

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 7<sup>th</sup> November 2018

The House met at 9.30 a.m.

*[The Temporary Deputy Speaker (Hon. Christopher Omulele) in the Chair]*

PRAYERS

QUORUM

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): I direct that the bell be rung for 10 minutes.

*(The Quorum Bell was rung)*

We now have the requisite numbers, stop the bell. Let us carry on with business.

PAPERS LAID

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Let us have the Whip of the Majority Party.

*(Loud consultations)*

Order, Hon. Members! Order, Hon. Sankok!

**Hon. Benjamin Washiali** (Mumias East, JP): Hon. Temporary Deputy Speaker, on behalf of the Leader of the Majority Party, I beg to lay the following Papers on the Table of the House:

Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June 2017 and the certificates therein –

- (i) Kenya Electricity Generating Company PLC;
- (ii) State Officers' House Mortgage Scheme Fund;
- (iii) Commission for University Education;
- (iv) Civil Servants' Housing Scheme Fund;
- (v) National Drought Management Authority;
- (vi) Karatina University; and,
- (vii) Laikipia University.

Thank you, Hon. Temporary Deputy Speaker.

**Hon. Didmus Barasa** (Kimilili, JP): On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): What is out of order?

**Hon. Didmus Barasa** (Kimilili, JP): Hon. Temporary Deputy Speaker, sorry for interrupting the Whip of the Majority Party. I really want to bring to your attention that yesterday, Hon. Sankok was dressed like a Clerk-at-the Table and now he is dressed like a cook. Surely, this House is not a place where you dress the way you want. If this is going to continue, then it means by tomorrow, each of us will be coming here dressed in the manner they want.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Barasa, even before Hon. Mbadi speaks to this one, I think Hon. Sankok is smartly dressed.

Hon. Mbadi, what did you want to say?

**Hon. John Mbadi** (Suba South, ODM): Hon. Temporary Deputy Speaker, I do not mind about anyone dressing like a cook or a chef because those are really noble professions. It is really a noble profession to be a cook.

My concern is that at one time I walked into the precincts of Parliament, not even into the Chamber while dressed in an orange shirt with nothing written on it and I had a difficult time with the orderlies. They insisted that I was clad in a party colour. They were adamant that I should not come to Parliament dressed in clothing of such colour. Therefore, I need clarification on the kind of colour that is acceptable in Parliament. I know some people may say that, that is a national flag. However, we know that one party, the Kenya African National Union (KANU), has over the years monopolised this kind of colouring. Therefore, it is easily associated with that political party. So, if I could be denied an opportunity to access Parliament precincts while dressed in an orange shirt, then equally the colour which is associated with *mama na baba*... You cannot allow an Hon. Member to walk into the Chamber in colours of *mama na baba* unless he comes out clearly to explain that, that colour means something else.

Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Let us have the Leader of the Majority Party.

**Hon. Aden Duale** (Garissa Township, JP): First, I want to confirm that Hon. Sankok is not a Member of KANU. That is a small party. He is a member of the Jubilee Party which has 175 Members of Parliament. He has never been and will never be a member of KANU. If someone is wearing KANU colours, that is not Sankok; that is somebody else. He can only wear Jubilee colours.

Secondly, Hon. Sankok is a unique Member. Because of his uniqueness, his attire has been unique since he joined Parliament, from the day he was sworn in. When Kenyans across the country and even in my constituency see those kinds of colours, they know it is Hon. Sankok. You cannot compare Hon. Sankok to what happened yesterday. He is a serious leader of the Jubilee Party.

Hon. Mbadi must withdraw the statement imputing that Sankok is a member of KANU. Hon. Barasa must withdraw the statement that Hon. Sankok is a cook. Cooks are very important. They cook for us even here in Parliament. Let us not demean the profession of Kenyans who cook. In fact, the better word is “chef”. That is a more decent word. They are no longer called cooks, they are called chefs. Even in our homes, there are very unique Kenyans who prepare meals for us. Let us not demean them. Hon. Sankok is a unique Member who dresses in unique colours. The only problem I had with Hon. Sankok is that sometimes he wears uniforms that are similar to those of the clerks. You are left confused as to whether he is one of the clerks of the House or is an MP. The Speaker has also made a communication on the same.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Let us have Hon. Dennitah Ghati.

**Hon. (Ms.) Dennitah Ghati** (Nominated, ODM): Thank you very much for the opportunity, Hon. Temporary Deputy Speaker. Let me use this opportunity to tell Members that November is our month. For Members who do not know, November is Disability Awareness Month. When he dresses like that, he is trying to promote the fact that Members need to take the issue of disability seriously. I support him in terms of dressing. We are trying to amplify our voices in this House. We will continue seeing that this November. This is our month. You can see how I am dressed. This kind of dressing amplifies the fact that people with disabilities in this country need to be heard. You will see my colleague, Hon. Sankok, on the other side and Dennitah Ghati on this side. It should not be a bother.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well. Finally, let us have Hon. Sankok.

**Hon. David ole Sankok** (Nominated, JP): Thank you very much, Hon. Temporary Deputy Speaker. I am shocked because I have been connected to a very small party while I belong to the largest party in Africa. I came dressed in white today. White represents peace. There has been a lot of peace in this country after the handshake and *Baba* being promoted to be the leader of infrastructure in Africa.

I was once an untrained teacher and I used to promote any child who would come late to school to be a bell ringer so that he cannot come late. I would promote any noisemaker to a prefect so that he can write down the noisemakers and keep quiet. After the promotion of *Baba* whom we respect very much, he has been telling Kenyans to keep quiet and pay the 8 per cent VAT. Previously, he would have been the one sitting on the tarmac accompanied by his professional running mate. We need to maintain peace.

**Hon. (Dr.) Robert Pukose** (Endebess, JP): On a point of order, Hon. Temporary Deputy Speaker.

*(Hon. Peter Kaluma stood in the gangways)*

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Pukose, there is nothing out of order. Hon. Kaluma, resume your seat. Hon. Kaluma, you cannot force the Speaker to see you when he has chosen not to. Hon. Kaluma, resume your seat.

*(Loud consultations)*

Hon. Members, so that we make progress, these are the directions that I will give on this issue. Hon. Sankok is properly dressed except for the hat. He is properly dressed and is very smart. Hon. Sankok, what you have put on is even worse. You know the kind of hats that are permitted in this house. Hon. Sankok is properly within the House.

Hon. Kaluma, what is the burning issue that you want to canvass?

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Thank you, Hon. Temporary Deputy Speaker. How we dress in this House is not a light matter. My concern is that each time this matter has come up, the House treats it lightly. I have seen MPs coming into this House in black jeans trousers. If we continue this way, I fear that we will not be distinguished from people who transact businesses other than what we transact here. This is why the Standing Orders prescribe

how we should dress. I fear that we are lowering our standards and soon will be mistaken for an institution other than Parliament when we transact business.

In as much as we say that Hon. Sankok is now properly dressed, there is a good reason as to why the Standing Orders define our dressing. I am not talking about colours. You can wear any colour. The clothes or the attire you put on in this House must be defined by what is in the Standing Orders. I fear we may take it lightly. The Leader of the Majority Party said yesterday that people will be coming to Parliament in *kanzus*. If we are not careful, that is the direction we are headed and more so, the female Members. You wonder where they are going with the way they dress nowadays. I do not know where they are going. They are distracting us. It is something that we should take seriously in as much as we do not want to be overbearing with regard to how Members present themselves. We must insist that all Members keep to the Standing Orders. We do not dress this way because we...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Well spoken, Hon. Kaluma. Knowing where you come from, we all know why decorum is important. It also passes a message of what the House wants to do. Hon. Kaluma, being from the legal profession, knows what sartorial elegance is about and what it speaks to. Members, you should take note of what Hon. Kaluma has spoken to. That is the position of the House. We should dress in a manner that brings honour to the House. That is well done. Let us make progress.

What is out of order, Hon. Gikaria?

**Hon. David Gikaria** (Nakuru Town East, JP): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to raise this point of order. As Hon. Kaluma raises matters to do with the way our brother, Hon. Sankok, is dressed, is he in order to sit where he is when he is supposed to be seated on the other side? What is he doing on this side?

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Gikaria, you are out of order. Let us make progress.

*(Laughter)*

## QUESTIONS

*Question No. 101/2018*

### GAZETTEMMENT OF THE NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES BOARD

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Dennitah Ghati, ask the first Question.

**Hon. (Ms.) Dennitah Ghati** (Nominated, ODM): Thank you very much, Hon. Temporary Deputy Speaker for giving me this opportunity. My Question goes to the Cabinet Secretary (CS) for Labour and Social Protection.

When will the National Council for Persons with Disabilities (NCPWD) Board be gazetted?

I thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): The next Question is by Hon. Jonah Mburu. The first Question by Hon. Dennitah Ghati will be replied before the

Departmental Committee on Labour and Social Welfare. The second one is by Hon. Jonah Mburu, Member for Lari.

**Hon. Jonah Mwangi** (Lari, JP): Thank you, Hon. Temporary Deputy Speaker. My first Question also goes to the CS for Labour and Social Protection. The Government designed Kshs2,500 for the elderly.

*(Consultations)*

The Leader of the Majority Party is consulting loudly.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Member for Lari, just ask the Question as it is on the Order Paper.

*Question No.127/2018*

REMITTANCE OF STIPEND FOR THE OLDER  
PERSONS CASH TRANSFER PROGRAMME

**Hon. Jonah Mwangi** (Lari, JP): I beg to ask the following Question:

(a) When will the Government remit all the pending Kshs500 that is given to the elderly so that the National Hospital Insurance Fund (NHIF) can get their money?

The elderly are going to the hospitals...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Jonah Mburu, do you have the Order Paper?

**Hon. Jonah Mwangi** (Lari, JP): Yes, Hon. Temporary Deputy Speaker.

(a) When will the Government remit the pending Kshs500 of the Kshs2,000 monthly stipend under the Older Persons Cash Transfer Programme to the National Hospital Insurance Fund (NHIF) for their medical cover?

(b) When will these remittances be updated to enable the beneficiaries access necessary medical treatment and medication?

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well, Hon. Jonah Mburu. That Question will be replied to before the Departmental Committee on Labour and Social Welfare.

The Majority Whip. Hon. Jonah Mburu, just hold on. I will give you the opportunity.

**Hon. Benjamin Washiali** (Mumias East, JP): Thank you, Hon. Temporary Deputy Speaker. It is important that we guide Members on how to ask Questions because this session is new and some Members may not have the benefit of knowing what exactly needs to happen. There is the aspect of HANSARD which also needs to be taken care of when a Member is asking Questions. For example, the former speaker who asked the Question did not cite the number of the Question and yet it is very important for HANSARD record. My wish would have been that you start with the number. For example, in this case, he should have started with Question No. 127/2018 because this is the number of this Question.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Washiali that is a proper clarification. Having come from where the venerable Hon. Shikuku comes from, who was a stickler for the rules, I think it runs in the blood of the people who come from that area. Hon.

Mburu, those clarifications are correct. When you pose these Questions, then you must also pronounce the same for the number of that Question for proper capturing.

*Question No. 128/2018*

MEASURES TO STOP INVASION OF MONKEYS IN LARI CONSTITUENCY

**Hon. Jonah Mwangi** (Lari, JP): Thank you, Hon. Temporary Deputy Speaker. I also thank Hon. Washiali. We fellowship in the same church and he is my Whip. So, he has to guide me.

I beg to ask the Cabinet Secretary for Tourism and Wildlife the following Question:

a) Is the Cabinet Secretary aware that monkeys have been invading parts of Kijabe, Korio, and Machani areas in Lari Constituency?

b) What measures is the Ministry putting in place to deal with this menace because there are so many monkeys?

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well.

**Hon. Jonah Mwangi** (Lari, JP): Thank you.

*(Laughter)*

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): That Question will be replied before the Departmental Committee on Environment and Natural Resources. The next one is Question 133/2018 by the Hon. Fabian Muli, Member for Kagundo.

