**Hon. Speaker:** Yes, hon. (Dr.) Pukose.

**Hon. (Dr) Pukose:** Thank you hon. Speaker for allowing me to contribute to this very important Motion.

**Hon. Speaker:** Just to be fair, Clerks, it is good to fore warn hon. Members. When it is about a minute, please, show the yellow light.

**Hon. (Dr) Pukose:** Thank you, hon. Speaker. In this Budget Polity Statement (BPS), we are looking at some allocations of resources to what we used to formally call provincial general hospitals, conditional grants and money to the constituencies for the construction of polytechnics. I am hoping that when that money rolls down to the various counties, our governors will be able to say: This is the money that we got from the national Government. It is not their money. It is money that the national Government has allocated to all the counties. I hope they will be able to sit with MPs, women Members of Parliament and other members within the county development forum, so that they are able to discuss, set out priorities and have that money invested in a proper way. Last year, we gave conditional grants to all the former provincial general hospitals; unfortunately, the information we have is that the provincial hospitals are being asked to give what we call fee notes to the offices of the governors. Once they give those fee notes, then the offices of governors pay bills. That is not the way to go. The way to go - because this is money which is clearly spelt out and it is money for development of those institutions - is since it is money for development, those institutions need to know how much money they have received. Then they will be able to sit down and plan in a proper way.

The debate about the wage bill, to me, is healthy. In fact, it should be taken to the next level. Many people will try and defend their positions. We have seen hon. Mwaura and hon. Grace Kiptui trying to defend their positions. But I think they need to look at that. There is supposed to be a service to the rest of Kenyans. How do we control the wage bill? We know that the Jubilee Government, for the last one year, has been struggling to put up structures. We talk about food on the table. To have food on the

table, you need to have structures in place. The Galana project is starting and we hope that very soon we will have enough food for our people.

I would like that when we start this debate about how to spend money within our counties, we should ask ourselves: Who do we remove! Who do we retrench?" I hope that the Leader of the Majority Party, and other leaders, are going to look at people like sub-county administrators. Why do we need a sub-county administrator when we have what we formerly called the DCs? Why do we need a ward administrator when we have the chiefs? Why should we have all those in place? Why do we need a chief officer who has similar qualifications as the executive officer at the county level? Are we creating positions just to provide employment for the people? Are we not ballooning the wage bill? Where are we going as a country? We must rationalize all the positions even as we discuss---

Hon. Speaker, I think my time was "eaten into" when there was some bit of conversation.

When we talk about the issue of women representatives, they represent a certain section and they are constitutionally where they are today. So, let us look at all the issues in a rational way, so that, at the end of the day, we put our country before anything else.

Thank you, hon. Speaker for allowing me to contribute.

**Hon. Speaker:** Hon. Members, the Clerks will switch on the yellow light to show that you have a few more minutes. That shows that you have a balance of two minutes. When the red light is on, you should know that you have a balance of one minute. So, do not cut short your contribution merely because you have seen the red light. It is not yet danger. You should continue contributing until your microphone goes off.

**Hon. Gikaria:** Thank you, hon. Speaker for giving me this opportunity to contribute. First of all, let me thank the Budget and Appropriations Committee for the good work. Of course, yesterday when the Chairman was giving some clarification about the amendments that he had brought on revamping--- That was important. It does not stop counties if they do not have that.

At the same time, it is important to give a condition that if we have polytechnics-- - Revamping means not starting others when we have some which do not even have enough resources. It is important for us to know that.

Secondly, the Chairman talked about ring-fencing the second option about the Kshs5 million per constituency for completion of centres of excellence. It is important to realize that some constituencies, which were very efficient and effective, have already completed some of the Economic Stimulus Programme (ESP) projects, which were initiated. So, they should be allowed to spend the Kshs5 million elsewhere.

This Budget Policy Statement has given the direction as to where the Jubilee Government wants to take this country. The five pillars that have come out very clearly from the Budget Policy Statement are to do with creating a conducive business environment. Internally, locally and regionally, I think this Budget Policy Statement will improve the business conduciveness, so that we can have foreign investors from the region and internally to improve the economy of this country.

On food security, the Budget Policy Statement has given enough money, or it has tried to give some money, to the agricultural sector to try and improve the food security in the country. You know that food security in this country has always been wanting. We

have a country where up to now, some areas are still being fed. Through the irrigation initiative, the Jubilee Government is trying to achieve food security.

With regard to infrastructure, it is true that this has always been a problem and it is time we started improving it.

On support of devolution, the Jubilee Government has come out very clearly. If you look at the amendments which have been moved, you will see that the Jubilee Government's intention is try and support devolution by giving out more resources. Of course, it has always been said that the Government does not intend to support devolution.

Lastly, we have the challenges that the Budget and Appropriations Committee has come up with, with regard to the wage bill and the expenditure of this Government. As it has already been said, the governance structure within the national Government and the county governments needs to be looked into, so that we can reduce the huge wage bill.

Of course, security has also been an issue that has dogged this country. Without proper security in this country it is very difficult for people to do business. Security is something that should be taken into consideration when thinking about improving the economy of this country. Business will always thrive in a place that is secure.

Lastly is investor confidence. With this kind of policy, we will create confidence in investors who will bring a lot of money to this country. Of course, this will create many job opportunities for the youth. We have already indicated that over one million jobs will be created, but we will only realize that goal if we create investor confidence.

Hon. Speaker, last, but not the least, it has been indicated---

**Hon. Speaker:** The Member for Ugunja, hon. OpiyoWandayi.

**Hon. Wandayi:** Thank you, hon. Speaker. I want to support this Motion but with some observations. It is important to note from the outset that there has been very little consideration given to the views of the various departmental committees. This is something which has happened not once, twice but thrice.

There is this tendency by the Budget and Appropriations Committee to take for granted the views of the various departmental committees in as far as appropriation of funds is concerned. Perhaps, it is because of the timeframe or the time limit that they operate under.

I am aware that the Budget Policy Statement came a bit late in the day. However, that does not give the Budget and Appropriations Committee the opportunity, or room, to go about making decisions in disregard of the views of the various committees. The fact that the views of the various committees need to be taken into account is not only a requirement of the law but a requirement as well of our very own Standing Orders. Perhaps in future, the Budget and Appropriations Committee, under the leadership of hon. Mutava Musyimi, should address this matter seriously.

Hon. Speaker, there is the appropriation of funds, and more so funds managed by agencies of the national Government such as the Kenya Rural Roads Authority (KERRA) and the Rural Electrification Authority (REA), and those that are taken to the counties as conditional grants.

It is important that these funds are appropriated to the constituency level as a rule. Why do I say so? It has become a common practice these days for hon. Members of Parliament to line up, or queue, in the offices of the Principal Secretaries and Cabinet



Secretaries lobbying for their constituencies to be considered in the allocation of funds meant to do roads and provide electricity. That state of affairs is not tenable, especially in the new constitutional dispensation. It is shameful for Members to line up, or queue, literally begging Cabinet Secretaries and Principal Secretaries and sometimes even CEOs of State organizations to consider their regions. It should be a matter of law that if a specific amount of money has been earmarked for roads, it is shared by various constituencies, so that you know from the word goes that Hamisi Constituency, for instance, will get this amount of money for roads. That way, we will be free from these shenanigans as Members of Parliament. We will also be free to execute our mandate of legislation, oversight and representation fairly and appropriately, and without regard to the feelings of third parties. That is very important.

Finally, is the issue of absorption of funds that has been talked about for a number of times. We could be scratching the surface. We need to get to the bottom of this matter instead of addressing the symptoms. How come that money can be appropriated and at the end of the day it is not utilized? What is the reason behind this non-absorption of funds? What is making county governments not absorb funds? Is it the Public Procurement and Disposal Act? What is it? Whatever it is, can we not address it? Is it corruption? Can we take it head on instead of using the lack of capacity to absorb funds as an excuse to deny counties money that they deserve? This could be another ploy to kill devolution which we know, as *CORD*, is very dear in our hearts.

I want to touch on the issue of the wage bill.

**Hon. Murungi:** Thank you, hon. Speaker for giving me this chance. From the outset, I support this Budget Policy Statement (BPS). I also take this opportunity to thank the Committee for a job well done. I would like to support this BPS because, first, most of our counties are under-developed. I want to also thank the Government for appropriating more than Kshs40 billion on top of what they gave to the counties last year; this is a show of commitment to devolution.

However, what should be checked in this country is the Government expenditure, especially having an efficient supply chain management. When we compare the procurement systems in the private sector and the procurement systems in the Government, we can see that a lot of money is not spent wisely. If we improve our income base, then our Government will run without any problems. With all this money going to the counties, it is important that the Senate considers coming up with legislation to allocate money for direct development; maybe 60 per cent should go to development and 40 per cent should be retained for Recurrent Expenditure.

Another important issue to look into is the Rural Electrification Authority (REA). Most of our constituencies are not connected to power. I thank this Committee for considering the Kshs7.3 billion allocations go to REA. Also, the Kshs5 million per constituency will be going to the Economic Stimulus Programme (ESP) projects. A lot of our youths do not have skills, as most of the Members have indicated. Revamping the youth polytechnics in our counties is a clear indication that most of our youth will be able to use the Uwezo Fund, which at the moment; they are not even able to apply for. I was at my constituency over the weekend; it was unfortunate to note that most of the youths are saying that they do not know what to do with the money, because they cannot come up with proposals, or they cannot come up with businesses idea, simply because most of

them do not have the relevant skills. We have many youths idling, but with the revamping of the polytechnics, it is clear that they will get skills in areas like masonry and carpentry; they will then start their workshops and become productive.

Another thing which is of important is the Kshs3.74 billion, which has been allocated to our Level Five Hospitals. Most of our people are in problems because of the lifestyle diseases. We need our Level Five Hospitals to be equipped to cater for cancer and other complications like kidney problems. Using this allocation, most of our hospitals will cater for these problems.

With these few remarks, I support the BPS.

**Hon. Mwangi:** Thank you, hon. Speaker for giving me this chance to contribute towards this very important Motion on the BPS. If we are to move ahead, we have to cater for 60 per cent of the youth in this country. We have to give them a budget as this will move the economy of this country forward.

As I speak, we are about to distribute to our youth the Uwezo Fund, but the majority of them do not have enough skills to move forward in business. That is one of the things that we should do to make our young people more effective in business. We have put more emphasis on the standard gauge railway, and we have forgotten that this railway started from Nairobi to Nanyuki. Today, you cannot go to Nanyuki because you cannot go beyond Githurai. We ask the Committee to look into maintenance of the railway line from Nairobi to Nanyuki, so that we can transport our goods to this area.

We have a problem of pending bills, which have not been paid for quite a long time. We have teachers who retired in 1997, and to date they have not been paid their retirement benefits, which they were awarded by a court. They need to get them. We have other people who worked for the East African Community back in 1977, and to date, they have not been paid what they were awarded by the courts. It is high time we gave these old people their dues, so that even when they go to Haven, they will rest in peace and will leave no curse to us.

It is now more than ten years since we started the free primary education in this country. The money which has been allocated to the free primary education has been overtaken by events. It has come at a time when we need to increase that allocation. We also need to increase the money for tuition for secondary schools, so that we can cater for more students and enable them to complete their education. One issue that I would like to thank the Budget and Appropriations Committee for is the amendments which they have accepted for, among others, Kshs1.4 billion to improve our polytechnics. I urge that these funds be distributed equally amongst all the constituencies. Even if the funds will be taken to the counties, the counties should distribute it equally to all the constituencies in a county.

The other issue is with regard to REA. It is necessary that we improve our electricity connection to all areas.

On the wage bill, let us all agree that the wage bill is a problem in this country, and it has come a time for us to swallow the pill even if it is bitter. Let us find out where the problem is, and even if it is in our Constitution, let us improve it. We have that mandate. We cannot cater for the 1,450 elected MCAs and an additional half of them nominated. Why do we need them? We should reduce them to a manageable number. I

urge the Members that once the Motion comes to this House, we all support it. We have to do it for the betterment of this country.