*Question 133/2018*

QUALITY AND STANDARDS OF PETROLEUM IN THE MARKET

**Hon. Fabian Muli** (Kangundo, Muungano): Hon. Temporary Deputy Speaker, I beg to ask the Cabinet Secretary for Industry, Trade and Cooperatives the following Question:

a) Is the Cabinet Secretary satisfied with the quality and standards of petroleum and petroleum products in the market; and pump machines, dispensers and meters in the fuel stations?

b) How often is the inspection of petroleum products, petroleum pumps machines, fuel dispensers and petroleum meters conducted to curb tampering and ensure that approved specifications and standards are maintained?

c) What actions is the Ministry taking against individuals and companies found carrying out adulteration of petroleum products, and tampering with fuel pumps, dispensers and meters?

Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): That Question will be replied before the Departmental Committee on Trade, Industry and Cooperatives. The next one is Question No. 138/2018 and this will be asked by Hon. Kathuri.

*Question 138/2018*

IMPLEMENTATION STATUS OF THE REPORTS ON TEA AND COFFEE SECTORS

**Hon. Kathuri Murungi** (South Imenti, Independent): Thank you, Hon. Temporary Deputy Speaker. My Question is directed to the Cabinet Secretary for Agriculture and Livestock.

a) Is the Cabinet Secretary aware that the task forces formed on tea and coffee concluded their mandates and prepared their reports three years ago?

b) If aware, what is the implementation status of the said reports?

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well. That Question will be replied before the Departmental Committee on Agriculture and Livestock. Next business.

## PROCEDURAL MOTION

### EXEMPTION OF BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)

**Hon. Benjamin Washiali** (Mumias East, JP): Hon. Temporary Deputy Speaker, I beg to move the following Procedural Motion:

THAT, this House orders that the business appearing as Order No.11 in the Order Paper be exempted from the provisions of Standing Order 40(3) being a Wednesday Morning, a day allocated for business not sponsored by the Majority or Minority Party or business sponsored by a Committee.

I want to remind Members what Standing Order No. 40 demands, so that they are up to speed and understand exactly what we are doing as a House under this Procedural Motion. Standing Order No. 40(3) says: “ On Wednesday morning a Bill or Motion not sponsored by the Majority or Minority Party or by a Committee shall have precedence over all other business in such order as the House Business Committee shall ballot.”

Because of the short recess which we had, as a House, we have a backlog of business sponsored by committees. I want to be specific. We have a backlog of business of the Special Funds Accounts Committee which appears under Order No. 11 led by the Chair, Hon. Kathuri, who had quite a number of reports.

Before we went on recess, he had brought before the House a report for constituencies in Nairobi County which were debated and adopted. By that time, he had quite a number of other reports he wanted to table. It is upon us as a House to allow Hon. Kathuri and his Committee to table as many reports as possible because they touch on our constituencies. That is why we allowed Order No. 11 to be brought in even though Wednesday morning is meant to be for Private Members’ Motions.

Hon. Temporary Deputy Speaker, I also take this opportunity to request Members and encourage them to bring as many Motions as possible. I am aware that with the re-introduction of Questions, it has reduced the interest Members have had on introduction of Motions. Members have an opportunity to bring petitions. I just want to remind Members that in the business of the House, it is only Motions that are handled by Members. Questions are handled by Committees and end with Cabinet Secretaries of relevant ministries answering them. Petitions start with Committees and end with a report that is tabled here without being debated. It is only Motions that Members have an opportunity to debate. Therefore, I request that as we ask Questions and bring petitions, we encourage Members to continue bringing Motions.

I beg to move and request Hon. Chris Wamalwa to second. Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Chris Wamalwa.

**Hon. (Dr.) Chris Wamalwa** (Kiminini, FORD-K): Hon. Temporary Deputy Speaker, I beg to second the Procedural Motion as moved by Hon. Washiali.

Ordinarily, we know that on a Wednesday morning, the business of the House is for Private Members. But, for today, Order No.11 touches on committee work. I thank Hon. Kathuri, the Chair of the Special Funds Accounts Committee for the good work he is doing. So far, they have tabled a number of reports. It forms part of the business of the House. I thank them.

When it comes to matters of Private Members, as Hon. Washiali has put it, the core business of Parliament is to legislate. I know Questions have been reintroduced and you do not have to do research. Questions are straightforward. As he has clearly put it, it focuses on oversight. But for us to remain relevant, as far as legislation is concerned, we should come up with Bills. We should look at the technical team. Some of us proposed Bills more than seven months ago and we have not seen them slotted for the Second Reading. The Legal Department is sleeping on its job. They are taking too long to process some of the Bills and this has demoralised Members. The Budget and Appropriations Committee is also involved. This is time to crack the whip. The Budget and Appropriations Committee is sleeping on its job as far as processing of Bills is concerned. The technical legal side of Parliament is also sleeping on their job. Bills are proposed and take a long time and we do not see them. Members are getting demoralized and now moving to Questions and petitions which are processed faster. It is not just an issue of Members of Parliament. Give the legal technical team a warning. Also, give the Budget and Appropriations Committee a warning as far as processing money Bills is concerned.

On the issue of Political Parties Fund, I know that since the new Constitution was promulgated it stipulated that 0.03 per cent of the national revenue should go to political parties. But it is unfortunate that the National Treasury has never allocated that amount. This is important and urgent.

Thank you. I beg to second.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Well spoken, Hon. Chris Wamalwa. You speak for many Members of the House who have made effort to come up with Bills that are stuck in the pipeline. I know even from the 11<sup>th</sup> Parliament, many Bills Members had come up with never saw the light of day. That is frustrating. It is true it de-energises Member of Parliament and prevents them from pursuing work Kenyans have mandated them to do.

The Clerk's Office must pull up its socks on this one and ensure that Members' proposals are processed within the procedures that are provided for and must find their way to the Floor of this House so that they can be debated by Members and Members will be energised to do what they are supposed to.

*(Question proposed)*

**Hon. Members:** Put the Question.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Is that the mood of the House?

**Hon. Members:** Yes.

*(Question put and agreed to)*



**MOTIONS****ESTABLISHMENT OF POLICY GUIDELINES ON ACQUISITION  
OF LAND FOR EXPANSION OF PUBLIC SCHOOLS**

THAT, aware that land is one of the most important resources in Kenya from which the country generates goods and services, and a source of livelihood for many people; further aware that land is a scarce resource which is highly sought for various economic and commercial purposes leaving little or no space for establishment of social amenities, including learning institutions; cognisant of the Ministry of Education guidelines which provide that the amount of school land should be sufficient with the minimum amount of land required being determined by enrollment; concerned that the increasing number of students in learning institutions puts a lot of strain on the available infrastructure especially those institutions which are established on limited space with no space for future expansion; this House urges the Government to establish policy guidelines on land for expansion of public schools and sets aside a fund for acquisition of such land.

*(Hon. Caleb Kositany on 17.10.2018)*

*(Debate concluded on 24.10.2018)*

*(Question put and agreed to)*

**ESTABLISHMENT OF APPRENTICE TESTING AND  
CERTIFICATION CENTRES IN CONSTITUENCIES**

THAT, aware that the informal sector constitutes an important component of the economic activities and development process in Kenya representing about 82.7% of employment in the country; further aware that the workers in the informal sector engage in commercial activities outside the realm of the formally established mechanisms since there is no clear policy framework in place to regulate their operations by the Government; noting that most workers in the informal sector acquire skills and knowledge mainly through apprenticeships but have no access to technical skills upgrading as many lack requisite academic certificates; recognizing that apprenticeship in the informal economy represents the main road map to skills development in most developing countries and appreciating that the National Industrial Training Authority (NITA) through its training centers in Nairobi, Mombasa, Kisumu and Athi River plays an important role in industrial training targeting workers in the formal and informal sector; this House urges the Government to establish suitably located and facilitated training and testing centers in every constituency to assess the experience and competence of the apprenticed workers particularly in the informal sector and consider putting

in place mechanisms to have them awarded with certificates based on their competencies and acquired skills.

*(Hon. Charles Njagua on 24.10.2018)*

*(Resumption of Debate interrupted on 24.10.2018 - Morning Sitting)*

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Members, we had started debate on this Motion. It has a balance of 37 minutes. At close of business, the last time it was listed Hon. Karani was on his feet and he had a balance of three minutes. Hon. Karani, if he is in the House, can resume his contribution. He is not in. We will move on to the next Member who is interested to debate and that is Hon. Murugara Gitonga.

**Hon. George Gitonga** (Tharaka, DP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion that seeks to establish apprentice testing and certification centres in each of the constituencies in the Republic of Kenya. The National Industrial Training Authority (NITA) plays a key role in training apprentices in various types of trades that are available in the country. It is one of the industries that were established at the onset of Independence to train young Africans in trades in which they had no skills. It is based in Nairobi, Mombasa, Kisumu and Athi River to the exclusion of other areas in the country. It is therefore important that we consider this Motion favourably and pass it so that we have such centres established in each of the constituencies in Kenya. For example, in my constituency of Tharaka, if there are any students taking courses with NITA, they have either to travel to Nairobi or Athi River, which are the nearest centres. That is a long distance. The problem cuts across most of the constituencies in the country. If we establish a centre in my constituency at Marimanti, it will have several advantages. It will enroll many students for industrial training courses that will enable them to employ themselves. The distances that students cover to access the existing training centres will be shortened. In fact, they will not have to travel from Tharaka to Nairobi or Athi River to undertake these courses.

It goes without a lot of argument that our country today is focusing on technical training. That is why the Government has established technical training colleges in almost all the constituencies. The colleges are getting overpopulated because the courses they are offering are very attractive. The spillover goes back to their homes without getting the necessary courses.

The NITA colleges will complement the technical training institutes (TTIs) which are being established to give the youth the necessary skills that will offer them employment. This is a very important Motion that I support. I urge the House to support it so that we have similar training centres established in our constituencies.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): We shall have Hon. Maanzo.

**Hon. Daniel Maanzo** (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to contribute to this very important Motion.

It is true that in this country, a lot of skills in the informal sector are practised by people who have not gone through formal training. There is a lot of business going on in that sector. Training is available in particular centres in Nairobi, Mombasa, Kisumu and Athi River. If this training was to be devolved to the constituencies such that we have an institution which makes sure that the informal sector formalises their business, then it will reach many youths. Statistics show that we have one million pupils who have done the Kenya Certificate of Primary Education

(KCPE). This year, only 600,000 students are sitting for the form four national exams. So, it is not known where some 400,000 students in Kenya go after completing primary education. Some of them go into informal sector. Most of them learn skills like wood carving and fixing of vehicles. In fact, one of the best mechanics I know from western Kenya, who can fix any car anytime using very modern technology, has never been trained by anyone. He only learnt through apprenticeship through his uncle, who was a very good mechanic and who had established his own garage having been unable to proceed to high school for lack of school fees. We have a lot of such cases. This is where a nation goes into industrialisation.

Part of the Big Four Agenda is production. Unless our young people can acquire some skills through apprenticeship or learning on the job, we will lose a lot of Kenyans to the informal sector. It is good for the informal sector to be formalised and funded properly through the National Government Constituencies Development Fund (NG-CDF). Members of Parliament should be able to use their NG-CDF kitties to set up these centres so that they can acquire skills that will enable them to engage in production of goods for use locally as well as for export. That way, some Kenyans who are in informal sector will have an opportunity to formally upgrade their skills. If we do this, many Kenyans will go into useful ventures that will enhance production in this country. We have very skilful Kenyans but what most of them lack is opportunity. Most of them do what they like, especially in artistic works.

Yesterday, a young man came to Parliament and he had drawn a very nice effigy of his MP. Every Member out there was asking how he did it. He uses a pencil and he can come up with a very accurate picture.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Just hold on, Hon. Maanzo. I will give you your remaining two minutes. Hon. King'ola, you have just walked in. I see you have pressed the intervention button. What is out of order?

**Hon. Patrick Makau** (Mavoko, WDM-K): Thank you, Hon. Temporary Deputy Speaker. This is a very important Motion. Can we agree that every speaker gets three minutes?

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): No, you are out of order. I know you just wanted to hear your voice on record. I know you also know the rules in regard to that kind of request. So, the next time you want to make that kind of request, please follow the rules.

Hon. Maanzo, you have your two minutes.

**Hon. Daniel Maanzo** (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker. You can see Athi River is mentioned because it is one of the places where we have training centres. That is the interest of Hon. Patrick King'ola. I thank him for the interruption. This is a very important thing. In fact, Hon. King'ola is right. I will not talk more so that other Members can contribute and give ideas. I agree and support that this training should be devolved to the constituencies, and the NG-CDF should be used to fund the initiative. I am sure Members and their teams will make sure it is implemented and a lot of young Kenyans who are talented will get an opportunity to earn a living.

Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Yussuf Haji, Member for Mandera West.

**Hon. Yussuf Adan** (Mandera West, EFP): Hon. Temporary Deputy Speaker, I stand to support the Motion.

It is a very important Motion because many of our youths who drop out of school join technical colleges but after completing training, they are not accredited. So, they do not get

authentic certificates. Therefore, they are not employable. Although they have the skills, they are not employable. Where they are employed, because they do not have the necessary accreditation and certificates, they are poorly paid. Their wages are so low like those of casual labourers who have not gone through any form of training. This is because the examination centres are too far from most of the constituencies. For example, once one completes training in Mandera West Constituency, one can only come to Nairobi for accreditation. Nairobi is 1,100 kilometres away from Mandera. The cost of travel and other expenses is prohibitive. A youth who has never worked cannot afford to travel all the way to Nairobi, stay in a lodging and look for these very important documents.

Therefore, taking these documents to the constituency level is the best that can happen to most of our youth who are undertaking the various technical trainings all over the country. For a start, if we cannot take them to constituency level for financial or budgetary processes reasons, maybe we can start with at least the county level. If we talk about the county headquarters, it is just 300 kilometres from my constituency compared to Nairobi which is the testing area and is 1,100 kilometres away.

This Motion is very timely. If we implement this and it happens, I am sure we are going to relieve a lot of our youth who have undertaken technical trainings but are not able to get any sort of certificate or accreditation.

With that, I support this Motion. Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Mbogo Menza, Member for Kisauni.

**Hon. Mbogo Ali** (Kisauni, WDM-K): Thank you Hon. Temporary Deputy Speaker for giving me this opportunity to air my voice on this important Motion that has been brought to the Floor.

As you are aware, many of our youth, not only the youth but also the elderly of above 35 years old, never had an opportunity of completing KCPE at the primary school level or even the secondary school level. They ended up dropping out of schools because of one reason or another. Most of these Kenyans are highly skilled. They have learnt the skills from the various areas they have gone to seek employment. Like at the construction sites, you will find the best masonries. They never went to any institution to learn that skill. They learnt it through hands-on training on the construction site. You will find that the best mechanics in this country have learned their skills at garages in this country. The best electricians and plumbers have also learnt this way. At the end of the day, they do not have a document or certificate to show that they have been accredited by any institution in this country. Why? The reason is that they never went through formal education training. Some of these are the best. The testing at NITA is mostly based on theory work. These people never had an opportunity of sitting in a class or they dropped halfway. So, it is important to think on how best we can test these young men and women when we are discussing this matter and decide to devolve the testing centres to the constituency level. That is not only on the theory side but also on the practical side. That is what they have learnt in the various places where they were trained.

The Government today has spent so much money to roll out Technical Vocational Education and Training Institutions (TVETs) in each and every constituency. These TVETs are financed by the taxpayers' money. It is my wish that we do not have to reinvent the wheel. It is a matter of expanding the TVETs to have a department that can conduct the testing in each constituency and we will end up spending very little money on that angle.

This is a very important Motion. I also want to support what Hon. Wamalwa has just said when we were discussing the political parties and what have you. We do not want this Motion to end up gathering dust somewhere because we have discussed it. Each Member has contributed. It is an important Bill and we all appreciate that. But, we want action on this so that we can take it forward.

With those few remarks, I strongly support the Motion.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Mbogo, judging from the passion that you have for this and the passion that has been previously displayed by the Mover himself, Hon. Njagua and the Member for Dagoretti South, it will be incumbent upon you to take it upon yourselves to come up with a Bill on this so that we make this into something that will benefit Kenyans.

Hon. Paul Mwirigi, Member for Igembe South.

**Hon. John Paul Mwirigi** (Igembe South, Independent): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this important Motion. I understand that it has been the situation for many years where young people are not given jobs because they lack experience. This Motion has come at the right time when we have to look after the young people. Apprentice testing and certification centres will be of much importance if established in each and every constituency. This is because most of the young people have skills but lack somewhere to practise them or acquire certificates. When young people go to look for jobs like being mechanics or working in road construction which are being undertaken in the Republic of Kenya, they are asked for a certificate of the skill they have acquired. Because we lack these facilities within our constituencies, they get disqualified.

I appreciate Hon. Njagua for bringing this Motion to this House. I urge each Member to support it. This Motion is important to fellow young people of this country. It will open many jobs. At the same time, it will help to curb idleness among young people. If young people lack a facility where they can practise their skills, they will relax and not engage in any activity. So, fellow Members, let us support this Motion so that we can have this facility in each constituency. That is where my fellow young people can go and acquire more skills so that they get jobs. If young people will not get jobs in this country, they will face a lot of problems. Without jobs, it means someone will engage in activities which are not useful to the economy of the country.

I support.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Mwanyanje Mbeyu, Member for Kilifi.

**Hon. (Ms.) Gertrude Mwanyanje** (Kilifi CWR, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Motion brought by Hon. Charles Njagua.

This Motion is coming at the right time. We need testing and certification in these informal sectors. As at now, for the last KCPE exams, I registered 13,000 girls who did their exam while pregnant in Kilifi County. This shows very well that they may not be able to attain pass marks.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Mbeyu, did I hear 13,000 cases?

**Hon. (Ms.) Gertrude Mwanyanje** (Kilifi (CWR), ODM): Yes. Thirteen thousand girls in Kilifi County did their KCPE while pregnant. It is a shame but we have to come up with a way of helping them. These 13,000 are just girls. There are boys who may not be able to attain marks to join Form One. This Motion is coming at the right time so that we help these young girls and

boys who may not be able to attain secondary education. They can do masonry, mechanics, dress making and call it a skill to make them survive.

We urge that these centers be established in all constituencies and more so in Kilifi County. Because of all these reasons I hope that we are able to help the young generation to get skills and be able to take care of themselves. Those who get better marks should be paid for fees from Form one to Form Four. The MPs should do more by giving full scholarship for students who score 350 and above marks and pay some little fee for the bigger group in the informal sector who draw from the economy and may not be able to make a better life for themselves. This will enable them to acquire skills, get certificates and do better in the community.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. peter Lochakapong, Member for Sigor.

**Hon. Peter Lochakapong** (Sigor, JP): Thank you, Hon. Speaker for this opportunity. I rise to support this Motion by Hon. Kanyi that seeks to establish testing and certification centers in every constituency in the country. I want to begin by saying that it is important that we get centers where those who have acquired skills and knowledge through working in the informal sector can get certification. I am aware that it has been very difficult for these people to get formal employment because they have no document to show that they have some skill and knowledge that they have acquired through training in the job. I want to say that where I come from in Sigor Constituency, we have Kenyans who have acquired some skills in mechanic, masonry and carpentry and yet they have no document to show for the skills and knowledge that they have acquired over time. Most of these people have not had the opportunity to go through formal training either because they did not get the opportunity or they did not have fees or did not get access to the formal training centers. The Motion by Hon. Kanyi would come in handy to help these Kenyans to get at least a certificate for the skills and knowledge that they have acquired on the job.

This Motion should also seek to decentralise the services of NITA so that we do not only have these services in four places in this country, but in all constituencies so that many Kenyans can access the services of NITA and through that, many of our Kenyans can acquire certification and the skills they require. I have a case in Sigor where we have an engineer who can design a road. It has become difficult for engineers that have already been trained to do the job they are trained for. I am aware of instances where people who have not gone through formal training are called upon to come and assist fix certain vehicles and certain problems that arise because those who have been employed and have gone through formal training cannot do it. I am also aware that the Government has had an initiative where we have TTIs in almost every constituency. Some are still being built. I wish that probably within the TTIs we can have a department in the short-run that can offer the testing and the certification for this apprenticeship. There are so many in this country and they contribute about 82.7 per cent of employment in this country. So, this is a Motion that we really need to support so that most of our people in the constituencies can access opportunities where they can get certification for the skills that they have acquired.

With that, I support.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Sankok

**Hon. David ole Sankok** (Nominated, JP): Thank you very much, Hon. Temporary Deputy Speaker for giving me this opportunity to add my voice to this very important Motion of establishment of apprentice testing and certification centers in every constituency by Hon. Charles Njagua Kanyi. Hon. Kanyi, you are a blessing in this country. I have heard several

occasions that experience is the best teacher. This is what we have learnt from this country because the best mechanics, the best plumbers and electricians that we engage on daily basis are people who have just had experience and have no training in the field. Not going through formal education should not be a condemnation. Some of these people did not go through formal education not because they are not intelligent or knowledgeable; it is because of lack of school fees. Some of us from the pastoralist communities know very well that it has been very difficult to access education. Those of us with disabilities have faced more difficulties to attain education especially where schools are very many kilometres away. That does not mean that these people are stupid, it is because they did not have an opportunity to go to school. But with experience, some of them have emerged as the best plumbers, the best electricians and the best mechanics that we engage on daily basis.

Thomas Edison went through primary school for 16 years and was the inventor of the bulb. I remember a statement I read long time ago in the newspapers that Kamlesh Pattni was told by his teacher that he can be nothing better than a carpenter. We know how active Kamlesh Pattni became later on in life and how he confused the whole country with the Goldenberg. These people may be knowledgeable enough and that is why it is very important for us to engage them and to make sure that they are certified, they are given certificates so that they can seek jobs with something to show that they have these experiences.

It is also high time that the country started coordinating its own activities. Imagine the National Youth Service (NYS), NITA and TVET are all targeting to train the youths. We should coordinate these activities of training our youth in the TVETs. TVETs are now in every constituency. Let us have a department that is supported by NYS and NITA so that we can test and certify our youths instead of starting from the scratch. When we start from the scratch, we will be told that there are no funds. Request for budget will go through the Budget and Appropriations Committee and they will give reasons such as there are no funds. So, if we can coordinate all these activities... We have no coordination mechanism in this country and that is why you will find bursaries being issued by NG-CDF, County Governments, National Government Affirmative Action Fund, National Council for Persons with disabilities and everybody else. You therefore do not know who will benefit from these bursaries, who has not benefited and whether the vulnerable have benefited. Let us therefore coordinate the training of our youth. The NYS, TVET and NITA should come together and give us a straightforward way of testing and certifying our youth.

Thank you very much, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Members, I wish to recognise the presence of students from Kirinyaga University from Kirinyaga County who are in the public gallery. They are welcome to observe the proceedings of the National Assembly.

Hon. Gikaria.

**Hon. David Gikaria** (Nakuru Town East, JP): Hon. Temporary Deputy Speaker, I thought Hon. Jaguar had borrowed his name from the famous luxurious car. Little did I know that his name is “Njagua”. He drives that car and I thought it was a nickname that he borrowed from it. However, I want to thank him for being original even in terms of singing.

I once joked to him that he used to be a very good friend of mine when he was a Member of the National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) and he sang a song criticising politicians that after five years in Parliament, they end up having big bellies. So, I told him I am looking at him to see whether in five years’ time, he will be like that

so that he can sing another song to correct that. Politicians are not people that just come to Parliament to eat.

I have had opportunity to sit with Hon. Njagua here for a few minutes and I did not know this young man has such huge talent and thinking. I only took him as a musician. At some point, we thought...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Gikaria, did I hear you refer to a Member of Parliament in terms that are unparliamentary?

**Hon. David Gikaria** (Nakuru Town East, JP): The Member for Starehe. You know he beat a very famous politician.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): He did not beat.

**Hon. David Gikaria** (Nakuru Town East, JP): Oh, he won the elections.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Gikaria, Hon. Jaguar can only be Hon. Njagua Charles. He competed and honourably won.

**Hon. David Gikaria** (Nakuru Town East, JP): I want to appreciate that yes, it is true, he defeated a very prominent politician to become a Member for Starehe Constituency. I give him much credit. I have had opportunity to speak to him when we were seated here and I can see the passion that he has for the young people. I cannot say more than what he has to say. If you listen to him...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Precisely Hon. Gikaria. It is good that you have said you cannot say any more than he has said because time has reached for him to reply. So, Hon. Njagua, Member for Starehe, who is a young Member but not the other one that Hon. Gikaria has referred to. You now have time to reply but before you do so, if you wish to contribute your time, you can do so before you contribute. You have five minutes.