**Hon. Kipyegon:** Hon. Speaker, I thank you for giving me the opportunity to also contribute to this Motion. I rise to support the Motion because there are pertinent issues that the Chairman of this particular Committee looked at.

The provision that puts money into the youth polytechnic in the areas where we come from is very important. As we all know, we have many other institutions of learning. Those learners who leave Standard Eight but who do not make it to secondary school and those who leave Form Four but fail to make it to middle-level colleges are saved by the youth polytechnics. Once upon a time, I was a product of a polytechnic, where I studied mechanics. It was just because I was so ambitious that I moved to other areas.

*[Hon. Speaker left the Chair]*

*[The Temporary Deputy Speaker (Hon. (Ms.) Shebesh) took the Chair]*

Hon. Temporary Deputy Speaker, polytechnics are very important institutions for our youth. They accommodate people who may have problems in the society. They can actually be saved by polytechnics. Giving this money to the constituencies is one way of ensuring that every constituency benefits. Although the Constitution provides that polytechnics are under the counties, to date there is no single polytechnic that has been looked after by any county. I want to thank the Chairman; stating that this money will go directly to the constituencies is an assurance that the money will be used to elevate the already existing youth polytechnics or construction of new polytechnics.

On the issue of Level Five Hospitals, I would like to urge the Chairman that when we look at the next Budget, we consider these facilities. We have only eight Level Five Hospitals in the country. There are many counties, including Narok and Bomet Counties, which do not have Level Five Hospitals. Allocating the money to Level Five Hospitals alone means that only a few counties will benefit. We need to build more Level Five Hospitals, so that every county can have one such institution.

Hon. Temporary Deputy Speaker, we also need to create Level Four Hospitals in every constituency, so that Kenyans across the country can be served adequately. I am speaking on this matter knowing very well that I come from a constituency where we do not have even a health centre. I do not have a sub-district hospital. I only have dispensaries. Even talking about free maternity services, I do not have a maternity wing anywhere in my constituency, whereas people in other constituencies enjoy these services. Therefore, we need to have at least a Level Five Hospital in every constituency, so that we can all benefit from health services.

I would also like to speak on the matter of the Kshs5 million meant for the centres of excellence. The money that was initially provided for those centres when the current President was the Minister for Finance did so well. It helped to create centres of excellence in our schools. I believe that the money that has been provided now will help us elevate schools in our counties to new status.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Kipyegon, you have made your point.

Yes, Member for Igembe North.

**Hon. M'uthari:** Thank you, hon. Temporary Deputy Speaker. I rise to support the Report.

First, the priorities given in the Financial Statement indicate the direction in which the Jubilee Government is taking the country. That is the right way. Obviously, there are certain areas that may require more attention in terms of support. As a country, we need to put money into the sectors that will lead to improvement of the economy and create opportunities for the majority of the people. If we improve the environment in which we do business, we will expand the economy. After this, even the wage bill will not be a big issue.

Hon. Temporary Deputy Speaker, there is also need to consider certain sectors like agriculture. There is already a move to put more land under irrigation. However, irrigation does not need to be confined to certain areas. About 83 per cent of Kenya's landmass is considered ASAL. In my opinion, that is the land that has more agricultural potential than the land that we consider to be potential.

Those of us who have visited such places realise that ASALs are places where we can have serious investment in terms of water harvesting. We now have rain. In some areas of this country, including my constituency, there is water deficit. All the water that we receive will go to waste and we will continue having problems. So, if we invest more funds in the area of water harvesting and practise irrigated agriculture, we can secure the livelihoods of our people better. As we all know, agriculture employs very many Kenyans. If that is done, we will create wealth.

Hon. Temporary Deputy Speaker, we also need to invest more in the area of infrastructure, so that every constituency can have at least 20 kilometres or more of tarmac road. That will ease transport and the movement of goods and services across the country. It will help in economic growth.

As a country, an area where we have not done very well so far is investing in science, technology and innovation. We know of countries like Singapore, Japan and currently India, Brazil and Korea, which have invested in science and technology. That way, we can create more jobs in the service industry.

We now have the computer laptop projects for our kids. We need to develop technology right from the primary level. If that is done, we will have the possibility of creating a knowledge-based economy. We do not need to only talk. We need to put money where our intentions are, so that by the end of the day, we can create wealth.

On the question of the wage bill, reducing the salaries of public servants does not mean anything. What we need to do is sealing all the loopholes through which public funds are lost. If the loopholes are closed, we will have enough resources for development.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Thank you, hon. M'uthari. Your time is up.

Yes, hon. Paula Korere.

**Hon. Korere:** Thank you, hon. Temporary Deputy Speaker. I stand to support the Motion.

In their Report, the Committee has captured the issue of low absorption capacity, widespread wastage and corruption. This Report has highlighted a lot of things, which if implemented today; we will not be talking about this widely discussed topic, the high wage bill. The allocation of funds for the revamping and building of polytechnics in some parts of this country is a welcome idea. That is because we have produced many children who, after Class VIII, cannot go to any secondary schools. They are unable to join universities and tertiary colleges after Form IV. We are wasting a lot of talent from those students.

In the Report also, on education, they have talked about aligning the institute's curriculum reforms in education. They want to align inputs with the requirements of the market. It is amazing to see some of the degrees we are running in universities nowadays, and the kind of graduates we are producing. It is actually very important to make sure that some of those people, after university, become creative enough to start self-employment and other micro-economic activities.

The Report talks about the agricultural sector and that where my interest is. In supporting this sector, many a times, we talk about it and we forget the livestock sector. The livestock sector, especially the pastoralism area, is an important economic activity just like agriculture. The little that is talked about livestock in this Report is about dairy farming.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Member, let me use two minutes to kindly ask Members not to come and look for their names on the screen. The way I select Members is not necessarily according to the order in the screen. Please, desist from doing that because it stops concentration. Go ahead.

**Hon. (Ms.) Korere:** When they talk about allocating money to build more slaughter houses, I wonder to slaughter what? Donkeys, dogs, cats or rats? We should improve the livestock sector to make sure that the products have a market. I would be happy if in this Report, they would talk about improving the livestock market sector so that, when we are slaughtering those animals, we can export them to other countries like Ghana, which imports meat from Australia and other countries.

The livestock sector has been neglected so much and, as I finish, I want to applaud my friend hon. John Mbadi who came up with the amendments to the VAT Act. Instead of people talking about doing away with nominated Members and Women Representatives, please, talk about how to improve the tax collection in this country through other means. But it should not be through over-burdening the taxpayers of this country. You do not have to tell us to stop eating ugali because *unga* has become very expensive.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Member, your point has been made.

**Hon. (Ms.) Korere:** I am just finishing! I want to talk about nominated Members. As hon. Mwaura has said, in the year 2022, I will have more chances of becoming the President of this country than for example the---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Yusuf Chanzu.

**Hon. Chanzu:** Thank you, hon. Temporary Deputy Speaker for giving me this opportunity to support the Report by the Budget and Appropriations Committee. The amount that has been allocated, particularly, in this amendment here, is alright, except

only for the money that goes to county governments and we have seen that over the last one year. We are not able to get accounts of the utilization of that money.

I have been talking to the Chairman of the Committee about the issue of polytechnics but, maybe, since it is constitutional, we will leave it at that. He has promised to talk to the Chairman of the Governors Council so that they can liaise with Members of Parliament so that the money can be put to proper use. In some of the constituencies, we had started youth polytechnics and they need to be completed.

The most important thing about the Budget is to have ways of proper utilization of the allocated funds. There should be cost-cutting measures which are outlined all time. I think why we have a lot of wastage and corruption is because those measures are not adhered to. Right now, we have doctors resigning from hospitals. At Vihiga District Hospital, quite a number of doctors have resigned because they have not been paid and yet that money is with the county government. So, it is important that the national Government looks into this, so that doctors that we have are paid and retained. It takes a long time to produce one single doctor through training. So, we would rather retain the ones that we have than allowing them to resign and take a long time to train others.

There is a big burden on the Budget because of the Commissions that we have created in this House. It was based on the fact that, at that time, we had eight provinces and so, we decided that, in order to be fair, we give them out based on the provinces. We ended up having eight plus one to be Chairman. The situation has so far changed now that we have got 47 counties. So, that does not hold water. What we need to do is to have those who can serve the whole country without favouring in terms of ethnicity or where they come from.

There is the issue of low absorption capacity, particularly in respect to projects like roads and so on. Money is allocated to projects and it is not utilized. What this means is that if a project takes a very long time, it becomes more costly because of inflation. So, that is why measures should be put in place to stop that. Those who are charged with the responsibility of implementing the projects should make sure that they are done on time to avoid the extra costs that arise out of delays and so on. There is the issue of---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Member, your time is up. Hon. Member for Bomet Central, before you start speaking, let me consult hon. Kaluma. Hon. Kaluma, you have an amendment and I cannot see you on the screen. So, go ahead hon. Member for Bomet Central.

**Hon. Tonui:** Thank you, hon. Temporary Deputy Speaker. I have risen to support this Budget Policy Statement. We are looking forward to dealing with this issue so that we can sort out the issues of division of revenue. Going through this Report, I am seeing there is a proposal that we will have Kshs.8.8 billion in the national Government and the county governments will have about Kshs.217 billion. I want to concentrate on issues of development, which the people who sent me to this House can identify with.

There was that proposal from the National Treasury of Kshs.239 billion. I would have supported that, so that we have more resources being devolved to the counties. I may not get the rationale why it has been reduced to Kshs.217 billion. That is because when I do my mathematical calculations that translate to 21 per cent of the resources that are going to be available nationally. When I go through this Report---

**The Temporary Deputy Speaker** (hon. (Ms.) Shebesh): Hold on, please. What is your point of order, hon. Chepkong'a?

**Hon. Chepkong'a:** On a point of order, hon. Temporary Deputy Speaker. I rise pursuant to Standing Order No. 95. As you have noticed, of course, this is not a happy hour now and it is not yet Friday. I have noticed that contributions have been made in a very effective manner. In fact, we are going towards repeating ourselves.

In view of this, could I be in order – this matter has been prosecuted adequately and effectively by the hon. Members who have already spoken---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Are you asking for the Mover to reply. You should go straight to the point?

**Hon. Chepkonga:** Yes, hon. Temporary Deputy Speaker. Would I be in order to ask that the Mover be called upon to reply?

**The Temporary Deputy Speaker** (hon. (Ms.) Shebesh): Hon. Members, what is the mood of the House?

**Hon. Members:** No! No!

**The Temporary Deputy Speaker** (hon. (Ms.) Shebesh): I can tell from the mood of the House that hon. Members want to contribute.

Proceed, hon. Tonui.

**Hon. Tonui:** Hon. Temporary Deputy Speaker--- I am the one on my feet!

**Hon. Ababu:** On a point of order, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (hon. (Ms.) Shebesh): Yes, hon. Ababu, what is out of order?

**Hon. Ababu:** Hon. Temporary Deputy Speaker, I am getting concerned by the frequency with which hon. Members are raising this issue: "That the Mover be now called upon to reply." This is a debating Chamber and a place where we are supposed to ventilate and ventilate sufficiently.

This House has 349 hon. Members now---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Ababu, I agree with you, but it is his right and it is in the Standing Orders---

**Hon. Ababu:** But it is a dangerous trend that is compromising debate, especially when it comes from---

**The Temporary Deputy Speaker** (hon. (Ms.) Shebesh): That is now a point of argument. Hon. Tonui, you can proceed.

**Hon. Tonui:** Hon. Temporary Deputy Speaker, I was going through this breakdown and I am very good at break-downs. Last time, we did not capture the breakdown which was there, especially in the Ministry of Transport and Infrastructure, where Kenya Rural Roads Authority (KERRA) was left without funds. I do not know if we will be rubber stamping this list again. We will be approving something without KERRA included. I hope there is something for KERRA in this Report. I wish the money allocated to KERRA, at least, should be twice what was allocated previously. That is the money we need to use in our constituencies for development. The one for Constituency Development Fund (CDF), I believe, is well captured under the Ministry of Devolution and Planning.

Hon. Temporary Deputy Speaker, in the Ministry of Environment, Water and Mineral Resources, Kshs41 billion will be used for development. In the previous year, about Kshs27 billion was supposed to be used for water.

In Bomet Central, where I come from, I cannot stand here and say that there is a water project that was done with Kshs27 billion - not even a single one. That is why I am proposing that the money that has been allocated to the Ministry of Environment, Water and Mineral Resources be sent through the county government, so that I may get a little bit of it. Even though the governors can misuse it, I am very sure if those monies are allocated to my county, I will be able to fight for it until it reaches my constituency. But when it is lumped here and is put under huge water projects, which I do not know which corners of this country are, with nothing going towards Bomet Central, I think I will be doing a lot of great disservice to the people of Bomet Central.

Hon. Temporary Deputy Speaker, when I go through the Ministry of Education, Science and Technology section, it will have about Kshs34 billion. I remember that some classrooms in my constituency are in pathetic situation, especially in primary schools. I wish if that money could be used in assisting in the construction of classrooms. Where is that money really going to?

In the last financial year, I wish somebody could inform us whether any project was done anywhere by the Ministry of Education, Science and Technology in terms of development? Where is this money for development going to? Is it simply appearing on paper, but it is nowhere to do development projects?

Hon. Temporary Deputy Speaker, the one for the National Treasury, they will do development to a tune of Kshs30 billion. I wonder what kind of development they will do at the Treasury. I am not very sure. I would wish we could have adequate time to interrogate all this.

Hon. Temporary Deputy Speaker, the Ministry of Industrialization and Enterprise Development is a key Ministry and for development, it has only been given Kshs4 billion. That is peanuts when we are talking about special economic zones so that we can spur development in this country. I understand that they will require money up to the tune of Kshs30 billion. Monies in these other Ministries should be reallocated to the Ministry of Industrialization and Enterprise Development. If we are to industrialize, we must invest there.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Your time is up, hon. Tonui. Hon. Kaluma, first, I want to draw your attention to Standing Order No. 55. Have you read Standing Order No. 55?

**Hon. Kaluma:** Yes, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): That Standing Order is clear about how amendments should be brought to the Speaker's attention. Did you follow that process? I will give you time. Look at Standing Order No. 55.

*(Hon. Kaluma referred to Standing Order No. 55)*

Did you give the Clerk this amendment two hours prior to this debate? How did you bring this amendment?



**Hon. Kaluma:** Hon. Temporary Deputy Speaker, I approached the substantive Speaker on the amendments before the substantive debate.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Therefore, you have a signed copy from the Speaker?

**Hon. Kaluma:** I did approach the substantive Speaker just before the Speaker left the Chairman for you. The Speaker gave me instructions to consult the Chairman and---

**The Temporary Deputy Speaker** (hon. (Ms.) Shebesh): Just give me a minute to consult. Did you consult the Chairman?

**Hon. Kaluma:** I did consult the Chairman.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): So, was it eventually approved by the Speaker to be brought on the Floor?

**Hon. Kaluma:** Hon. Temporary Deputy Speaker, I was saying you took the Chairman before I returned to the substantive Speaker. I could have---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Kaluma, I would love to give this opportunity, but you know that there are Standing Orders that we have to follow? From the information I have been given, you did not follow Standing Order No. 55 to get approval from the Speaker.

**Hon. Kaluma:** We sought approval from the substantive Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): You did not get it.

**Hon. Kaluma:** No! We got the approval.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Chairman of Committee, would you like to comment on this amendment that has been brought by hon. Kaluma? He said he has consulted you.

**Hon. Musyimi:** Hon. Temporary Deputy Speaker, you would wish to dress me in borrowed robes. I am absolutely not in a position to presume to act for hon. Speaker. If the procedure was not followed, how can I possibly act in that capacity?

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): But did he consult you, hon. Chairman?

**Hon. Musyimi:** Are you asking whether hon. Kaluma consulted me?

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Yes.

**Hon. Musyimi:** Absolutely. He did. But at some point – I do not know whether this is time to say what I thought of the amendment.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): No, I do not want you to speak about it until I get clear on this.

**Hon. Musyimi:** Thank you, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Kaluma, I think you can just go ahead. But, please, know that you did not follow the procedure. I am using my discretion as the Speaker, because you brought it and I am sure it will be canvassed on the Floor. Please, next time, follow the proper procedure.

I am giving you five minutes and you will need somebody else to second your amendment.

**Hon. Kaluma:** Thank you, hon. Temporary Deputy Speaker. I am moving an amendment on Motion No.11, Paragraph 11(g)(ii), to insert the following words after the abbreviation REA;

“THAT, the words shared equitably among all constituencies to ensure that, at the very least, all primary schools are supplied with electricity.”

So, that the entire Paragraph (2) of (g) will read:-

“Provision of Kshs7.3 billion for rural electrification projects under the REA shared equitably among all constituencies to ensure that, at the very least, all primary schools are supplied with electricity.”

Hon. Temporary Deputy Speaker, the only thing that I seek to achieve with this amendment is that in distributing or supplying electricity, we give priority to primary schools across the country; those which fall within the limit of REA. Of course, electricity should be supplied to all the trading centres and those other facilities that may require electricity so that the Government laptop programme can equitably take place.

Across the country, there are some constituencies which no single primary school has been supplied with electricity. That should be another priority for REA. I know there is a proposal already from REA. As hon. Members representing constituencies, virtually all of us have received letters from REA to prioritize all primary schools.

However, if you look at my constituency, for instance, and I am just ending, we have Kshs13 million from Rural Electrification Authority (REA). I have over 100 primary schools and we have the laptop programme which the Government also wants to implement. We want a situation where all those schools will get money. I am using the word “equitably” hon. Members as against “equally” because really, the level of electrification in various constituencies across the country is not equal so far. So, this is the amendment I propose.

Hon. Temporary Deputy Speaker, I beg hon. Wanyonyi to second.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Go ahead hon. Wanyonyi.

**Hon. F.K. Wanyonyi:** Hon. Temporary Deputy Speaker, I stand to second the amendment because out there, we know REA may have the chance of actually giving some areas electricity. As we all know, we come from various constituencies. The laptop programme needs to have electrification in primary schools and, where possible, they can extend it to secondary schools and trading centres. That way, if you want to repair anything, you can go to the nearest place.

So, I second the amendment knowing that if REA is given the direction, it will distribute the Kshs7.8 billion equitably throughout the constituencies. At the same time, it is also important to note that when you go to Europe, for example, you are told that you come from a Dark Continent because most of our rural areas are not electrified. We are all in darkness. This programme will light even the nearest trading centres. It will stimulate youth activities like welding and making steel doors, windows and things like that. So, if it is distributed evenly, it will help the youth to create employment at that level. They will be engaged in meaningful activities at the constituency level.

Hon. Temporary Deputy Speaker, to add to that, centres of excellence where the Kshs5 million is being allocated for are a good idea. I support the idea because there is a school in my constituency which is a centre of excellence and, because of that, children actually clamour to go to that particular school.

Hon. Temporary Deputy Speaker, so, I think this allocation is a step in the right direction because it will stimulate our children to do better. I know for example in Trans Nzoia we were number five in the whole country and we are very proud of that because of electrification in those schools and I think this is good.

Hon. Temporary Deputy Speaker, the only other thing I want to add is that we have money lying idle at the Central Bank of Kenya (CBK). Can something be done about that? Can we have the Auditor-General audit the governors who are unable to use and allocate that money, so that we can be able to name them? This is because I know there is a tendency of some of them misusing the money. But we are told that there is money lying at CBK. I am pushing my governor to use the money. But I think it is time for us now as the Legislature to move with speed to compel some of the governors to use that money to spur economic growth in our respective counties.

Hon. Temporary Deputy Speaker, I second.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Kaluma and hon. Wanyonyi, I have to say this: I have used my discretion as I was getting instructions from the substantive Speaker as to whether he had approved your Motion and he had not. Therefore, I cannot allow debate on this particular amendment because it was not taken properly through the Speaker. I use my discretion to allow you to canvass but where it has reached now, it cannot continue being discussed because it would be an exercise in futility.

**Hon. Members:** On a point of order.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Members, let us not argue with the Standing Orders. I asked you clearly to be honest with me. The substantive Speaker you quoted has clearly said he did not. So, I will continue with that position. Hon. Kaluma, I will give you the chance to finish out of respect. But, please, know that I will not change my position.

**Hon. Kaluma:** Hon. Temporary Deputy Speaker, what I indicated is that I approached the substantive Speaker under Standing Order No.55(2) and he told me to consult the Chairman and, indeed, the House saw me leave the substantive Speaker's seat and approached the Chairman. What I said is that the substantive Speaker left the seat when I was still consulting and when I returned, you were sitting there. I gave the proposal to the Chairman as directed by the Speaker and you indicated you have applied your discretion and allowed the amendment. How can you reverse it?

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Member, but can we agree that I asked you all those clarifications before I asked you to move ahead?

**Hon. Kaluma:** That is correct and you said that you have exercised your discretion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Therefore, the substantive Speaker has said that he did not approve the amendment. Please, let us not go into that as a debate. Hon. Members, I will give more people to now contribute.

Hon. Kiuna.

**Hon. Ng'ang'a:** Thank you, hon. Temporary Deputy Speaker. I rise to support this Motion and as I do so, I would like it to be quoted very clearly. I would like to request and urge the relevant governors who will be in charge of this Fund to take clear responsibility on it.

Hon. Temporary Deputy Speaker, it is very naive and painful because we are giving the county governments a lot of money and yet, it is not well utilised. I hope this honourable House will agree with me that the funds we have allocated to the county governments, if they are well utilized, can develop the entire nation. But you find that, instead of it being put into development projects, much of it goes to recurrent expenditure and extravagant travels. We need to have a proper scrutiny of how those funds are utilised.

Hon. Temporary Deputy Speaker, I do not see any reason why we should continue supporting the county governments if they are using all this money we are giving them for recurrent expenditure, unnecessary foreign trips and buying very many cars. That money is not going to help the ordinary *mwananchi* for whom it was intended for.

Hon. Temporary Deputy Speaker, on that note, I would like to raise my concerns about corruption in this country. However much we talk about corruption, the wage bill and retrenchment, I do not think we are heading in the right direction. If we are going to eliminate or reduce corruption in this country, we do not have to go and start sacking people or telling them to take pay cuts. There is a lot of money that is being wasted. The kinds of taxes that Kenyans are paying are very high. If the Government wants to stamp out and reduce corruption which is very rampant, it should give the Ethics and Anti-Corruption Commission (EACC) power to investigate, arrest and prosecute the suspects. Otherwise, we shall be playing and going round and round in circles. I remember in the Tenth Parliament, I raised the issue that EACC should be given power and mandate but, as we speak now, all it is doing is shouting. Until and unless we give it teeth to bite, it will remain a toothless bulldog whose work is barking without biting.

Hon. Temporary Deputy Speaker, as I wind up, I would also like the Government to look at its records. The people called “ghost workers” are in the Government. Why are you going to retrench those hardworking civil servants instead of getting rid of those “ghost workers”?

With those few remarks, I beg to support.

**Hon. Midiwo:** Hon. Temporary Deputy Speaker, I rise to support the Budget Policy Statement (BPS). I think we, as a Parliament, have a duty to do good for our country. There is so much noise about us and even before I speak – and I am speaking as the CORD Leader on this side - I hope that it will be understood we are not going to quarrel at the end of some minutes so that you give me my time. There is so much noise about lack of funds.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): You have seven and half minutes! This is just so that we can also be clear.