**Hon. Charles Njagua** (Starehe, JP): I will donate one minute because I have much to say.

**Hon. Jared Okelo** (Nyando, ODM): Thank you, Hon. Temporary Deputy Speaker. I thank Hon. Njagua for giving me an opportunity. Apprenticeship is something that we need to focus on. This is a country where papers are given more prominence over skills. To align that requirement and the dynamics that come with it, it will be very important that we focus our attention on creating apprenticeship programmes within our constituencies that will hence give the most deserving people papers. This Motion is very important to the extent that we have so many people who are highly skilled in what they do, but they have no papers. We have plumbers, mechanics, carpenters and many other elements of trade.

They really have nothing to show that they have something in their heads that help them make a living. We also need to come up with the duration upon which a student shall graduate and we quickly look for work. I know my minute is quickly running out, but there are many benefits that come with apprenticeship. It increases the retention rate by the employer because of traditional skills. It develops own talent, addresses current or predicted skills shortages by growing own talents in house. Lastly, it strengthens employer brand because apprenticeship is, indeed, very big news. Finally, it enhances productivity within a business set up. Thank you.

**Hon. Charles Njagua** (Starehe, JP): Thank you, Hon. Temporary Deputy Speaker. First, I want to thank the Members who have supported this Motion. Let them know that support for this Motion is showing support for the youth of this country. We are more than 47 young Members who were elected. I believe that most of us were elected by the youth of this country so that we can represent them in Parliament. We were not only elected by the youth in this country,



but also by their parents so that we can look for solutions to the problems facing their sons and daughters.

Six months ago, the Government formed a team called the Nairobi Regeneration Team and one of their major tasks was to flush out mechanics and carpenters who were operating on riparian land. As the Member of Parliament, I went to Kirinyaga Road where more than 10,000 mechanics were to be flushed out. The question they were asking me was where they were to go after they were flushed out from where they operate. One thing came into to my mind and I thought if the mechanics had certificates to show that they are mechanics and can be employed in some big industries, life would be easier for them. We all know that even us Members of Parliament, even if we drive big cars, most of us take them to Kirinyaga Road because that is where we have the best mechanics. So, I thought if they have certificates and are flushed out by the Government, they would go to the big industries and get employed. With those certificates, they would be paid good salaries unlike when they do not have certificates.

If you go to Gikomba Market, we have over 5,000 carpenters. Most of them make the furniture that we buy in big shops in this town. So, my request is to all the Members who have good ideas to help me have this Motion implemented so that we can help the youth of this country.

About three weeks ago, Kenyans were all over the social media telling us that as young Members, we are not representing the youth. They wanted us to be like Hon. Bobi Wine from Uganda. Kenya is not like Uganda. We do not have a dictator and so, we do not have to go to the streets and fight. The best we can do is to come up with policies, Bills and ideas that can help the Government to reduce the unemployment rate in this country. We had a Motion three weeks ago where youth unemployment was declared a national disaster. So, I urge all the Members to support this Motion. I thought I was the only one who is facing this problem, but I have seen that majority of the Members have the same problem.

I am talking about this because I have been a victim of the same before. At one time, I went to the American Embassy to try and get a visa to go and perform in the United States of America. At that time, I had released the *Kigeugeu* song. The interviewer told me that I had nothing to prove that I was a musician. I tried to sing, but they could not understand or even know what I was up to. They told me to go to any Kenyan organisation that would write a letter to prove that I was a musician.

I had to go to the Kenya Music Copyright Society, get a certificate that proved that I was a musician from Kenya. Upon the production of that certificate, I was granted the visa to go to the USA. What I am talking about is being done in other countries such as Germany and Korea, where they have a system called the “dual system.” Whereby if you go to school and you feel like you do not want to continue with education, you are taken to where you want to be whether it is as a mechanic. You are trained for two days and then you go to class for three days.

So, I thank all the Members who have supported me. I believe if we come up with Motions, Bills and policies that will help the Government, in the next few years, the problem of youth unemployment will be a thing of the past.

I thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Njagua, you need say the words “I beg to reply”, so that you can complete.

**Hon. Charles Njagua** (Starehe, JP): Should I repeat?

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): You need to just say that: “I beg to reply.”

**Hon. Charles Njagua** (Starehe, JP): I beg to reply, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well done. Hon. Njagua, I heard you talking about Hon. Robert Kyagulanyi from Uganda. You do not have to cross the border to be an effective Member of Parliament like the way you are now. I think you are representing the youth of this country well and we are glad you are in this House.

Hon. Sankok, did you have something to say?

**Hon. David ole Sankok** (Nominated, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. I am rising on Standing Order No. 53(3) and I request you to defer putting the Question until, probably, the following day or the time that you may decide.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Thank you, Hon. Sankok. Your request is well received and we will, therefore, defer the putting of the Question under that Standing Order No.53(3). Therefore, I direct that we move to the next business.

## MOTION

### REPORT ON AUDITED FINANCIAL STATEMENTS FOR THE POLITICAL PARTIES FUND

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Let us have the Chairperson of the Special Funds Accounts Committee, Hon. Kathuri.

**Hon. Kathuri Murungi** (South Imenti, Independent): Hon. Temporary Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts the First Report of the Special Funds Accounts Committee on Audited Financial Statements of the Political Parties Fund for the year ended June, 2017, laid on the Table of the House on Wednesday, 29<sup>th</sup> August 2018.

Hon. Temporary Deputy Speaker, I really thank the House Business Committee (HBC) for giving us an opportunity to speak to this Motion this morning. I also thank the Members who passed the Procedural Motion this morning to give us permission to execute this Motion.

The Special Funds Accounts Committee is one of the three watchdog committees in this Parliament. Our work is to ensure that this House fulfils its oversight role to enhance accountability, efficiency and effectiveness in application of public funds. At this time, you realise that the Executive, which is headed by His Excellency the President, is very keen on how public funds are spent. As a Committee, because we look at audited reports from the Auditor-General, our work is to ensure that we look at the reports and bring our reports to this House so that Kenyans can know how funds are being spent. The Political Parties Fund was established by the Political Parties Fund Act 2011, which actualised the provisions of Article 92 of the Constitution, which provides for the establishment and management of the Political Parties Fund.

In order to improve our democracy and to enhance democratic space, political parties should be well funded. Because there is a law which has established how the funding should be done, that should exactly be followed to the letter. The purpose of the Political Parties Fund is to enhance democracy as I have said, through promoting representation in Parliament and county assemblies through election of women, persons with disabilities, youth, ethnic minorities and marginalised communities. This is in addition to promoting active participation by individual citizens in political life and covering election expenses. As you know, elections are very expensive and it is only through funding political parties, through the Exchequer that political parties can get funds to do their work.

To achieve this, revenues allocated to this Fund must be administered in an effective, efficient and transparent manner. In addition, the Fund must be allocated the requisite amounts of revenue to support well governed and managed political parties as envisaged in Article 91 and 92 of the Constitution of Kenya, 2010. If parties are not supported through the National Treasury, at some point, democracy is compromised. Those who fund the parties can then decide on so many things. However, when parties are strong and well-funded, they do not need to look for financiers. The financiers can decide who should vie, for instance, for the Mbooni parliamentary seat. The party can decide who should contest in a certain constituency especially during nominations. Therefore, if parties are well-funded, even nominations can be free and fair. If we have briefcase parties, then we can get problems in our democracy.

Article 229(8) of the Constitution provides that within three months after receiving an audit report, Parliament should debate and consider the report and take appropriate action. In addition, Section 68(1) of the Public Finance Management Act, 2012 states that an accounting officer for a national Government entity, the Parliamentary Service Commission and the Judiciary shall be accountable to the National Assembly. Further, Section 23 of the Political Parties Act, 2011 states that there is established the Political Parties Fund, which is administered by the Registrar of Political Parties.

On this basis, the Committee invited the Registrar of Political Parties who appeared before the Committee on 3<sup>rd</sup> July this year during examination of the Report of the Auditor-General on financial statements of the Political Parties Fund for the year ended 30<sup>th</sup> June 2017. The Report that we tabled contains recommendations arising from observations and findings made by the Committee during the deliberations with the Registrar of Political Parties. The Committee observed that the Registrar of Political Parties had taken administrative actions geared towards addressing all matters realised in the Report of the Auditor-General. The Committee recommended that the Registrar undertakes information conformity and disaster recovery plan during the current Financial Year 2018/2019.

One notable issue that we observed during our deliberations is that the Registrar of Political Parties established that revenues allocated to Political Parties Fund is based on a criterion established by the National Treasury. In this criterion, out of the total revenues received and audited, allocations are first made on public debt, pensions, constitutional salaries, county governments, Parliament, Judiciary, constitutional commissions and the Equalisation Fund and the balance is used to determine allocation to the Political Parties Fund. That is where the bone of contention is. We feel that the right formula is not used in establishing what should go to the political parties. On this basis, the Committee recommended that the Cabinet Secretary in charge of the National Treasury and Planning complies with the provisions of Section 24(1)(a) of the Political Parties Fund Act, 2011 that provides that sources of the Fund be such funds not being less than 0.3 per cent of the revenue collected by the national Government and may be provided by Parliament. Therefore, we want the Justice and Legal Affairs Committee to take up this matter because that is the substantive committee on this matter.

The Registrar of Political Parties is accountable to that Committee. The Committee should go further and see how this can be put into perspective. It is contradicting the Act. Before this Fund is given the 0.3 per cent allocation, they first deduct all other expenses such as public debt, pensions and constitutional salaries. The 0.3 per cent allocation should come from the audited revenues in that particular financial year. I hope this can be made clear.

The Committee expresses its appreciation to the Office of the Speaker and that of the Clerk of the National Assembly for the support they extended to us during the preparation of this

Report. The Committee further extends appreciation to the Office of the Auditor-General and the National Treasury for the complementary role that they continue to play as we execute our mandate.

There are so many political parties in Kenya and one thing that people might ask is why this money is given to only one or two political parties. The reason is that those parties do not meet the threshold to get this money. I want to inform the Members and the general public that Section 25 of the Political Parties Act, 2011 explains how the funds are distributed. Section 25(2) states:

“Notwithstanding subsection (1), a political party shall not be entitled to receive funding from the Fund if –

(a) the party does not secure at least three per cent of the total number of votes at the preceding general elections; or

(b) more than two thirds of registered office bearers are of the same gender;

(ba) the party does not have, in its governing body, representation of special interest groups;

(c) the party does not have at least –

(i) twenty elected Members of the National Assembly;

(ii) three elected Members of the Senate;

(iii) three elected Members who are governors; and

(iv) forty Members of County Assemblies.”

If a party does not meet this threshold, it is not possible to benefit from the Political Parties Fund. We might still adjust or review this Act because in this House, there are 14 or 15 independent Members. At some point, we should review the Act so that if we have more than 20 independent Members in the House, they can also benefit from the Fund. Independent Members can enhance democracy. If you see that political parties might mess your election, you can go the independent way.

Hon. Temporary Deputy Speaker, this being a straightforward Report of the audited accounts of the Political Parties Fund, I beg to move and request my colleague, Hon. Erastus Nzioka Kivasu, to second the Motion.

*[The Temporary Deputy Speaker (Hon. Christopher Omulele) left the Chair]*

*[The Temporary Deputy Speaker (Hon. Patrick Mariru) took the Chair]*

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Nzioka Kivasu, Member for Mbooni.

**Hon. Erastus Nzioka** (Mbooni, Independent): Thank you, Hon. Temporary Deputy Speaker for giving the opportunity to second the Motion. I thank the Chairman for a job well done. This is our second Report after the Nairobi County Constituencies Report. Based on the recommendations that are made in this Report, from the outset, I would like to second.

First, with regard to ICT conformity on information back-up, we understand that the Office of the Registrar of Political Parties has already set up the ICT steering team that has come up with various plans, including the ICT Strategic Plan and the information conformity and disaster recovery plan. Those plans need to be implemented. They are waiting for a budget. We

recommend that to be factored in in the 2018/2019 Financial Year, so that it can be implemented. I request for the support of Members so that this recommendation can be implemented.