**Hon. Midiwo:** How did we get to seven minutes? Or I am half a leader?

*(Laughter)*

Let us do it right! I will not take all the time. I am just saying that there is so much noise and concern about this country being able to support its activities. I want to say from the outset that this Parliament has a duty to help the Government of the day, whichever Government it is. We are talking about institutions to help our people. So, the

Budget and Appropriations Committee needs to help with its constitutional mandate of budget-making and prioritizing things that we need.

Let me begin by saying that last year, we struggled. I made an amendment to the Budget to give the Office of the Auditor-General money so that we can have proper oversight of the new governments - the other 47 governments across our country. This House opposed that amendment but the result is what we are crying about now. Had we facilitated the Office of the Auditor-General, there would be no cry of corruption in the counties. We have just seen the Governor of Embu being kicked out because of some perceived corruption. He was never taken through the EACC or report before any House but he was kicked out. That is because we, as a Parliament, have refused to put money in structures audit the governments, particularly the Office of the Controller of Budget and the Office of the Auditor-General. Until and when we do that, I can tell you that this noise will not subside. We must do it and I want to plead with the Budget and Appropriations Committee to help because I think it will help the Executive.

It is true and factual that the Jubilee Government has super majority in this House, and the Budget and Appropriations Committee has majority on that side. I want to plead with my colleagues; use your majority to help yourselves. Use your majority to help the Executive. Do not be rubber-stamps. No Parliament or Government can succeed when Parliament is a rubber-stamp. No Parliament succeeds if it is hell-bent on being a rubber-stamp Parliament. I know I have been heard by the good Chairman of the Budget and Appropriations Committee. But your focus should be on the Office of the Controller of Budget and the Auditor-General so that, if I go to Siaya County, there is somebody constantly watching over public expenditure. Somebody should be constantly watching! That duty cannot be done from Nairobi. That function cannot be done occasionally. That function must be done permanently, on a daily and hourly basis.

Hon. Temporary Deputy Speaker, on funding of the health sector, I want to address this issue because of the crisis in the health sector. Every day now, we are having doctors who are resigning out of frustrations. That is an issue. We have just approved a Motion which we hope we shall discuss next week to try to open a window of consultation between the counties and the national Government to stagger the transfer of health services to the counties. That is because many counties are not ready and our people are dying. I heard of the story of Kirinyaga yesterday. I read the story of Embu. It does not matter which side of the political divide you belong to but, if a Kenyan dies, we are all dying. This House has a responsibility which is not given to us as a privilege. We are paid to do it. So, we must discuss within the next so many days and open a window for the Executive to work with the county and national executives to do something to end what we can basically call a carnage because our people are suffering. That is not to say that we are interfering with devolution.

I want to say that the talk about the wage bill, the answer is not in reduction of salaries. The answer is in curbing pilferage. It is in curbing wastage. It is in curbing corruption. Let me thank the President for what he tried to do yesterday. He had said a few weeks ago that corruption resides in the Office of the President and he tried to do something about it. I only wish he could have singled out one or two people with a sack so that there is a warning. I do not think that is for me. We need to be understood.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Midiwo, everybody's time was cut by half.

**Hon. Midiwo:** Hon. Temporary Deputy Speaker, but I am talking as the Leader of the Minority Party and I am always clear.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Go ahead, but wind up as soon as you can.

**Hon. Midiwo:** Hon. Temporary Deputy Speaker, we have to get an equal chance like hon. A.B. Duale got. This is just the law; I have no other law to follow.

Let me say this: Who knew that the high and mighty would be paraded in court because of corruption? On Friday night, when I saw Amos Kimunya being arrested, I knelt down and prayed that God is helping Kenya. We must fight corruption. I was very happy when I saw Mr. Oswago being paraded in court because of the electronic voting equipment case. I felt elated. When I saw the issue of Waititu--- Something is happening. I want to warn politicians who think that they are above the law that their time is coming. I want to warn this House about this reckless talk against the Judiciary. Let us respect the separation of powers. Let the Ethics and Anti-Corruption Commission (EACC) work. Let the Judiciary also work. If it is Midiwo, let him go to jail. That is because our people are poor because of corruption. That is where the Executive needs to begin. Let us support the President, whenever he says that we need to do something about corruption.

The wage bill is not high. All the Executive has to do is to do the right thing. It should follow the law. It should help in the implementation of the Constitution.

Hon. Temporary Deputy Speaker, why do we still have the Provincial Commissioners (PCs) and staff sitting at the provincial headquarters and yet, there is no provincial headquarters? Why do you have all these people? The law said that we restructure. Why are these people not being absorbed by the county governments? Why are we sitting here castigating the governors for following the law? They are employing people that the Constitution and the law say they should employ. We have all these other people who are just hangers-on. They are sitting there doing nothing and yet, they have vehicles which are fueled by taxpayers' money.

I said here last week that there is a problem of insecurity in this country because somebody up there, particularly in the Office of the President, has refused to allow the transfer of power of security officers. We must figure out if the governors will ever function in this country if we do not give them power over some level of security. I have said here that the insecurity we are experiencing along the borders is because the governors on this side and the other side have no security.

I have been called by not less than three or four DCs who have said that they are sitting in the offices doing nothing. They say that they do not control the APs who are supposed to take orders from above. But the APs have also refused to amalgamate with the regular police because they are saying that those ones report to somebody else. So, you have a scenario where you have APs sitting in camps because they have refused to report to the chiefs as ordered by the Cabinet Secretary. They have also refused to report to the OCPDs. What are we doing? This is the source of crime. This is not an issue of Jubilee because we all passed the Constitution. This is an issue that we all need to come together and see what is best for our country.

Hon. Temporary Deputy Speaker, let me end by saying this. There is talk even in this House and even our women colleagues are saying that we want to send them home. I was at the Jomo Kenyatta International Airport (JKIA) yesterday morning and I was accosted by a group of nominated MCAs. I think they have a function in Mombasa. They were saying that Parliament wants to get rid of them and I, Midiwo, was in the lead. Nothing could be further from the truth. All we are saying is that this country must live within its means. This Parliament is too large and we must reduce its numbers. If we do not, our grandchildren will never forgive us. You cannot have a small country like Kenya with 40 million people with over 500 Members of Parliament who are all handsomely paid. We must accept that. Let us cut our coat according to our size.

If you go to Siaya County, you will find that it has 30 elected MCAs and 18 nominated MCAs. What kind of formula is that? How do you nominate 18 people after electing 30 people? In other words, the 18 people are even usurping the powers of the electorate because they were nominated somewhere in the streets of Nairobi. They were not nominated by the people. So, they have equal powers and earn the same amount of salary. I am sure that we can do better.

If you go to India, which has a population of 1.2 billion people, it has a Parliament of 565 people. Why are we being equal to them with such a minute population?

Hon. Temporary Deputy Speaker, I want to support and say that we have a duty as a Parliament. If we do it any other way, all of us, our grandchildren and our great grandchildren will never forgive us.

I support.

**Hon. (Ms.) Gathecha:** Thank you, hon. Temporary Deputy Speaker. I rise to support this Motion by the Budget and Appropriations Committee. This Government has committed itself to support the youth and women of this country. It is committed to ensure that they are accorded equal opportunity in Government contracts, so that they can succeed.

I am not sure whether the provision meant to revamp youth polytechnics amounting to Kshs1.4 billion - which is approximately Kshs5 million per constituency - is sufficient. However, I support it because it will go towards improving the infrastructure that exists. Maybe, it will build one classroom. Youth polytechnics are institutions that this country needs to invest huge amounts of money because this country cannot provide white collar jobs for many youths. Therefore, it behooves upon us to ensure that every single polytechnic is empowered so that we can have skilled youth in our counties and constituencies. They can be artisans, masons or electricians. This will make them productive members of this society.

Hon. Temporary Deputy Speaker, the Kshs7.3 billion will go a long way towards ensuring that every school has electricity so that we can implement the laptop project.

As women who were elected in this country, it is unfortunate that we sit in a Parliament where we are considered as Members of Parliament, but we are discriminated against because we do not have a budget similar to that of our colleagues in this House to participate in development activities at the county level. That is the case and yet, our colleagues continue to add towards their budgets to ensure that they have funds to work within their constituencies. I hope that when our Bill will be introduced in this

Parliament, it will be passed. All those who are watching will ensure that they put sufficient pressure on their Members of Parliament to ensure that not only will this be the Government that will empower women--- We hope that this Government will not be the one that will come and abolish the positions of female Members of Parliament because we were voted and voted heavily into the Jubilee Government to ensure that the rights of women and youth in this country are protected. We must become productive Members.

Thank you.

**Hon. Wandayi:** On a point of order, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Wandayi, I hope that it is not what you came here to say.

**Hon. Wandayi:** Well, it is not that, but it is somehow related. Hon. Temporary Deputy Speaker, we have been told a number of times and we agree that this House is a House of records, procedures, precedents and so on and so forth. A while ago, you made a ruling which I agree with because I cannot argue---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): The hon. Member who is on my right, honestly, I do not know what to say.

**Hon. Wandayi:** Hon. Temporary Deputy Speaker, I just want you to indulge me for two or one minute. I would like you to take your time and, perhaps, make a ruling on this matter even if not now, but later if possible.

Article 107 of the Constitution is very clear on who presides over the affairs of this Chamber.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Member, honestly, I think that is what you came to ask me here. I will answer it even before you go ahead. We do have a substantive Chairman and a Deputy Speaker who we assist, but when it comes to decisions on Motions and so on, on the Floor, they are the final say. So, please, hon. Wandayi, I always give you a lot of time. Please, do not indulge me. Everybody here wants to speak about the BPS.

**Hon. Wandayi:** It is important.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): It is important to you but not to the majority of the Members of the House. The mood that I read earlier; Members want to contribute. I am actually ruling you out of order because it is also again a right that I hold.

**Hon. Wandayi:** Please give me one minute.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I am choosing not to on this particular issue because you canvassed it with me and I want people to speak on the BPS. Please, hon. Bernard Bett of Bomet East. No! I had given the Floor to another Member. Let him first finish and then you are next.

**Hon. Ekomwa:** Thank you hon. Temporary Deputy Speaker. I stand to support the Motion. I am a witness of youth polytechnics in my county. During the 80s, there was Norwegian Agency for Development Co-operation (NORAD) in Turkana and it built one of the polytechnics that trained many youths who went to get jobs as carpenters and masonry. When we improve our youth polytechnics, we are creating jobs in the villages. At the same time, we are making the youth self-reliant. This issue of depending on handouts has made our youth corrupt and not hardworking to get their own income.



With youth polytechnics, the youths will become busy. When they are idle without anything to do, they become criminals in the villages. I support the funds that have been allocated for the polytechnics. Polytechnics encourage innovation and discovery. That is where the skills are being gained. In many countries like China, that is where discoveries and innovations are done. With regard to the Level 5 hospitals, our county had only one. Now that it has taken the standards of a county referral hospital. I do not know if that money can be increased, so that we can have some level 5 hospitals in every constituency in Turkana County. We have only one and now that we have six constituencies in Turkana County, I do not know whether this Kshs5 million will be enough for all of us.

On the issue of improving delivery of service in those level 5 hospitals, we want to encourage the Government to come up with a way to motivate our doctors. We have seen a trend in counties where many doctors have resigned. Even if we are going to allocate this money to level 5 hospitals, we may not have doctors in those hospitals. So, I want to encourage the Government to see how it can motivate the doctors to go back to the hospitals, even if it will mean to return the health sector back to the national Government. That will be better.

Finally, I would like to touch on the issue of centres of excellence and the money that has been allocated. There are some constituencies that do not have centres of excellence. That is because the money that was allocated--- Those who were there did not utilize it very well. Some constituencies have incomplete projects and even the Kshs5 million that we are allocating to them cannot complete them. I, therefore, ask the Budget and Appropriations Committee to increase that amount to Kshs10 million per constituency to complete those incomplete structures.