Secondly, on the money that is allocated to the Political Parties Fund, the 0.3 per cent allocation is from the revenue collected by the National Treasury. Our realisation during the deliberations was that the Political Parties Fund gets only 0.3 per cent of the net balance after the interests of the Government are already met. They calculate the total expenditure for the political parties after factoring in the Equalisation Fund. That is a misconception that needs to be set straight. The Cabinet Secretary should release the actual 0.3 per cent allocation of the revenue collected and not the net balance. I hope the relevant Committee will look into this aspect as they plan to implement some of these recommendations.

With those remarks, I beg to second.

*(Question proposed)*

**Hon. Jared Okelo** (Nyando, ODM): Put the Question!

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Is that Hon. Okelo? It cannot be that quick. I can tell there is quite a bit of interest. Let us have Hon. Oduol Adhiambo.

**Hon. (Prof.) Jacqueline Oduol** (Nominated, ODM): Hon. Temporary Deputy Speaker, can I speak later?

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Very well. Let us have Hon. Jeremiah Kioni.

**Hon. Jeremiah Kioni** (Ndaragwa, JP): Thank you, Hon. Temporary Deputy Speaker for giving an opportunity to say one or two things about this Report.

First, I would like to commend the Committee for the work it is doing. We have had their reports for other special funds and we commend the leadership of the Committee and the Committee as a whole.

The second thing is to appreciate that political party funding and the entire issue of political parties was carried in our Constitution because we wanted to entrench democracy and proper governance in the Constitution in a manner that was different from what we had in 1963. Back then, parties would exist at the desire and express authority of those in the leadership of the Executive. Unlike then, now we have political parties governed and protected by the Constitution.

We thought that they needed to operate without being in the pockets of a few individuals. This political parties funding was provided for in the Constitution. As the Vice-Chair and the Chair of the Special Funds Accounts Committee have noted, we still have not got the whole funding as it was anticipated in the Constitution. The Executive is still playing with figures to the point where very little money ends up where it was intended to be.

Hon. Temporary Deputy Speaker, when we put whatever percentage in the Constitution or the amount of money that is supposed to go to the political parties, we did not quite think that it would be the kind of huge sums of money that we see today. That is what the Executive is still grappling with. If we were to allow - and I hold the view we should - the total amount of money to go to the political parties as they are today, we certainly would have very strong political parties that if not regulated in another way, could easily become a stumbling block for the movement of the Executive and the rest. I know that is the fear. One of the things the Special Funds Accounts Committee can help us with is to look at the statutes again and see what else can

be done with this money by the political parties to grow them, but not to allow the money to end up in a few members' pockets.

As it is today, there are two or three big parties that receive the funding. We know the money is being used by the political parties, but how it is used is determined by very few people. We may have the reports that we have today and tomorrow, but decision-making in the majority of these parties is still concentrated at the top. It will be good to see this money trickling down to the counties and constituencies so that the parties are grown from there. The Special Funds Accounts Committee will help us more. I am sure they have the ability to do that to ensure that the statutes provide for the way the money should trickle all the way down to the ordinary members of the party. We are very active or vibrant near the elections. You see parties with big offices and huge things that talk of a lot of money, but immediately we are done with elections, the following day, the exercise is to close offices, so that resources are left at the top. We need to ensure that these funds find their way to the ground. We need to see party offices being established at the grassroots level. In so doing, those who are mistreated by the party would not be mistreated because the party would have time to grow from the grassroots. The people at the grassroots will have a better voice when it comes to us being elected. As it is today, we have branch chairmen and secretaries and the rest, but when it comes to elections, they do not have a voice. The voice is still left with the Leader of the Minority Party who is still a minority even at the top and he decides how the majority will behave down there at the grassroots. This is because we provided for a lot of money. I can see the Leader of the Minority Party here.

When we were making the Constitution 2010, we never thought that Kshs1billion would be availed to political parties. If we knew that, I am sure we would have thought of providing for how the money would be spent because we do not want Kshs1billion to end up in the pockets of the Leader of the Minority Leader and the others whom he reports to. That is what is happening currently. I am not referring to this Leader of the Minority Leader. However, if he is the one who is in charge, he should tell us how they spend the money. In the party I belong to also, we know how we spend our money, but we will also want to see it going down to the grassroots. What the Chairman highlighted is also very important for those of us who want to form parties quickly. I have been in the leadership of two political parties that have been wound up without my consent.

We were wound up from the backdoor and ended up without a party. At one point, I was the deputy party leader of the United Democratic Forum (UDF) Party. How did we lose it? It was bought and wound up. We just saw people closing offices. We thought the offices were ours at one point. So, we need to be very careful about the Political Parties Act. We need to encourage political parties to own assets. One of the ways of ensuring that parties are managed and controlled by a few people is to ensure that they have no assets. The only asset you have is the pocket of the party leader. He moves around with his pocket in the trouser. Let me give an example. We have KANU. However much you would want to wish KANU away, you cannot kill it because they have assets across the country. We do not quite know how they are owned, but they are there and they belong to the party. So, anybody who wants to kill KANU has a lot to do.

When we had a party like the United Democratic Front (UDF), it did not own much other than the spirit that belonged to a few of us. To wind it up, people sat over a cup of tea somewhere and they wound it up without our consent. Because the Party of National Unity (PNU) owns an asset in this city, to wind it up has been difficult. They have a house somewhere along Musa Gitau Road. One of the ways of securing political parties is for the Special Funds Accounts Committee to look for ways, as one of the conditions, to access this money. Let them

be buying properties. That way, you secure the political parties beyond the lives of their leaders. Without strong political parties, even functioning in this Parliament would become very difficult. Pushing an agenda would be very difficult. For now, it looks easy because we have some parties that are strong and they have some leadership which we can identify with. If we are all scattered into very small parties and this House has like 20 or 30 small parties with Members who can switch sides freely, the management of the country can be difficult. So, we need to pay more attention to this.

I want to support the leadership of the Committee and call upon the Cabinet Secretary for the National Treasury to ensure that the amount of money that is supposed to go to the Fund goes there. Let us work on how to manage it when it is still with the parties. I am sure also as part of the Constitution implementation team, we will call some of these people to find out how they are implementing the Constitution.

Thank you very, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Before I give the opportunity to the Leader of the Minority Party, let us have Hon. Onyango, Member for Muhoroni.

**Hon. Onyango Oyoo** (Muhoroni, ODM): Thank you very much, Hon. Temporary Deputy Speaker for giving me an opportunity to contribute to this Motion. The audited reports as they have been tabled by the able Committee in this House reflect good progress in terms of our aspiration to grow political parties. It is unfortunate that experience is the best teacher. We are reading from very nasty experiences like what my colleague has talked about in KANU, which was the strongest party and with infrastructural developments almost everywhere. However, one big mistake that we are making with the political parties is that we are still allowing them to belong to particular party leaders. If KANU was the *baba na mama* of those days, even if *baba* went, the mother should have remained around to nurse or look after the babies. Because we willingly put it in the hands of an individual, once *baba* went, KANU with all the large infrastructural development and big names is almost wiped out. Similarly, we are putting a lot of taxpayers' money in the hands of individuals. Because of lack of proper audit that would follow up and make sure that the money that is given to political parties is spent properly for the purpose of growing the parties, you find that within a short time, if the party leader is changing to a different party, that party dies. The money also disappears and there is no trace of it. We cannot talk about the money that Hon. Kioni and the now ANC leader were given during those days. He cannot account for it properly because he was the deputy party leader by name.

He did not even contribute much in growing up the party so there are no traces of what happened to that party during his tenure. I want us to learn from the past and make sure that whatever money that is given to political parties is used to grow democracy. It should be used properly for parties to grow. Political parties must be managed by able leadership that must emanate from grassroots election to the pinnacle of the party.

I support the Motion. The Report is important. Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Leader of the Minority Party.

**Hon. John Mbadia** (Suba South, ODM): Thank you very much, Hon. Temporary Deputy Speaker. I start by thanking and congratulating this Committee headed by my friend for doing a good job. I also want to support what my colleagues who spoke before me have said. The Committee has managed to bring a Report on audited accounts of quite a number of constituencies which we have discussed. For the first time, we have discussed them in a more organised manner. We have been able to discuss reports of constituencies. This a plus for the Committee in terms of bringing a Report on how political parties spend money that is allocated

to them. We all know that Kenya decided through the Constitution promulgated in 2010 to create a multiparty democracy country. By doing so, we also went a step further in deepening democracy to allocate annual revenue to political parties to be managed by the Registrar of Political Parties so that they are run professionally and independently, without relying on the patronage of specific individuals or donors. In fact, the Act governing the management of political parties is very clear that there is a percentage one is allowed to contribute in a particular financial year to a political party of choice. I hope and believe the Office of the Auditor-General is looking into that to ensure that it is not violated.

I am speaking as the Chairman of Orange Democratic Movement Party, which is one of the largest parties in this country in terms of membership and in terms of elected Members. I am also speaking as one who is deeply involved in management of resources of that particular political party. It makes sense to be prudent in managing finances. Political parties compete to form the Government. There is no way you can convince us that you can run a Government if you cannot demonstrate prudent financial management of resources that are allocated to that political party. On that breath, I confirm that my party has faithfully, almost every year, beaten the deadline. In fact, in the financial year that ended 30<sup>th</sup> June 2018, we managed to beat the deadline of September of submitting our audited accounts to the Office of the Auditor-General. We are doing that as a sign of responsibility. I encourage all political parties that benefit from public funds in whatever manner, even if they are not getting the money directly from the Political Parties Fund, to demonstrate prudent financial management and submit audited accounts to the Office of the Auditor-General in time and have them audited and answer audit queries as and when they are asked to do so.

The law stipulating how much money should be allocated to political parties is in place. The reason why we decided to put a specific amount of money defined in law is that we did not want the matter of allocating funds to political parties to be at the discretion of the National Treasury. Every time, the National Treasury is part of a Government and there is one political party that will be in power at any particular time. Allowing one political party to determine how much money should be allocated to other competing political parties is not rational. Therefore, I do not understand why the National Treasury is finding it difficult to allocate the 0.3 per cent that is provided for in law to political parties for their running. The reason why, as a country, we decided to allocate funds to run political parties is because we did not want individual to own political parties. We want political parties that exist even beyond or after the political party leaders.

Let me give an example from my party. We have been housed from 2005 to date, over 13 years, at one location. I think we are the only political party in the country that has been located in one location longest. I do not know of any other political party that has maintained its headquarters that long in one specific physical location. Because of some misunderstanding with the landlord, he woke up one morning and gave us a notice to vacate his premises in three to six months. He probably did this, and it is unfortunate because he was my competitor and he was not successful in securing the nomination of the party. Because of that, he told us that we had to take a walk. These are the things we need to avoid by giving capacity to political parties to own their headquarters. As a matter of fact, from that challenge, and sometimes you need to be subjected to some stress to think and act properly, my party is in the process of acquiring a headquarters. We are going to be one of the very few, if there is any, to own our party headquarters. By December this year, we are going to have a party headquarters for the Orange Democratic Movement.



That should happen to all major political parties in the country if not all. By so doing if, for example, you want KANU, we know where to find it. In fact, if you asked me today, since it lost its headquarters at the Kenyatta International Convention Centre (KICC), I would not show you where the headquarters of the Independence party is. Much as it has faced attrition over the years, and it is now a small party, we still have historical ties with it. It is the Independence party and we should respect it. If such a party cannot have a headquarters, it demonstrates that we are a country that does not respect political party establishment.

I would like to know clearly where I will go to find FORD-K, and my partner in the National Super Alliance (NASA), the Amani National Congress (ANC). I hear Hon. Ferdinand mentioning the headquarters of FORD-K, but that House is either rented or has been provided by one of the party big wigs, probably himself. I know he is a man of means. Until when will we be relying on philanthropy and goodwill of specific politicians? That is something that needs to be looked into.

I listened to the Chair of the Committee when he was moving the Motion passionately talking about independent Members in this House and suggesting that they should benefit from the Political Parties Fund. I disagree with him. I remind him that independent Members do not belong to a political party. As a matter of fact, there is nothing ideological or in principles that independent Members share in common.