I beg to support.

**Hon. B.K. Bett:** Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this BPS. I support because for one, the grants to counties to revamp polytechnics will assist us in developing the necessary skills. That way, the youth can be self-employed and have incomes to assist them. I also want to say that the allocations towards level 5 hospitals are good. As a country, we need to have, at least, one level 5 hospital in every county. In my county, we do not have one. As we do that, we also have to have reasonable allocations towards the roads that lead to those hospitals. We could be having a problem which requires an urgent attention at a level 5 hospital but, without good roads, it might not be possible.

The allocations to constituencies for the completion of centres of excellence are a welcome move. However, I want to insist that those centres of excellence will have teachers. Even in the polytechnics, there will be teachers. So, we are expecting to have reasonable allocations towards the Ministry of Education, Science and Technology so that we can have more teachers. We should also revise the payment for the teachers.

On matters of the wage bill, I want to indicate that it is a concern to all of us. There is a Report by the Auditor-General's Office that we are losing about Kshs300 billion to corruption-related practices. We are insisting that the Government should put in place sufficient measures to curb that problem, so that we do not have corruption-related practices taking away much of the resources that are received in terms of our revenues.

We also have the Constitution that we passed in 2010. All of us have a duty to look into it so that, if there are some grey areas which are contributing to this wage bill problem, we can address them as a country. As far as the counties are concerned, we expect them to be equitable in the way they are doing their businesses. That is not only in terms of ensuring that all the constituencies are fairly supported even in terms of employment. We realize that some of our counties, like my county, if there are employment opportunities of up to 400 vacancies, they are short-listing less than 30 persons per constituency. We are sending the message to governors and the county governments that they are supposed to be as fair as possible in distributing resources and vacancies to all the constituencies.

With those few remarks, thank you. Even as we contribute to this, all of us, from our different constituencies, should be given equal treatment in terms of contributions on the Floor of the House.

**Hon. Onyura:** Thank you, hon. Temporary Deputy Speaker. I would also like to support this Motion on BPS, particularly with the amendments that have been moved.

The issue of polytechnics is very important. It is very key, when we are looking at ways to occupy our youth. The funds that have been recommended for the revamping of polytechnics are very welcome. As it has been said, it works out to roughly Kshs5 million per constituency. At this point in time, it is very welcome because some of the polytechnics that I have visited are lacking quite a number of facilities. They would really benefit from this support. We also need to look at the staff in those polytechnics. If there are any set of instructors that have been neglected, they are those who teach in the polytechnics. They are poorly remunerated and poorly looked after. If those are the places we are hoping to take our children for purposes of getting skills that will enable them to self employed, then we need to look at that cadre as well. The quicker we do that the better.

Hon. Temporary Deputy Speaker, with regard to the issue of hospitals, I support the idea that every county should have a level 5 hospital. In fact, the previous district hospitals should all be upgraded to level 5 hospitals, so that every county can have a mini-referral hospital that would be of great service to the county residents. I also believe that it will also reduce congestion in the two main referral hospitals of Moi Teaching and Referral Hospital in Eldoret and Kenyatta National Hospital (KNH) in Nairobi.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hold on, hon. Onyura. Hon. Mwaura has a point of order.

**Hon. Mwaura:** Thank you, hon. Temporary Deputy Speaker. Judging from the mood of the House, would I be in order to move that the Mover be now called upon to reply?

**Hon. Members:** No! No!

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Mwaura, have you contributed to this Motion?

**Hon. Mwaura:** Hon. Temporary Deputy Speaker, that was an intervention.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Mwaura, have you contributed to the Motion?

**Hon. Mwaura:** Yes, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): If you have, you cannot initiate such a move, hon. Mwaura.

Proceed, hon. Onyura.

**Hon. Onyura:** Thank you very much, hon. Temporary Deputy Speaker. It is good that you stand up against some of these selfish tendencies. If hon. Mwaura is tired, he can go and have a cup of tea in the restaurant.

As I was saying, we need to have a level 5 hospital in every county so as to improve service delivery. It will also be cheaper for the citizens in a particular county to go to a referral hospital within that county rather than travel all the way, say, from Busia to KNH in Nairobi or Eldoret.

Hon. Temporary Deputy Speaker, I also support strongly the provision of Kshs5 million to each constituency for the completion of the economic stimulus programme projects. We have very many well-intentioned projects that were started, but which are still incomplete. Perhaps, they have remained incomplete because of the usual corruption. But this is a good opportunity for us to complete them, so that they can benefit our people as initially intended.

I also strongly support the provision of Kshs7.3 billion to Rural Electrification Authority (REA). REA has been doing a good job. They have done a good job in my constituency, but there is still some incomplete business. I believe that with this kind of money, they will complete whatever is pending and provide development in our constituencies.

With those remarks, I beg to support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Yes, Member for Kinangop!

**Hon. K.K. Kinyanjui:** Thank you, hon. Temporary Deputy Speaker. I rise to support this Motion, which is from my Committee.

I would like to take this opportunity to thank my very able Chairman and members of the Budget and Appropriations Committee. It is high time that these projects are rolled out. I stand to be guided on how to go about it with my Committee. My concern is that we were with the Cabinet Secretary for the National Treasury yesterday. He said that there is about Kshs50 billion lying idle at the National Treasury. The governors have not been able to spend that money. My concern is that the additional Kshs1.4 billion that we are adding to that amount is well-intended and for good use. Is there any way we can divert those funds to go straightaway to the respective constituencies, so that they can be spent before the end of the year?

My other concern is about the Kshs3.74 billion. It is very well intended. In Nyandarua County, the highest level hospital is level four. So, some of the counties are going to be disadvantaged. Therefore, I would kindly ask to be guided through my Chairman and Committee on how we can go about this to ensure that the money is not shared amongst the level 5 hospitals only. We should ensure that the counties that do not have level 5 hospitals but have level four hospitals can also benefit.

Hon. Temporary Deputy Speaker, there is another very interesting thing and I wonder whether this House is aware. Prof. Nyikal and Dr. Pukose mentioned a very important thing – that medical doctors are resigning from level 5 and level four hospitals. Therefore, as much as we would like to devolve some services to the counties, we should

re-think about the devolution of health services to the counties. The situation is very disappointing. People are dying. Doctors are resigning from county hospitals. I would, kindly, urge this House and the relevant Departmental Committee to urgently come up with a solution because our people are losing their lives.

We are still pumping money to those facilities. There is a provision in the Constitution which says that if a function is not being carried out effectively at either level, it can be reverted back to either the National Government or the county government. So, I would kindly ask the professionals in that area to think of how we can go about it, so that we can save the lives of our people.

Hon. Temporary Deputy Speaker, another thing is about the Economic Stimulus Programme projects. In my constituency, the centre of academic excellence is not yet complete. Even the market is half-way. The health facility is also half-way. Therefore, I take this opportunity to congratulate our very able Chairman and Committee for providing for those projects. I hope that next time, we will enhance this amount to Kshs10 billion and, subsequently, to Kshs15 billion to ensure that centres of academic excellence, health facilities and markets are completed. Otherwise, the Committee is doing a good job.

Our brother, hon. Kaluma, was trying to introduce a very important amendment on the provision to REA. My constituency has over 100 primary schools, while the neighbouring constituency has about 50 primary schools. So, there will be a lot of inequalities. Therefore, we must come up with a formula of ensuring that the money should be shared according to the number of primary schools in each constituency.

Thank you very much, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Yes, hon. Ababu Namwamba!

**Hon. Ababu:** Thank you, hon. Temporary Deputy Speaker. The Budget Policy Statement has provided a very comprehensive road map. It is rightly titled as “providing economic transformation for shared prosperity in Kenya”, but in order for “shared prosperity” to happen, the Government needs to be very clear in terms of what it is prioritising, how it is prioritising it and how that relates with the best interest of the public. I want to agree with the Chairman of the Budget and Appropriations Committee in terms of the projected emphasis placed on infrastructure spending and the attention paid to the extractive industry.

I particularly want to emphasise this because this country is getting into a potentially golden era in terms of the extractive industry, but one that we want to handle with a lot of caution, especially learning from experiences of countries where rather than the extractive industry becoming a blessing, it has ended in being a major source of suffering.

Hon. Temporary Deputy Speaker, I want to focus my attention on the question of the public wage bill.

Hon. Temporary Deputy Speaker, first of all, if anybody was to come into this country in the last months, he would have imagined that the greatest tragedy which has happened in the country today is the burden of the public wage bill. It was so much that it took the unprecedented action from His Excellency the President and his Deputy to do

the symbolic gesture of promising – and I do not know whether they have already done it - to take a pay cut.

Therefore, I would have expected a lot of emphasis placed on this whole issue of public wage bill in the Budget Policy Statement. But going through the Budget Policy Statement, you get a feeling that this whole issue of public wage Bill has only been given a casual attention. But what bothers me is the consistency of figures in terms of this whole matter. The figures we have on the table right now seems to be talking of Kshs285 billion as the total wage bill from the previous financial year, which amounts to about 6.8 per cent of GDP. But the figure that is being branded out there and the one that the President is reported to have used in public is almost Kshs500 billion. That figure amounts to 13 per cent of GDP. In fact, if you were to use that particular figure, then you would get the alarming scenario where the public wage bill is almost 55 per cent of our total tax revenue; 43 per cent of Government expenditure and 13 per cent of GDP.

Hon. Temporary Deputy Speaker, I hope that when the Chairman of the Budget and Appropriations Committee replies to the Motion, he will clarify what figure the Government is using in terms of public wage bill. Is it Kshs285 billion, Kshs324 billion or Kshs500 billion? What exactly is the figure of the public wage bill? Even as we talk about the public wage Bill, we really need to focus on areas of public expenditure and the fiscal conduct of the Government where we can save money. I have a feeling that this whole debate about the public wage bill is more of a red herring than anything really. It could be a red herring to support those who want to amend the Constitution to dismantle certain institutions in the Constitution and reduce the number of, maybe, nominated members and, hence, scuttle devolution.

Hon. Temporary Deputy Speaker, I really want a very solid proof that indeed, the public wage bill is a crisis because I do believe it is not a crisis. What is a crisis in this country right now is corruption. Let us confront corruption and deal with it decisively. If we are in a scenario where projects are caught up in corruption even before they take off – like the standard gauge railway and the laptop project for schools--- They get marred up in the talk about corruption even before they take off. We are talking about a serious matter. Let us confront corruption and close all the taps of corruption.

Secondly and finally, is just about pilferage and wastage within the Government. The Public Accounts Committee (PAC) Report that this House adopted a couple of days ago indicated that during the financial year we were talking about, the Government lost about Kshs5 billion in un-accounted and un-supported expenditures.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Please, wind up, hon. Ababu.

**Hon. Ababu:** What I am saying is that, rather than chasing the wind and red herrings like the public wage bill as an excuse to dismantle constitutional institutions, let us confront the real challenge. The real challenge is corruption and wastage within the Government.

I beg to support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Kamanda, Member of Parliament for Starehe Constituency, the Floor is yours.

**Hon. Kamanda:** Thank you, hon. Temporary Deputy Speaker, for giving me a chance to contribute and support this Motion. I want to thank the Chairman and the

Committee for providing, at least, this time round, money for KeRRA and KURA. We all know that this was a big problem last time. But this time round, I want to assure hon. Members that money is already there in the budget.

But my concern and the concern of my Committee is how the infrastructure is being handled by the people running the Government and, more so, the National Treasury. There can never be any growth in development if you kill infrastructure.

I want to echo a word that I was given by my friend there, hon. (Eng.) Rege, who was a Permanent Secretary (PS) at one time. I asked him at one time: "During your time; you people did many infrastructural projects" He hinted to me that, at that particular time, the entire Government had no any other agenda. You talked to the two Principals and the idea was about infrastructure. Ask them anything else; it was infrastructure, infrastructure and infrastructure. I think that is the way we need to move forward because if we leave infrastructure and talk about other things, nobody will remember this House. We will leave this House after five years without anything tangible to tell our people when you go back to them.

Hon. Temporary Deputy Speaker, I want to address the issue of county governments. It is good that those people are reminded that they are not federal states. That is because of the way they are behaving. It is as if they are federal states. I am saying this because we have engineers in every county from the national Government. Those people have gone ahead and employed other engineers. Therefore, there is a lot duplication and wastage. There must be co-ordination. There is no difference between the county government and the county councils which were there before. They are almost similar. The only difference, at least, is that they have more powers. But what they do not have is the accounting officer. That time, they had the accounting officer who was the Minister for Local Government and the PS. I think this is the gap that we need to fill so that we do not have wastage in that line.

The other aspect is that we all fought together for KeRRA and KURA. I thought we should also fight together for health services. Time was not ripe to devolve the health services to the county governments and that is why we are having a lot of problems with doctors resigning. Very soon, we are going to hear that nurses are also resigning. We must decide, as a House, to tackle this matter here.

My dear friend who has been in the Ministry of Health for a long time should lead us in those negotiations, so that we can tell the Transitional Authority (TA) that, at least, time was not ripe to devolve health services to the counties.

With those few remarks, I beg to support.

**The Temporary Deputy Speaker** (Hon.) (Ms.) Shebesh): Hon. Bishop Mutua.

**Hon. (Bishop) Mutua:** Thank you very much, hon. Temporary Deputy Speaker. I would like to support this particular Report and I would like to discuss only three points today.

Point number one is that the issue of the public wage bill is actually being exaggerated and misused. It is being used to cause divisions in the House. That is because the ways they are suggesting as solutions to the wage bill are exactly those that were suggested by Aaron in the wilderness, when they were on their way to Canaan land. He said they should go back to *Misri*.

(Applause)

People would like to see us going back to the old Constitution. When this country had only 210 constituencies, we did not develop. Why did we not develop? It is because corruption was “eating” people in the country. Has that corruption been healed? No! So, the first thing that we need to do is to address the issue of corruption head on, without protecting people just because they belong to the same ethnic group. We have got to reach a point where we call a spade a spade.

The second point I would like to discuss on this particular Report is the one on generating resources to work with. This country has been blessed of late. There are a lot of opportunities that have come up. There is a lot of oil, coal and minerals but nobody is talking about fast-tracking the exploitation of those additional resources in order to help this country. We need to look elsewhere. If we think in the old way, we cannot implement the new Constitution.

Hon. Temporary Deputy Speaker, there is one very worrying trend which is that of getting easy answers to complicated problems. The problem that we are facing in this country is a transitional one, where we are transiting and devolving the country up to the grassroots level to ensure more people have a stake in the resources of this nation. Before, only a few people had access to the resources of this country and, therefore, they could tap them at will and use the money they way they wanted. Now, when they try to do the same tapping, they realise some of the resources are not available because they are already devolved to the counties.

The issue of reversing the counties and devolution is one that should never be imagined of. We cannot afford to go back to where we came from. So, we are blaming the counties sometimes for no reason. They are experiencing the same problems we are experiencing. Sometimes in this House, we even find ourselves not sure of what to do. The counties should also be given time and an enabling environment to actually evolve the systems of accountability; so that they can be able to account for the resources they are given.

Hon. Temporary Deputy Speaker, in conclusion, I would like to say that we should start thinking like one nation and begin looking for solutions together. We should not use diversionary tactics to divide the House and lead people in the wrong direction. This country can survive if we work together and build general consensus on issues of national importance like the wage bill. But we should not say that some people should go and others remain. Nobody should go and nobody should remain. We should all be together sorting out our problems together and this nation will go ahead.

Thank you and I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): The honourable Member for Embakasi South, Irshad Sumra.

**Hon. Sumra:** Thank you very much, hon. Temporary Deputy Speaker. First of all, I would like to say that the Chairman of the Budget and Appropriations Committee has been meeting the whole country and we have been with him. Let me tell you that being the Chairman of the Budget and Appropriations Committee is not a joke. We in the Coalition for Reforms and Democracy (CORD) have been criticizing, but he is really a man who deals with the whole Budget. Thank you, Chairman. I know what you are going

through. He has sacrificed his time in all these meetings. I would like to say that this time round, this Budget has come out very nicely especially on infrastructure, health, education and army sectors. The Chairman has done excellent work. We had even discussed how to industrialise this country and how to create jobs. We have come a long way.

Hon. Temporary Deputy Speaker, even if a Deputy Chairman is there, a Budget is a Budget and it is so flexible. We talked with Prof. Nyikal and everybody. Mbadi is in the team. Chairman, you did a good job.

What I would like to add to next year's Budget is infrastructure. Kenya does not have money. We were with him in Nanyuki with the President. If possible, we would like to bring the infrastructure on the Built, Operate and Transfer (BOT) system. That is built on lease and transfer system. There is a metal rail project which I have agreed with the Chairman that we will go to the President to discuss with him. The investors will come here and take it on a guarantee for 15 years or 20 years. They will build a metal rail on one pillar in Nairobi. That will help in decongestion of traffic, which our Chairman has ably agreed.

In the same way, we will go the Metro Bus Lahore System. Metro Bus Lahore again is a project that is done through the BOT system. This metro bus system is 38 kilometres long and if somebody does it for 15 to 20 years, our traffic will be decongested and we will go ahead.

Mine is very simple. On the wage bill thing, somebody is going to bring a Bill of reducing the constituencies. We will deal with it at that time.

Hon. Temporary Deputy Speaker, you are from Nairobi and if we go back to the old constituencies, the whole of Embakasi had 570,000 registered voters. How can a Member of Parliament control 570,000 registered voters and somebody from Lamu has 13,000 and Ijara has 15,000 voters? I think that Motion is out of order. We have to discuss how we can deal with Nairobi.

Hon. Temporary Deputy Speaker, I think as a Budget and Appropriations Committee member, a good job has been done by our Chairman and our Committee. We are open to criticism. We are listening to every Committee which appears before us. Please, we are working for this country. We are targeting more on industrial development and job creation and that is what my Chairman has been doing.

Thank you very much, Chairman. I support this Motion. We are with you all the time.

**The Temporary Deputy Speaker** (Hon.) (Ms.) Shebesh: Hon. Shadrack Manga of Kuria East.

**Hon. (Eng.) Manga:** Thank you very much, hon. Temporary Deputy Speaker. I want to support this Statement because---

**The Temporary Deputy Speaker** (Hon.) (Ms.) Shebesh: Hon. Member, give me one minute. I want to issue a communication.

Hon. Members, I am told that we had already voted to stay until we finish the business on Order No.12. So, I want to remind the House that we have already committed to that and we have to finish that work. Therefore, please, when you are speaking, remember Standing Order No.106 that talks about repetition and relevance. We cannot cut the time you want to speak but we can also work smart.



Go ahead, hon. Member.

**Hon. (Eng.) Manga:** Thank you very much, hon. Temporary Deputy Speaker. I want to thank this Committee for bringing up this Budget Policy Statement (BPS) which, to me, is very important. I want to look at the village polytechnics that we have. It is not only money that we lack. There is one thing that the Government has forgotten about those institutions. They give them teachers who are not trained. They give them people from the *Jua Kali* sector and those who graduate from those institutions do so without any technical education. We should make sure that money is set aside to sharpen teachers who are teaching in those institutions.

Hon. Temporary Deputy Speaker, I have 51 primary schools and out of those, only 30 have electricity. I wonder what will happen to the 21 when we have the laptops programme fully operating in primary schools. I, therefore, want to support that the money that the Budget and Appropriations Committee is proposing be allowed to go to Rural Electrification Agency (REA) so that it can supply every primary school in this country with electricity.

Hon. Temporary Deputy Speaker, I also want to say that in my constituency, we have chosen two schools of excellence.

It is not only the laboratories that we lack, but we also lack teachers. Sometimes, some of those schools miss five or six teachers. How can you make it a center of excellence if it does not have all that? So, I think this Statement is very important. I want to thank the Chairman of Budget and Appropriations Committee for bringing up this one.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. (Ms.) Chae!

**Hon. (Ms.) Chae:** Thank you for giving me the opportunity to also support the Budget Policy Statement (BPS) as it has been brought to the House by the Budget and Appropriations Committee. My sentiments are few and I feel that they will add value to what is happening in our country today. As much as the Committee has appropriated money to all the Ministries that are concerned, I hope that, as a House, we are also going to do our part to oversight and make sure that the money that is being wasted; that people do not even account for, is accounted for. If we do not do that, then we will be doing something very wrong. So, it is us, as a House, to up our game to ensure that the accountants are accountable for what has been placed into their hands to improve the infrastructure, schools and everything else they are entitled to.

Another thing I feel should be done is that when the Committees make recommendation to the Ministries on accountants who are not accountable and who have failed to account and show the value for the money, they are not supposed to be given money again. That is because they have failed to account for the money previously given to them to improve the living standards of our people. That is why they are in the situations that are facing them.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. (Ms.) Chae, I am sorry I have to interrupt you because there is a point of order from hon. Okoth. Do you have a point of order?

**Hon Okoth:** On a point of order, hon. Temporary Deputy Speaker. I would like to ask under Standing Order No.95 if we can call upon the Mover to reply, given the nature of repetitions that we are hearing now.

*(Loud consultations)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Order, hon. Member! This has been asked three times consecutively. I think I can put the Question.

*(Question, that the Mover be now called upon to reply, put and agreed to)*

But hon. (Ms.) Chae, please complete your contribution.

**Hon. (Ms.) Chae:** Thank you. Let me continue.

*(Loud consultations)*

Excuse me! It is my time. I am on the Floor. So, as a House, we need to up our game as an oversight institution and ensure that the Government and the Executive are accountable for the money that has been given to them. We need to accept change. Changes are coming. Problems and challenges are also coming. We need to appreciate and look for sober ways to tackle them. If we jump at them, we will all fail. As much as possible, we need the budget to be gender responsive so that all genders have their needs and wants articulated and their problems sorted out.

The wage bill is high. When we were being elected, we said that we will deal with corruption which is rampant and empower the youth and women of this country. Those are the people who should be taken care of in this Budget in order to alleviate poverty.

I appreciate what the Chairman and his Committee have done to ensure that the stimulus projects---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Yes, the hon. Chairman of the Budget and Appropriations Committee.

**Hon. Musyimi:** I thank you, hon. Temporary Deputy Speaker.

**Hon. Kang'ata:** On a point of order, hon. Temporary Deputy Speaker. There is no quorum!

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Kang'ata, please, leave the House because you are definitely out of order. You do not respect the Chairman. Please leave the premises immediately. You are leaving the House for the rest of the day.

*(Hon. Kang'ata withdrew from the Chamber)*

Continue hon. Mutava Musyimi.

**Hon. Musyimi:** Thank you very much, hon. Temporary Deputy Speaker. Let me take this opportunity, first of all, to thank hon. Members for their very articulate, concise and helpful comments that they have made over the last three days. I want to assure them that we shall collate this information and make sure that the Parliamentary Budget Office has the benefit of the HANSARD, and that all the contributions that hon. Members have made will be documented so that we move forward. This will ensure that our work will be better next year than it was this year.

Let me also thank my colleagues in the Committee whom I drive a bit hard, as has been said before. I have been called a slave driver but I probably drive myself a little harder than I drive them. However, it is a joy to be in this Committee which is very important.

Hon. Temporary Deputy Speaker, let me say - and I know that the Speaker will rule on this - that we tried to protect the supremacy of this honorable House and the independence of Parliament. We, in the Budget and Appropriations Committee, have a bipartisan approach. I work fairly closely with the Treasury but I want to assure this honorable House that I have been to the Treasury Building once or maximum twice in the last ten months. It is very embarrassing to hear that there are Chairmans with offices next to offices of Cabinet Secretaries of the Ministries that we oversee. As we await the ruling of the Chairman, I hope that the Speaker will be very firm because it takes away our sense of independence to oversee the Executive.