They have just found themselves here as independent because either they did not identify with any political party that exists in terms of policies and principles, or they were mistreated by those political parties. Hence, they decided to run as independent, for which we congratulate them. I admire and respect the Members who won on independent tickets because I know how difficult it is to convince the voters to leave political parties that they identify with to vote for you as a person and as independent candidate. I congratulate and encourage it because it is also deepening democracy. It awakens political parties which are mismanaging the process of identifying candidates to know that you need to go a step further and think through before you issue that certificate to a candidate to run on your party.

In terms of allocating them money, there is no justification in law. It does not make sense. How do we even manage that money? Each independent Member is independent from the others. Apart from sympathies that we would express to you for going through a lot to win your seat, there is truly very little we can do. The court had already pronounced itself on this 0.3 per cent. We need to respect court orders. It is my hope that the National Treasury will honour the promise that they gave us when we were discussing the last budget that they are going to factor in through the Supplementary Budget additional funds to move towards meeting the requirement in law. This is something that is in law unless you amend the law, it remains. Those of us who manage political parties' funds, manage the funds prudently, for a fact. Yes, there are people who probably also have the appetite for using funds which are meant for public good and converting them to private good, but those can be found. This is public money. You can find it through the Auditor-General. Even the Directorate of Criminal Investigation (DCI) can conduct investigations. The Ethics and Anti-Corruption Commission (EACC) also has the mandate to conduct investigations, but we would want to see the parties which want to manage their funds prudently to promote the interests of the parties especially the interests of the marginalised groups.

We are now pushing for the two-thirds gender principle. If we had funding for political parties, political parties should be the first ones to promote this agenda by holding meetings and educating their members across the country and sensitising their Members in the National

Assembly and the Senate. That is where there is the biggest problem. When that Bill comes here, half of the membership of this House is not in the House yet there is a requirement of two-thirds to vote for that amendment to go through. The Members absent themselves because they have not been sensitised enough to understand that this principle is so important and that is why the people of Kenya made a decision to put it in the Constitution.

It is also important to hold youth events to discuss, at the political party level, the issues that affect the youth of this country so that when you are preparing to form a Government, you need to be clear in your mind or as a party on the needs and requirement of the youth so that you can come up with policies to help promote the youth agenda. The issue of the youth is a time-bomb. It is the biggest challenge in this country. I am happy one of my Members had brought a Motion to this House to declare it a national disaster. This House debated and agreed with that Hon. Member.

I know my colleagues also want to contribute to this Motion. I thank the Chair of the Committee for doing a good job.

I support. Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Mbarire.

**Hon. (Ms.) Cecily Mbarire** (Nominated, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to add my voice to my colleagues in relation to the Motion before us. Let me begin first by congratulating the Chairman of this Committee, Hon. Kathuri Murungi, and the entire Committee for the job well done. It is a first in this Parliament. It has never happened before. It is important that we are beginning to bring to fore matters relating to the Political Parties Fund and how it is being used so that we can put them to account for the taxpayers' money that they continue to receive from the national Government. We should ensure that the money is well utilised and makes real impact to the citizenry of this country.

I have looked at the Political Parties Act, Section 25(2). It shows how the money will be secured, how much will go to them, and the qualifications to receive this important Fund. It says that the party will not be entitled to receive funding if it does not secure at least 3 per cent of the total number of votes at the preceding general election. The whole idea was to make sure that we do away with the issue of briefcase parties that do not have the following of the masses. It also goes further to say that not more than two-thirds of its registered office bearers both at the national and the county level should be of the same gender. This is to ensure that we include women in the leadership of our political parties. It goes further to note other qualifications which political parties must meet before they can get the funding.

I want to add my voice to that of the Leader of the Minority Party. What is the purpose of the Political Parties Fund? The Leader of the Minority Party should not worry. I am supporting what he has raised in a very able way. The Political Parties Fund is money that is supposed to help in promoting representation in Parliament and county assemblies, women, persons with disability, youth, ethnic minorities and other marginalised communities, and also to ensure active participation of individual citizens in political life and do civic education on the various issues.

I have looked at all the purposes of this Fund and it is clear to me that it has not been used for the particular purposes. For the longest time I have been in this House, especially within the life that this Fund has been operational, I have never seen us called by the party, other than just a normal Parliamentary Group (PG) meeting, to be talked to about critical issues that are coming before the House and to get an awareness on what is critical and why we need to support it. Here, I am not talking about the party leader calling us. I am talking about the party itself

within its own structures finding it fit to call the Members on critical matters that come before the House.

In point, I want to mention the issue of the two-thirds gender rule that we bought in the last Parliament. We had two attempts which both failed. I never saw my party call us or call Members to urge us to support that Bill yet one of the purposes is representation of marginalised groups like women, persons with disabilities and ethnic minorities. I hope going forward, we, as Members of Parliament, can push political parties to support the very purposes for which the Fund was started. We have critical issues around women, youth and persons with disability. Right now, the Government is putting together what they are calling Biashara Fund, where all the Funds that have been there like the Women Enterprise Fund, the Youth Enterprise Fund and the Uwezo Fund, are put together into one big unit called the Biashara Fund.

There are concerns that we would like to deal with. They are concerns of whether this Fund is going to become an impediment to women, youth and persons with disabilities in terms of accessing it. Part of the reason the funds were established was to ensure that the money is accessible in an easy way to these groups.

So, I want to have a situation where we are called to discuss it from the political parties. It cannot be that the only time political parties come to us is when matters political come here. They wake up and call us when we start talking about constitutional review. We want to be called even on matters that are affecting our people and matters that are affecting special interest groups, so that we can take care of them in this House.

Going forward, I hope we are also going to see political parties putting their money in programmes that empower youth and women in terms of political participation. We want training on leadership at the grassroots level for women and youth who will be taking up positions as MCAs, Members of Parliament and whatever it is, at the grassroots level. The role is right now mainly played by NGOs. Since we have our own money and we have control over it, let us see that happening. I hope women and the youth in this Parliament, because we have a critical mass of young parliamentarians and people living with disabilities, will begin to push political parties to play their role with this Fund. They are not doing it. I believe it is time we woke them up and insisted to see real activities towards this critical sector.

With those few remarks, I beg to support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Shall we have Hon. Okelo Odoyo, Member for Nyando?

**Hon. Jared Okelo** (Nyando, ODM): Thank you, Hon. Temporary Deputy Speaker. As a Member of the Special Funds Accounts Committee, I rise to support this Report.

Political parties play a pivotal role towards advancement of democratic ideals. At the same time, they are established with a view to seizing power and controlling the instruments of Government. The freedom that we enjoy to this day has been perpetuated, to a larger degree, by political parties. Therefore, their participation in our advancements cannot be properly underscored.

We have heard about funding issues. It was put in law, unequivocally, that out of the revenues collected by the Government, we should apportion 0.3 per cent towards political parties. What we noted during the course of our interrogation of reports from the Auditor-General is that a paltry 0.1 per cent is allocated to political parties. Even though it should be based on what has been collected by the Government. They use a formula that first deducts what goes to county governments and the Equalisation Fund. What is left is what goes to political parties. Besides that, there has been a continual allocation of a specific Fund in terms of the

general aggregate. The formula upon which the National Treasury relies to share out this money is so skewed that it leaves political parties with nothing, but to suffer on the streets at the end of the day, to get money to run their affairs. We must follow the law. We must follow both the Constitution and the Political Parties Act in order to properly run the affairs of political parties such that what is meant for political parties goes to political parties, as the Bible would say “give Caesar what belongs to Caesar.” Let us give political parties money that is due to them.

My political party, the ODM, as everybody knows, apart from KANU and FORD-K, is one of the parties that have withstood the test of time. Any political party would now want to be recognised. Therefore, I recognise all political parties.

Suffice to say, the ODM has consistently posted and qualified audit reports for the last 10 years. In the advancement of purity of elections and usage of public funds, political parties must adhere to the Public Finance Management Act so that they do not swindle money that is got from the suffering taxpayer. As my Chairman alluded, my political party, where I sit as a member of the National Executive Committee in charge of resource mobilisation and public policy, is acquiring a new office in due course. Before the dawn of New Year, ODM will have its headquarters bought by its own funds and got through its channels where I play a pivotal role. I think we need to challenge all political parties, as the Chair said. With certainty, we should know where political parties’ offices are. Let us challenge ourselves to acquire offices to run our political matters.

Hon. Temporary Deputy Speaker, we also noted that the immediate Registrar of Political Parties, Madam Lucy Ndung’u, had been serving in an acting capacity for the last 10 years. Her successor, Ms. Anne Nderitu, is still serving in an acting capacity though she has only served for the last three months. If we are going to allow public officers in very important positions to serve in acting capacity for so long, we also curtail their powers to make certain decisions as they run the affairs of their dockets. When you ask why somebody would serve in an office in an acting capacity for 10 years, you get no answer. This does not sit well even with the Labour Relations Act and all the enabling laws that govern labour. We need to find a formula upon which one can only act within a set period of time rather than leave it open-ended.

We also need to curtail the establishment and winding up of political parties at will. If we were to take an example of what happens in the United States of America, only two parties have existed forever. You only talk about a Democrat or a Republican. In fact, they were posting results on the mid-term elections this morning. I am glad the Democratic Party has seized most of the positions, particularly in the House of Representatives. Everybody knows that you either belong to the Grand Old Party (GOP), which is the Republican or you are a member of the Democratic Party. In Kenya, even as we speak, we do not know which political parties are going to exist in 2022. We have had a new party coming into power every time we had elections in the last four general elections, hence creating a lot of confusion amongst our people. This country needs to step back, reflect and retool and only have political parties that will be there today and tomorrow for our generation and generations to come. It is high time we stopped this kind of confusion for the wellbeing of our democratic ideals.

With those remarks, I support.

**The Temporary Deputy Chairman** (Hon. Patrick Mariru): Shall we now have Hon. Dennitah.

**Hon. (Ms.) Dennitah Ghati** (Nominated, ODM): Thank you very much, Hon. Temporary Deputy Speaker for the opportunity to also support the adoption of the Report on the Audited Financial Statements of the political parties fund for the year ended June, 2017. I

belong to the Special Funds Accounts Committee. We deliberated quite a bit on this Report. I can say that whatever is in this Report is what we deliberated on. I really want to thank the Chair and members of the Committee. We know the role that political parties play in strengthening our democracies. I think that political parties should be able to run their affairs. As you may be aware, apart from the fact that Kenya has almost over 60 political parties, we currently have a system in Kenya that people think that we have two political parties based on the coalitions. We have over 60 political parties and each political party has a role. I am happy to say that even as we think about these political parties, it is good that the political parties funding is something that is inscribed in law and in the Constitution. When such a law is there, we have no choice but to follow.

What I have seen in this country and from the political party that I come from... You know that I am a very proud member of the ODM party. We have seen situations in this country where political parties have to keep begging Treasury to release money to them. Why does it happen when it is in law? That is extremely wrong and we need to ensure that if it is in law, Treasury needs to release money to political parties in time. This is a very big problem. If you look at political parties, you will find that we have so many factors that we are taking into account. Political parties are basically supposed to bring everyone on board and the spirit of leaving no one behind should apply even to political parties to ensure that the youth, women and people with disabilities in this country are also taken care of. That is why even where I come from, we have the women wing, youth wing and persons with disabilities wing in the party, so that Kenyans who want to participate in political parties feel they belong to those political parties. As I have mentioned, I have said that political parties have a big role to play and we therefore need to make sure that we are mandating Treasury to be able to release funds to the political parties that we have.

As you are aware, even when some political parties receive funding, we also have offices in the various counties and constituencies where our large population of the people who participate in politics belong. It is therefore important for me to ask political parties to ensure that they develop... As Hon. Mbadi said, we need to compel political parties to respect the law and to ensure that political parties also adhere to the Public Finance Management (PFM) Act. The PFM Act basically sets structures and ensures that funding and finances are ably and well managed by the political parties.

I also want to say that as we move forward, we have to ensure that even within the registrar of political parties - the political parties funding is actually administered by the registrar. When you give such a huge task and important role to a person it is important that this person who manages political parties funding is given a serious contract. That probably explains why we have political parties going to court or taking the registrar to court. The registrar does not have a permanent contract or a contract for some years to guarantee her existence as the registrar managing that fund. That explains why the former registrar was not able to control and manage funds for political parties. That is why she did not perform as expected by many people.

I also want to say that even within our structures of political parties at the counties, the wards and at the constituencies we need to ensure that as political parties we are strengthening these structures. At the county level where we have the youth wing, I would even suggest that political parties at the national level probably release their funding to support those offices of counties. We can have a mechanism or a way in which funding actually goes directly to the women wing, youth wing and disabled wing at the counties where I come from. I also want to use this opportunity to challenge the Jubilee coalition. The Jubilee coalition needs to come up

with a wing called the disability wing of the coalition so that people with disability who definitely participate in politics are able to be funded by political parties and are able to run their affairs and those of their parties.

Lastly, I want to suggest and ask that we ask the registrar and the political parties to make sure that there is capacity building of the parties. In this country we are dependent on the National Democratic Institute (NDI) and other donors. You have seen so many times that any time we are talking about issues politics in this country we are actually looking at the NDI and State University of New York (SUNY) to support political parties in this country. We look at the National Endowment for Democracy in the United States of America and many other political affiliations and huge think tanks who come to support our parties on the ground. It is the role of political parties themselves to build capacity for their people. I support the Member who said that political parties need to just go beyond expecting funding. We need to look at how we can own property. We can find ways of generating income to support our various people who want to participate in the political process.

I agree with this Report and I really want to thank the Chair. We took some time to discuss an issue that affects everybody in this country who has a keen interest in participating in the political process. Allow me to support. I thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Member for Funyula.

**Hon. (Dr.) Wilberforce Oundo** (Funyula, ODM): Thank you for this opportunity. I rise to support the Motion and I also want to commend my friend for the good work he is doing to lead that Committee.

The history of political parties in this country is very rich. We are where we are due to the good work of dons of politics. Many of us look back with nostalgia to the days of KANU, *chama cha baba na mama*. We look back with nostalgia to when we had to become a member of KANU to even get an identity card. We look back with a lot of fond memories to when we would riot in the university and would be chased home where we would first pledge our loyalty to the members of KANU in our constituencies or sub-locations before we got clearance letters to return to university. It has been worthwhile, the fight in the 1990s to change the Constitution and delete Section 2A so that we could have political pluralism. Unlike before when you would be hauled before the KANU disciplinary committee, expelled and you lose your seat, nowadays you have options because you can chose to join the most important party, ODM or choose to join new parties that keep on coming up every election year so that you can contest a political seat.

It is important that we appreciate Article 91 of the Constitution that basically sets the principles guiding political parties. I urge all political parties, Kenyans and the Executive to take cognisance of the provisions of that particular article so that they appreciate the importance of political parties in our constitutional dispensation. Political parties are the vehicles through which we express our political views and come together to seek solutions to a myriad of problems that affect this country. I, therefore, urge the Executive to seriously facilitate political parties. We have had this debate in many forums about the inability or the obvious sense of sabotage by the Executive towards political parties.

It is inconceivable that you have to literally go begging the National Treasury to release funds to run political parties. I sincerely urge the Committee and all those involved to push the Executive and the National Treasury to release funds to political parties in good time. We, Members of political parties, as it happens elsewhere need to fundraise and support activities of political parties. A political party is just like any members' club or *chama*.

We must fundraise to ensure that we supplement funds that come from the Treasury, donors and the benevolence of the party leaders and founders. Indeed, the only way we will tame party founders is to ensure that political parties are financially independent and not dependent on some few members to fund and finance political activities of parties.

Much as we focus on the funds from the National Treasury, Members who belong to political parties should commit to support the various activities of political parties. For example, at the grassroots level it is not conceivable to wait for the national headquarters to bring funds to mobilise activities on the ground. We, party members, must be willing to support those activities. We should copy the model in the USA, the Democrats and the Republicans where they massively fundraise for their activities. We must also copy the model of the United Kingdom where the Labour Party and other parties contribute to finance their activities. It should not just be left to the party to fundraise.

In a like manner, there have been cases of fraud and unethical management of resources where there is unprofessional management of funds. I urge party leaders and those who run parties to be accountable for the funds they receive both from the members and the National Treasury. It is so annoying and ashaming that funds are brought and then a few individuals misuse them for their personal gains. I am happy that my party of ODM has managed to run its affairs in the most transparent manner. In all the years I have known the party, all our audited accounts have been certified. They have not been disqualified in one way or another.

Finally, it is important for the Members to appreciate that belonging to a political party is a commitment that you make. The issue of party discipline needs to be critical and central if we want to strengthen political parties and make our politics mature. It is unfair to belong to a political party and perpetuate ideologies of another political party. We need to find mechanisms in which we can make arrangements to punish, de-whip or bring to line those members who go against party positions. If you are courageous enough and you are strong enough on the ground, the moment you disagree with your party position, it is only reasonable for you to resign from that party and seek re-election or seek another political party to use for the next election or in the event there is a by-election. It is sad and ashaming to purport to belong to a political party and then you associate with its enemies.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Leonard Brighton, Member for Konoin.

**Hon. Leonard Yegon** (Konoin, JP): Thank you. I applaud the Special Funds Accounts Committee for the Report on Audited Financial Statements for the Political Parties Fund for the year ended 2017. Empowerment of political parties is empowerment in terms of democratic space in the country. The issue of political parties is very sensitive and emotive. I am drawing this to one Conservative Party life member who in his last days actually resigned and joined Labour Party. When asked why, he said it is better to die a labour than die a conservative. So, you look at the whole aspect of empowerment of political parties and you appreciate the fact that political parties should be empowered through funding. Look at the USA where we have the Democrats and Republicans, these are two bulls in the field that fundraise. They also contribute like we do. Personally, I am a member of Jubilee Party and every month we contribute something for the benefit of running its activities.

It is important to note Section 24 of the Political Parties Act, 2011 which provides for money for the Fund. The sources of the Fund are funds not being less than 0.3 per cent of the revenue collected by the national government as may be provided by Parliament. So, this is the

law that is backing up this contribution by the Government and it is very clear. That is why it is very important that we build political parties through funding. Political parties funds should not only be seen to improve political parties' democratic space but should in the real sense be practical.

Therefore, I really support and applaud this Report. Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Wanyonyi Kevin.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Thank you, Hon. Temporary Deputy Speaker for the opportunity. At the outset, I want to talk about this audited report on revenue. They have done a good job. I thank the Committee for having come up with this Report.

First, it is true that money given to the political parties... I disagree that it should be based on revenue given. That means 0.03 per cent should be from the revenue received from the National Treasury rather than after the expenses. It is very little money. In fact, I belong to the second oldest party in this country and there is no dispute. The FORD-K is the second oldest party in this country after KANU and I stand to be challenged here. Of course, other coalitions have come.

As the oldest party, I quite agree that we should, first and foremost, have headquarters. I would like to inform Members here that we are housed on Argwings Kodhek Road and the building is called Oginga Odinga House, named after the founding father of democracy in this country, the Late Oginga Odinga. That house is called Oginga Odinga House. You can see where I am coming from.

Therefore, the 0.3 per cent is very little. I am just looking at page 17 out of curiosity to see the allocation of the funds. The first one is Jubilee which is given the stated amount. I know that in the 2017 elections, which I took part in and I am the chairman of my political party in Trans Nzoia County, I worked very hard because we belonged to a coalition called NASA. I, therefore, take exception on table five on the distribution of the Fund in the Financial Year 2017/2018. The first one is Jubilee. I agree. The second one should have been NASA because that is the coalition that took part in 2017 and that is why we are here. Children will always quarrel with each other. I agree we have been quarrelling but we came here as NASA. Therefore, it is wrong for this Committee to have put ODM and yet it is part of the coalition.

You know where I am coming from, Hon. Temporary Deputy Speaker. All I am saying is that the percentage would have gone up. It could have received Kshs112 million, if it was a coalition of Amani National Congress (ANC), FORD-K, ODM and WDM-K. The funds would have been higher. It is out of this that I take exception. I want to be informed why when it came to distribution of the money in 2017/2018, you put Jubilee first. I have no problem because Jubilee is made up of other coalition parties. However, when it came to number two, you are talking about ODM. Why? The ODM belonged to the NASA Coalition at that time. That should be corrected. Therefore, we really expect, for the benefit of other small parties that are in the coalition, we would have got more money. It looks like it is at the whim of one party which can give or refuse to give. As it is now, WDM-K will just go there and beg. FORD-K and ANC will also go there and beg. At one stage, that allocation should be corrected because it is not ODM, it was actually NASA at that time much as we may have broken up or quarrelled. That is normal in politics. Therefore, I think that correction must be done. Chairman, now that you have come in, please let us look at that. I came here on a NASA ticket. FORD-K and many others are in the NASA Coalition.



Secondly, I want to say that we should have this habit of money going to individual parties not belonging to the leader of that particular political party so that we have regular audit, as the Committee has made it very clear. This is public money. I was sent by my party, FORD- K to look for money in West Germany, which money came in and that money does not belong to the party leader. It belongs to the party. Therefore, the Committee is right. There must be regular auditing of the money that is received.

**Hon. Kathuri Murungi** (South Imenti, Independent): On a point of information, Hon. Temporary Deputy Speaker.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): I do not need information from anybody.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order, Hon. Wanyonyi. Member for Kwanza! Why did you predict that you want to be given information? I want to give Hon. Kathuri the Floor. He is on a point of order. What is it, Hon. Kathuri?

**Hon. Kathuri Murungi** (South Imenti, Independent): Thank you, Hon. Temporary Deputy Speaker. My good friend, Hon. Wanyonyi, has referred to me severally that the chairperson should correct. I want to inform him that my Committee does not mutilate any report from the Office of the Auditor-General. The person you should write to is the Registrar of Political Parties. Maybe you did not write to the Registrar when you did the NASA Coalition and what she has is ODM and not NASA. Therefore, the person you should write to as FORD-K is the Registrar of Political Parties. The Chairman of the Special Funds Accounts Committee has no power to change any report from the Office of the Auditor-General.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): I will take up from there.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order, Member for Kwanza! Hon. Kathuri, you seem to have informed the Member for Kwanza. He did not need the information but from his face, he seems to have appreciated that information.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): I have not been informed because I know the full facts. I am the chairman of my political party in Trans Nzoia County and I am one of the oldest members of that political party and as I said, FORD Kenya is the second oldest party in this country after KANU. There is no dispute. Therefore, I know what I am talking about. We deposited our agreement with the Registrar of Political Parties and that is why NASA took part in the last general elections. I just want to agree with you that, maybe, somebody somewhere went behind our backs and did that. We are taking it over. I agree with you that we will take over from now because we see why we are getting less money.

Thirdly, these funds are not meant for political party leaders but for sensitising the general public, particularly the youth and women. It is not meant to be a favour that the party leader gives you money as a branch or something like that. That money should be used wisely because it goes to the democratic ideals of our country. We should have regular meetings not for anything else but to educate the public on democracy in our country.

Much as I want to support this Motion, I revisit the issue of revenue allocation to the coalition parties. I have not supported. I am in between. Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): That is a new one, Member for Kwanza – the one of being in between. Nevertheless, before I get to my right, let me give the Floor to Hon. Mbui Robert.

**Hon. Robert Mbui** (Kathiani, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for the opportunity to also make my contribution on this very important Motion that deals with political party funding and, of course, the Report by this very honourable Committee. The

Special Funds Accounts Committee generally has been doing great work from its inception. Recently, we had the occasion to listen to them present three years audited financial statements of NG-CDF of all the constituencies within the county of Nairobi and they are quite a lot. I think this Committee is really working very hard. It is second only to the Committee on Delegated Legislation that I sit in, which the Speaker himself said is the best Committee. So, this must be second best committee.

Because we are talking about political parties, allow me to mourn the death of my party leader's father who passed away and he is going to be buried this Friday. I would like to urge that all Members converge in Tseikuru in Mwingi so that we can send off our dear late grandfather who gave birth to our party leader, who is a former Vice President and, of course, party leader of the WDM-K.

Democracies in the developed world are very strong. One of the things that helps the democracy in those countries to operate as it does is because of the political parties. For example, in the USA, there are two major political parties. Those two parties have departments that try to encourage the growing democracies of the world to reach where they are. I remember severally that in my first term in Parliament, I had occasion to meet with the NDI from the USA who go around training political parties in this country. Obviously, for them to reach there, it means that the Democratic Party in the USA has enough funds to run their affairs and even has extra money that they can use to try and encourage the growth of democracy in other countries.