That said and done, let me say that over the last four months, we have met all the organs of the Government. We have had meetings with the different sectors in the national Government. We have had meetings with the different sectors in the national Government. We have met all the independent commissions. We have met the Parliamentary Service Commission (PSC), the Judiciary, the governors, colleagues in the Senate and our co-Chairmans. It has been a fairly engaging process and we have come to understand the Government a bit. A number of us have also met the President on behalf of the Budget and Appropriations Committee to express our concerns. Let me say that we have done what we could with the time that we had.

With regard to the health sector, I am aware that a report is likely to be tabled by the Health Committee fairly soon. I had a chat with the Chairman of the Health Committee earlier on, hon. Dr. Rachael Nyamai. I know that the Health Committee, like the rest of us, is aware that the main challenge facing the devolution of health services is the blanket and the un-bundled transfer of functions to counties with complete disregard to the three years transition period provided for in the Constitution. We cannot wait for that report to come here. That is because when that report comes here from the Committee, we will be able to deal with all the frustrations that we have with regard to health services. Indeed, only this afternoon, I met with the Acting Governor of my county - Embu County - and one of the issues that we were talking about were the doctors who have had to go and others who have had to be replaced. It is a real problem. So, we hear what the House has said with regard to the health sector.

Also with regard to corruption, I want to assure this House that we will be giving more money to the Ethics and Anti-Corruption Commission, the Office of the Auditor-General, Controller of Budget, DPP and, indeed, the Judiciary itself. So, those are just some of the concerns that have been raised. Many have been spoken to, but let me just mention one or two things before I make a concluding statement.

With regard to the wage bill, it is important for this House to remember that in our Supplementary Estimates, we voted Kshs120 million to give to the Salaries and Remuneration Commission (SRC), so that the national debate on salaries can start. That debate was launched on Monday last week. So, it was with the support of this House that this debate is on and it is wonderful to hear our contribution. I have had occasion to appear before the Media and talk about the wage bill, but also express my own concerns, as I have done over the years, to the problem of wastage and corruption.

Can I also say that in the Supplementary Estimates, we voted the amount of Kshs80 million for what we are calling a social economic conduit. I know that there are some discussions going on about what offices need to be trimmed and so on and so forth. But I want to assure this House that under the leadership of my Committee, professionals will be engaged through the Office of the Auditor-General using those funds. Those professionals will come from the legal sector; people who are prominent in public administration and finance to give us a professional opinion about the implementation of this Constitution since it was promulgated. So, I am not in doubt that this House will have the benefit of professionals or independent opinion as to what we need to do not just on the Constitution, but also on the laws that we have passed, some of them rather hurriedly. I was part of the Tenth Parliament and came across some of the policies. When we come to audit the Constitution, it has to be audited at three levels; Government and the Constitution, the laws and the administrative functions that support the functions of the Government that are created by the laws and the Constitution as the prime mover. So, I am very sure that by the end of the year, we will get this Report and we will deliberate upon it in a manner that will help this country going forward.

As I close, let me make the following statement. The share of the national revenue going to county governments has primarily been based on the growth of shareable revenue. In addition, my Committee also considered the fiscal cut-back. The fiscal cut-back refers to the slight reduction in the share of the national revenue going to county governments owing to slower than expected absorptive capacity of county resources during the year 2013/2014. It is important to underscore the point that the total resources going to county governments, both conditional and unconditional, amount to Kshs230.3 billion. This is broken down as follows:-

County equitable share – Kshs217.9 billion; provision for level 5 hospitals – Kshs3.74 billion; allocation to establish village or youth polytechnics – Kshs1.4 billion and allocation to REA – Kshs7.3 billion. The total revenue going to county governments, conditional and unconditional is Kshs230.3 billion. Compared to the Inter-Governmental Budget and Economic Council's figure; the IBEC, which is Chairmanned by the President himself, that Council had recommended the amount of Kshs238 billion to go to the counties. As you can see, our recommendation falls short by Kshs7.7 billion.

Hon. Members will understand why there is a cut-back because of all the issues we have raised about the capacity and the ability of the governors and the county governments to do what they are supposed to do.

Hon. Temporary Deputy Speaker, going forward, any savings or additional resources accruing from the scrutiny of the 2014/2015 Budget Estimates will be allocated to strategic areas that have exemplified the highest level of efficiency, and that should tell you something. We shall be monitoring what is happening on a fairly regular basis. Overall, rewarding efficiency and adherence to fiscal responsibility principles will be the cornerstone of expenditure re-orientation in the 2014/2015 Financial Year and the medium-term.

I would like to thank hon. Members for their contribution. I wish to assure this House that we shall continue to work even harder to make sure that this country is looked after. We will make sure that we are equal to the responsibility that has been given to us as the Budget and Appropriations Committee. We will make sure that we listen to one

and all, particularly all the spending agencies within the National Government, county governments as well as the independent commissions like the Parliamentary Service Commission, Judicial Service Commission and what have you.

Hon. Temporary Deputy Speaker, tomorrow, we will meet the Judiciary's new Chief Registrar, Ms. Amadi. We look forward to seeing her tomorrow. We are encouraging the Judiciary to begin to feel as part of the rest of the society. We have sensed the kind of isolation of the Judiciary. Maybe, the battering has been a little bit hard. We are encouraging them to come out and engage, so that they can explain their case to us and to the rest of Kenyans. We will, therefore, continue to listen. We will continue to be frugal. We will continue to support outlets that grow the pie, so that we can have a country we can be proud of today and in the days to come.

With those few remarks, I beg to reply.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Members, because of the situation in the House, we will not call for a vote at this point in time. We will proceed to the next Order.

### COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[The Temporary Deputy Speaker (Hon. (Ms.) Shebesh) left the Chair]*

### IN THE COMMITTEE

*[The Temporary Deputy Chairman (Hon. Kajwang) took the Chair]*

### THE MARRIAGE BILL, 2013

**The Temporary Deputy Chairman** (Hon. Kajwang): Hon. Members, this is a Committee of the whole House assembled to consider the Marriage Bill (National Assembly Bill No.13 of 2013). The time now is about 6.30 p.m.

*(Several hon. Members stood up in their places)*

Order, hon. Member! You do not start with a point of order. Can you resume your seats and behave yourselves? First of all, if you are thinking about raising the issue of quorum, in the Committee of the whole House, we do not have the quorum issue. So, those of you who are first-time Members like me, please, note that point.

Hon. Members, I would like us to see how we can synergise ourselves, so that we can be able to go through these proceedings. That is because it is a very long Bill. But, as a House, you voted that this business should be completed before you rise today. It was a Motion that was before the House. You debated and passed it. So, it means that you will sit down here until this Bill is completed. Luckily, that is the duty for which you are here and for which you are paid. So, that is where we are.

So, let us begin.

Hon. A.B. Duale, before I give you time to rise on your amendments, I want us to have an understanding so that we can move as fast as we can.

Hon. Members, you have seen several amendments proposed by the hon. Member for Garissa Town, which appears in the Order Paper. You have also seen several amendments that have been proposed by the Committee.

*(Hon. Nuh interjected)*

Please, hon. Member for Suna East, do not put me in a position that I would ask you kindly to leave the Chamber.

We want to have an understanding on this. Hon. A.B. Duale, if you look at the Order Paper, you will see a proposed amendment which appears on page 77. In Clause 48, there is a proposal on (c) to bring in a Sub-clause.

Hon. A.B. Duale, the understanding that I get is that reading through several amendments that you have proposed, for example, you reflect on this Sub-clause, it perhaps, could well dispose of many of the amendments that you have except for one or two. If we have that tacit understanding, then we will be dealing with the amendments proposed by the Chairman and the amendments proposed by hon. Waiganjo, where necessary, so that we are able to run very fast. We can proceed that way, unless you come upon one which does meet the requirement that you are seeing on that proposed amendment.

Therefore, before you move your amendments, would you just address me on whether you think that, that satisfies many of the amendments you have proposed so that we have an understanding? That is because you have several amendments and there are several amendments that the Committee has proposed.

The Floor is yours, hon. A. B. Duale.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, all my amendments touch on Islamic marriage, as far as this Bill is concerned. I agree with Clause 48 (c). But I want to make it very clear, if I am allowed and if you listened to me.

What I am amending in Clause 2 – and this is a law that is going to be there for posterity and I will be very happy with that law--- In Clause 2, I am introducing something called *mahari* which is in relation to Islamic marriage; meaning a mandatory gift given by a bridegroom to the bride in consideration of marriage. Now my problem is this---

**The Temporary Deputy Chairman** (hon. Kajwang): Now, for example---

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I am saying---

**The Temporary Deputy Chairman** (hon. Kajwang): I am with you. I am just engaging with you. I have no problem with that. I just want to have an understanding that, that general proposal meets many of your amendments. But if we come across one which you think that, that general amendment does not meet, then you raise it to our attention and we will deal with it at that time.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, my problem is that, this is a law that is meant for all Kenyans. In the way, it will carry each and every section of our

society. I do not want to have Section 48 as a safeguard for me. I want, as we go through this law up to Clause 2, issues of the Islamic faith to appear in that law.

For example, in Clause 2 of that law, I am bringing you a definition of what Islamic marriage is and what *mahari* is. Many people might not know what *mahari* is. But for many years to come, I want this law to carry that definition. Clause 48 is giving me a safeguard that if anything within this Act is not inconsistent with the Islamic law, then that law does not affect us. This is a House that is making laws. So, I want *Mahari* in the same Act. So, I will be very comfortable if all my amendments are discussed one by one.

**The Temporary Deputy Chairman** (Hon. Kajwang): Now, the Leader of the Majority Party--- In fact, I think I am addressing you as the Member of Garissa Town for the time being. You have not got my plea. My plea is that we want to shorten the debate as much as we can and I understand that there are some amendments you are bringing that are pertinent to you and which may or may not be covered by this omnibus or general proposal. So, you still retain your right when we reach that *Mahari* place or whichever area to raise those issues. We are not even starting with Clause 2. We will end with it. It will be the last thing which we will consider. We want to begin with Clause 3, go down and come to Clause 2 at the end of the day. So, what you need to do is to closely check with us. If you think that something is not covered in that general amendment, raise it so that we can speed up the debate. We will then go into that specific clause and then we see which way it goes. Is that fine?

**Hon. A.B. Duale:** Yes, hon. Temporary Deputy Speaker.

**The Temporary Deputy Chairman** (Hon. Kajwang): Thank you very much. So, we have established an understanding. We therefore want to consider Clause 3 and still there is an amendment proposed by---

*(Loud consultations)*

Just give me time to absorb this. Just a minute! All right! We are considering Clause 3 and hon. Duale you are on it because you have proposed an amendment to it.

**An hon. Member:** On a point of order.

**The Temporary Deputy Chairman** (Hon. Kajwang): Before that point of order, you know when we have very many points of order, we are unable to pursue a thought process and dispose of it. Before I allow that, allow me to be the one to decide which one to allow. Let me just dispose of it. Hon. Duale, you have an amendment on Sub-clause 1. I think it is on page 81 of the Order Paper. It is Sub-clause 1 of Clause 3.

*Clause 3(1)*

**Hon. A.B. Duale:** Yes, hon. Temporary Deputy Chairman. I beg to move:-

THAT, Clause 3 of the Bill be amended in (a) Sub-clause 1 by deleting the expression “and registered in accordance with this Act.”

Hon. Temporary Deputy Chairman, one of my reasons is that a marriage in Islam is independent of any registration. Failure to register does not invalidate an Islamic marriage. So, that is why I have a problem with that Act. So, for us, marriage has no basis

in terms of the registration in the Act. I feel that word “registered” after the word “union” does not apply completely. So, I need that to be deleted and that is the genesis of this amendment. That is because if you look at the Islamic concept in terms of marriage, the element of registration does not arise. Whether you register or not, that does not invalidate an Islamic marriage.

**The Temporary Deputy Chairman** (Hon. Kajwang): All right. Thank you.

*(Question of the amendment proposed)*

**Hon. Chepkong’a**: Thank you, hon. Temporary Deputy Chairman. I will be very brief. When the amendments that were proposed by the Leader of the Majority Party were brought before the Speaker, we were asked as a Committee to consider them, and we did so. When we met, we thought we should not interfere with the general provisions that are contained in the Act, because they apply to the Christian, Hindu, customary and civil marriages.

What we then proposed is that we seek to make an amendment under Clause 48 but, unfortunately, it appears that it was skipped. But I intend to move it. Clause 48(i) reads that a marriage under this part shall be officiated by a kadhi, sheikh or even---

**The Temporary Deputy Chairman** (Hon. Kajwang): Order! Order! Just do what you need to.

**Hon. Chepkong’a**: As may be authorized by the registrar and celebrated in accordance with the Islamic law. The Islamic Law is in huge volumes; it is not condensed into one particular book. So, what he is suggesting, if the registration part of it is inconsistent, then, it is already hosted by Clause 48(iii) which says:-

“Anything that is inconsistent with the Islamic Law or jurisprudence, then that particular law or provision does not apply at all.”

So, we have already taken into account the proposed amendment---

**The Temporary Deputy Chairman** (Hon. Kajwang): The Member on the aisle! Hon. Member for Nyandarua! Members hold on! Order! In terms of managing the legislative agenda, I am allowing the two leaders of the House--- Hon. Midiwo, I am directing you to consult with the Leader of the Majority Party because both sides of the House do not seem to understand where we are going and the need to make sure that this Bill is handled the way we had agreed.

No! No! It is not about the discussion. I am just seeing the mood of the House. It looks like both sides of the divide do not seem to be “whipped” enough to give us the co-operation we need to push the agenda of this legislation.

**Hon. A.B. Duale**: Hon. Temporary Deputy Chairman, if you allow me - and I want your indulgence - first I will answer to what my colleagues have said and second it. As a Member of Parliament representing the Muslim community, the Chairman has a right---

**The Temporary Deputy Chairman** (Hon. Kajwang): No! No! Maybe, we are not on the same page and I want to address a very simple thought---

**Hon. A.B. Duale**: No! No! If you allow me because---

**The Temporary Deputy Chairman** (Hon. Kajwang): Hold on! Just address me on one thing. I am sensing the mood of the House and I want both of you, as the



leadership of the House--- Leave alone this other one! I am coming to it and I will give you all the time to address it. I want the support of the House to move this Bill, whether you want it now or not. That is what I am sensing from the House.

**Hon. A.B. Duale:** Let me add to that and it will give me a good reason. This Bill is a serious one. Let me even speak for the constituency which I represent and the bigger Muslim community. This Bill, in my opinion as the Leader of the Majority Party, should not be discussed when we have less than 30 Members in the House.

*(Applause)*

That I agree. As I said, one of the reasons why we extended the Sitting of the House today is because we thought we would have started with this Bill by 3.30 p.m. or 4.00 p.m. We discussed that last night in the House Business Committee and now we have less than 20 Members.

Now, we have less than 20 hon. Members. This Bill will continue the way it is until midnight and even the 20 or the 30 Members who are here will still reduce. So, by 11 O'clock, it might be only me and the Chair. I will not leave here. I think my guidance is that, this Bill should be discussed tomorrow the first item on the Order Paper after Statements.

*(Loud consultations)*

**The Temporary Deputy Chairman** (Hon. Kajwang): Now, unfortunately, Members, not all of you have leaderships in various coalitions. There are only two as I see them right now. So, allow the hon. Member for Gem to address me.

**Hon. Midiwo:** Let me say that I agree with the Leader of Majority Party. I agree with Chair - not this Chair - but the Chair sitting up there. There is another Chair here

**The Temporary Deputy Chairman** (Hon. Kajwang): I hope the Chair is not in a way a weapon if you choose.

**Hon. Midiwo:** Chair, this could easily be a weapon, I hope the Sergeant-at-Arms---

**The Temporary Deputy Chairman** (Hon. Kajwang): I hope the people that made the chair will find out how these things can be re-done. But go on.

**Hon. Midiwo:** Chair, I want to say that I agree with Leader of Majority Party. We have issues with this Bill from both sides of the House. This House has a history of occasionally making bad laws because we are rushing towards nothing. This is not something that must happen today. Both sides of the House have agreed that we need to do this when people have the energy. I had said earlier this afternoon that this Bill, the immediate effect of it, is breakage of marriages. That is the immediate effect and you can see some unmarried ones are making noise. But I can say--- I withdraw and apologize. It is good that we do it for the betterment of our people. I have withdrawn hon. (Ms) Shebesh. I want to say: Use your discretion or we use what is before us in the Standing Orders. I pulled out a copy of my Standing Orders to follow the procedure to stop this debate. I think that is within our practice and within the laws. We can do this thing in a way that tomorrow, we do it first thing. I had asked the substantive Speaker and he did

not even answer. I requested him to re-arrange the Order paper. We could have done this. I want to tell you--- You can see some disagreements even of religious nature because people have to hold on to their traditions and we want to do this. We cannot make laws---

Chair let me just say one last thing. The more I see the movement about this Bill, the more I think it is sponsored by some foreigners.

*(Applause)*

So, it is very important that we sort it out when we are sober; we argue when we are sober.

**The Temporary Deputy Chairman** (Hon. Kajwang): Order! Leader of the Minority Party, please, do not go to another turf that will give us problems now. Let me listen to a lady's voice - the Member for Nairobi.

**Hon. (Ms) Shebesh:** The Temporary Deputy Chairman, let me just say, of course we will go with the mood of the House. But hon. Chairman, because you are a Chair like me, it is about numbers and capacities. Remember we have always said in this House, irrespective of being three or four, we can go ahead and make a law. I do not see this House empty. In fact, I see a substantial good number of Members and that has always happened. But what I do see, which is always very unfortunate, is men, who are insecure, who are chauvinistic and who do not want us to give---

**The Temporary Deputy Chairman** (Hon. Kajwang): All right, there you go again! Order, Member for Nairobi! Please do not touch on things that do not help us in developing the legislation. Member for Kiambu, hon. (Ms.) Gathecha, you are just addressing this small issue here because I need to understand where the mood of the House is.

**Hon. (Ms.) Gathecha:** Hon. Temporary Deputy Chairman, despite the numbers that we have in this House, I think it is important that we start debate on this particular Bill. That is because if you look at the mood of the House, we will not discuss this issue and yet, it is a very important Bill. We do not want to put it off until tomorrow. We are enough people here who can make--- We are sober people who can make serious decisions. After all, the main contentious issues in this Bill are only four. So, we can move and discuss those.

**Hon. Nassir:** Hon. Temporary Deputy Chairman, I would, despite the threat of being called a male chauvinist, strongly like to add my voice to that of my Leader of the Minority Party and Leader of the Majority Party. To my sisters, it is less than a period of 14 hours or hardly 18 hours where what has already been--- Right now, as much as we say that this House is ably represented, the numbers here do not even constitute 7 per cent of the population of this country. We are talking about peoples' lives. Whatever we are doing here today can determine whether, when you go back home, you are married or not.

**The Temporary Deputy Chairman** (Hon. Kajwang): All right. I hear you!

**Hon. Nuh:** Hon. Temporary Deputy Chairman, I wanted to draw your attention earlier – the time I was disturbing you about this matter – to the fact that this Bill is very important. It is very contentious. We need to be sober when we are discussing it. This

House has been accused several times of passing laws when hon. members are very few in the House. Even when we passed the Media Bill, I remember, the media showing empty seats in this House. There are some communities who know their wives are part of their wealth. There are many things we are discussing.

*(Laughter)*

**The Temporary Deputy Chairman** (Hon. Kajwang): Order, hon. Members!

**Hon. Wandayi:** Hon. Temporary Deputy Chairman, without belabouring the point, I want to say that matters to do with marriage and sexual orientation are very emotive. These are matters that require the fullest attention of the House. As it is, this House does not have the quorum. Therefore, under Standing Order No.35, I am urging you to declare that this House has no quorum to transact business not only on this Motion, but any other Motion for that matter.

**Hon. Dido:** Hon. Temporary Deputy Chairman, thank you, for giving me this opportunity. I wish also to add my voice to this. I was challenged about this Bill a few months ago when we visited Kilifi.

**The Temporary Deputy Chairman** (Hon. Kajwang): No! You are speaking to the issue of how to get this moving.

**Hon. Dido:** Hon. Temporary Deputy Chairman, I am getting to that.

**The Temporary Deputy Chairman** (Hon. Kajwang): Can you, please, just get there!

**Hon. Dido:** Hon. Temporary Deputy Chairman, I am getting to that!

**The Temporary Deputy Chairman** (Hon. Kajwang): No! Do not take too long just going round. Just hit there.

**Hon. Dido:** Hon. Temporary Deputy Chairman, this is a serious Bill. What is serious about it is that marriage is not a one day event - it is a life process. If we are going to make it pedestrian, that will not augur well for this country. Therefore, I strongly suggest that this House must debate this Bill when it is almost two thirds so that we do not pass pedestrian Bills here.

**The Temporary Deputy Chairman** (Hon. Kajwang): All right! I want to express myself on this. One of the reasons why the Chairman is doing what he is doing is because he is able to read the mood of the House. Hon. Members, some of you have described the manner in which we will proceed to be--- Did you call it pedestrian? Others called it terms like “free band” and all the adjectives that you are able to bring.

However, I must bring this to the doors of the leadership of the two Houses. That is because as a Minority Leader and Majority Leader, you come before the House and move a Motion to extend the Sitting of the House until this business is concluded. After that, you are the same people who come before the Chamber again and concur or “sort of” defeat the same Motion that you sponsored. In fairness, to be able to advance the legislative agenda that we have, you need to synergize more. You also need to “whip” both sides of the House so that we have a definite way that we will go. However, do I hear, therefore, the Member for Nakuru to be saying Standing Order No.134 because that is where I want you to go?

Yes, the Member for Ainabkoi.

**PROGRESS REPORTED**

## THE MARRIAGE BILL

**Hon. Chepkong'a:** Thank you, hon. Temporary Deputy Chairman. Sensing that you have moved the House in a particular direction, I now rise pursuant to Standing Order No.134.

Hon. Temporary Deputy Chairman, the Committee of the Whole House is considering the Marriage Bill and has instructed me report progress and seeks leave to sit again another day.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Temporary Deputy Speaker  
(Hon. (Ms) Shebesh) in the Chair]*

**Hon. Kajwang:** Thank you, hon. Temporary Deputy Speaker. I beg to report that a Committee of the whole House is considering the Marriage Bill, National Assembly Bill, No.13 of 2013, and has instructed me to report progress and seek leave to sit another day.

**Hon. M'uthari:** Seconded

**QUORUM**

**Hon. M'uthari:** On a point of order, hon. Temporary Deputy Speaker. When you at the membership in the House, it appears that we have no quorum and so, we cannot proceed.

**The Temporary speaker** (Hon. (Ms.) Shebesh): Are you raising the issue of quorum? Are you on the same issue the Leader of the Majority? Let me first clear the issue of quorum.

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, it is on the same issue. I moved a Motion this afternoon for the extension of the House up to the conclusion of business at Order No.12. That is the business that we have just deferred. So, I think we cannot transact any other business. That was the genesis of my Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Duale, I think you are clarifying that we have postponed the conclusion of this matter.

**ADJOURNMENT**

Hon. Members, therefore, we have come to the end of today's Session. The House resumes tomorrow, 20<sup>th</sup> March, 2014, at 2.30 p.m.

The House rose at 7.05 p.m