It is important to note that political parties need to be funded. Funding political parties allows them to do more activities and reduces pressure on members. A political party that only depends on its members for funds results in the members of that political party being under constant pressure to raise money for party activities. That is why you find that many times, at the end of the five-year term just before the elections, the nomination processes in a lot of our parties are completely flawed. That is simply because there are people who need to make money. The political parties have no money even to manage simple things like the nominations. It is important that we properly fund these political parties in a timely basis.

It is clear that the Exchequer has been having issues of funding. In fact, it is not just political parties, even in our own NG-CDF and Parliament, money comes late. There are planned activities by our Committees that cannot take place simply because there is a delay in the release of funds from the National Treasury. It is important that we strengthen our sources of funding and collection of revenue so that we have enough money to run the affairs of this country and fund our parties on time.

It is also important that the political parties be audited. Political parties are made up of politicians. Politicians are generally in the National Assembly, county assemblies and the Senate. They are supposed to have one major responsibility called oversight. That means that they must look at how the Executive - at the county and national levels - spends public funds. For us to audit the national Government and the county governments, we must ensure that the taxpayers' money that we receive from the Exchequer is also used prudently in our own political parties. I thank this Committee because it has done a great job to ensure that those audited reports are looked at and to give a clean bill of health to the parties.

With regard to the management of this Fund, I support my colleague from FORD – K. He says that there is a problem. This money is shared between political parties. For a political party to qualify, it has to have 3 per cent of the total votes cast, 20 Members of Parliament, three Senators, three governors and a minimum of 40 MCAs. Unfortunately, it is very silent on the arrangement of coalitions which are agreeable. We can form coalitions for purposes of going into

an election. We are facing a situation where we went into a coalition called NASA. In the NASA coalition, there is ODM, WDM – K, ANC and FORD – K. In the sharing of those monies, we must realise that in the process of going into a coalition, some parties sacrificed the position of President. The presidency was given to ODM. That means that there will obviously be more votes cast for ODM because the presidential candidate is from their party. It is also obvious that a lot of times, just because the President comes from one party, even all over our regions, you find that people are more aligned to that particular party even though it is within the coalition. ODM has benefited...

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order! What is it Hon. Babu? You seem to have pressed the intervention button.

**Hon. Babu Owino** (Embakasi East, ODM): Thank you, Hon. Temporary Deputy Speaker. The Hon. Member should know what the presidency means. The presidency means the President and the Deputy President. The Hon. Member comes from WDM – K. They were very much advantaged during the last election where the presidency consisted of ODM and WDM - K.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): It seems to be a point of information. Hon. Mbui seems to be frowning. Hon. Mbui.

**Hon. Robert Mbui** (Kathiani, WDM – K): Thank you, Hon. Temporary Deputy Speaker. I had no doubt that my party leader was the deputy presidential candidate. When I speak about NASA, there are other parties like ANC and FORD – K. I am speaking on behalf of the whole coalition. I am also not speaking against ODM. I want that to go into record. I am speaking about coalition arrangements going into the future.

This arrangement of NASA is not within the current Political Parties Act. That is what I am speaking to because I have to speak life. In future, there will always be coalitions. Even in 2022, we will form other coalitions to win the presidency because we must get to State House. That arrangement needs to be thought through. As we look at the funding, we must consider coalition arrangements because if you just look at political parties, we disadvantage some of the smaller parties within coalitions. For a growing democracy like ours, coalition arrangements make a lot of sense. For a country like ours where there is a lot of tribalism, coalition arrangements make a lot of sense. If we say that it is each individual party for itself, I can tell you for sure that if WDM – K had a presidential candidate and not a deputy presidential candidate, we would have had the three governors and three senators. We would have gotten all the votes from our backyard. It is something that we need to look at going into the future.

I want to finish by talking about political party discipline. Even as we talk about funding, this money that we are talking about also comes from our members. The Act is very clear. Other than the money sent by the Exchequer, even our own contributions go into building our parties. It is unfortunate that if you look at the statements of some of our parties, there are a lot of members who do not contribute the amounts that they signed up to at the point of election. Something needs to be done. If people do not have the discipline to pay the party dues, how do they have the discipline to represent their people? Going forward, it is important that the Registrar of Political Parties cracks the whip. We try many times to report those people who run away with political party funds and it seems like nothing is done. The Registrar needs to crack the whip so that these people can be disciplined properly and we have enough monies to run the affairs of our political parties.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Yussuf Haji, Member for Mandera West.

**Hon. Yussuf Adan** (Mandera West, EFP): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I support this Report. I thank the Committee led by eminent friend for having come up with such a Report.

The convenors of our Constitution realised that funding political parties is an important support to the development of democracy. Hence, the Political Parties Fund that is enshrined in the Constitution and receives 0.3 per cent of the national revenue was well-thought of. It has not just come by accident. It must have been found to be necessary in order to develop our democracy.

Problems emerge when it comes to how that Fund is regulated, released, and shared among the political parties. Regulations stipulate that political parties which reach a certain threshold in Parliamentary representation are the only ones which access this Fund. For example, there are smaller parties. I will take a very good example of my party, the Economic Freedom Party (EFP), which was formed four months before the elections and has five MPs in this House and 27 MCAs at county level.

Such political parties are not considered for funding at all. If those regulations are not changed, when do we expect these political parties to grow? When do we expect the democratic freedom of the whole country to be achieved? My suggestion is that when a political party has at least one elected Member of Parliament, it should qualify for funding. Each political party should get an amount of money commensurate to the number of elected Members it has in Parliament. When we say that only big political parties should be funded, we shall always remain their subjects. My small political party, the EFP, has to always look for another party to enter into a coalition in order for it to survive or get a small piece of the Political Parties Fund. On its own, it was able to come up with five elected Members of Parliament and many MCAs at the county levels.

These regulations have to be looked at. There are days when we had the monopoly of one party. I remember it was KANU. If you were interested in any political position but the KANU mandarins did not like you, even if you were liked by the masses, you would not get it. During the era of *mlolongo* voting, you could have the longest queue of supporters behind you but if the party leadership did not like you, your long queue would be swapped with your rival's short queue and your rival would be declared the winner. Those days are gone. However, if we look at our political situation today, if you are not in the Jubilee Party or NASA, even if you are a political party which has fulfilled all the requirements of a political party, to the extent of ganging up with five other political parties, you will still have no funds. This means in the near future, you either perish or join one of the big parties. Are we going back to the KANU era? We need to look at the rules afresh.

Political party independence, which is very important, is based on its funding. A political party which does not have funds cannot be independent. It will always look for a way of surviving. There are regulations which say that we must have 24 offices in 24 counties in this country. To run one office of a political party requires enormous amount of money but the regulation says that you must have 24 offices. Just imagine a party like mine, the EFP, which is being forced to come up with 24 political party offices in this country. I have only five Members of Parliament, who contribute some money to the party. I am forced to sell my camels in order to fulfil those regulations. That has to be looked into in future.

The idea of funding political parties from public coffers is a way of reducing corruption. We used to have political party leaders who, because of the amount of monies they used to have, the sources of those funds notwithstanding, you had to go by their whims if you were to survive

politically. If not, you had no room in politics. In order to avoid corruption and dependence on a few individuals with deep pockets, the idea of funding political parties from public coffers was embraced in Kenya.

With those remarks, I support the adoption of the Report as I request my able Chairman to ensure some of the sentiments coming up on the Floor of this House are addressed.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Babu, Member for Embakasi East.

**Hon. Babu Owino** (Embakasi East, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion on funding of political parties. We have come from dark days where there was no democratic space. During the KANU era, *chama cha baba na mama*, we only knew of one political party. I see an Hon. Member getting agitated, but that is the truth. During the dark days, people were never given space to exercise their democratic rights. Now that we have political parties, we cannot run the parties on air. They are like institutions. They require funds just like ministries. Without money in a ministry, there will be zero performance and equally with political parties. There are people who are employed in these political parties. Parties provide employment opportunities. These people are employed up to the grassroots levels and need to be paid. There are activities that need to be run in various parties at the grassroots level.

I support the Report that the parties should be funded. We know that 0.3 per cent of the national revenue should go to funding of political parties. Since 2013, the Government has not implemented this. Therefore, it should implement it. However, there should be checks and balances because there are some useless parties which confuse Kenyans. They do not have MCAs, Members of Parliament and no persons elected to any position. Such parties like the Thirdway Alliance should be deregistered with immediate effect because there is no value they add to the Kenyan citizen.

Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Oduol.

**Hon. (Prof.) Jacqueline Oduol** (Nominated, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to speak to this Motion and also thank you for allowing me the time to look at the Report. I start by thanking the Chair and the Committee because having looked at the Report, indeed, it brings out critical issues.

I am aware that this is a House of debate and it is extremely important that we learn from our seniors. As I was listening, I noted that Hon. Mbui, my leader, indicated a critical way that will move us forward and so did the Hon. Member for Kwanza Constituency. My understanding is that we were talking about allocations that will go to political parties. As I speak with honour and respect to my leaders, I would like to be educated. My understanding is that Jubilee is a political party and NASA is a coalition of political parties and so the Report and the formula they used, to me, seems to be in keeping with what would happen in a House of rules and procedures. For that reason, I appreciate the observations of the Chair that if we want to move forward, we need to do it in a procedural manner.

I want to emphasise that we need strong and healthy political parties in our country. I believe that when we talk about political parties, we want to recognise that they are incubation places for leadership and they allow us, those who subscribe to a particular leaning in case they would like to meet the needs of the people, not only to organise and see ways to form Government, but when they do not form Government, they need to organise to come up with alternative policies. For this reason, it is extremely important for us to recognise that he who

pays the piper calls the shots. I laud the Opposition for the position we have taken where we want to make sure that political parties do not depend on external funders even as we appreciate the NDI and other groups. It is extremely important that we have a provision that would allow for the 0.3 per cent of the national revenue to be allocated to political parties.

When I went through the Report, I noted Section 3.3 that there is a matter which is still in court but because it is in the Report, I would like to assume that I can raise it.

One issue that I would have liked to see either as a way of recommendation or something that comes out clearly is the perspective of our oversight role where we clearly indicate that there would need to be 0.3 per cent. I thank the Committee because they indicated that this should not be done after all the other deductions. We recognise that currently we have 0.1 per cent that was released but much more for me is that we had a situation where for three consecutive years, the monies were not remitted.

I reiterate that I support this Report. Political parties are the bedrock. They are the premise upon which we are going to organise and the key factor in that organisation is independence in terms of finances. Therefore, it would be important that not only do we seek to see that the 0.3 is given, not only do we try to ensure that it is not done when all the other deductions are done but much more importantly that we ensure that we do not get 0.1 per cent and that when we are getting that 0.1 it does not come much later.

As I conclude, I would like to take note that the position of the Registrar of Political Parties is very important. As one Member had indicated earlier, it would be useful that we do not get into the habit of ensuring that somebody acts for as long as 10 years. As someone who has come to Parliament through the nomination of the ODM party and the grounds of increasing women participation, my eye tends to look at the pattern. I am concerned because I see that the acting Registrar before for 10 years was female and the one who has been acting for three months is female. I hope we are not going to get a situation where when we get capable leaders who happen just to be women we keep them on acting positions. Whenever you are in a position and you are made to act that long, it sends the message to people that perhaps you will be going any time. It also does not give you opportunity to make decisive action.

As I conclude, I thank the Committee. I truly hope that as we talk about political parties, we will bear in mind that it is a very important training ground and we would like to ensure that it gets sufficient funds.

Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Shall we now have Hon. Moroto, Member for Kapenguria?

**Hon. Samuel Moroto** (Kapenguria, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to thank the Committee for this wonderful work. It is a new Committee in this House but it is showing that those people who are there have knowledge on this issue of special funds through the Report they have prepared. I know there is more to come. They are going to help us.

When we talk of funding political parties, it is a worthy thing. That is the decision of Kenyans when they voted for the new Constitution. I had to compare what was there when KADU, KANU and others were there. They were like somebody's property. However, because some of us have been there and have seen what used to happen during those days and now, I can credit that it is now worse than even the KANU and KADU time. You remember what happened in 2007 and 2008. In 2017, immediately during the election and the day after, on August 8, you

saw what happened. Kenyans are still suffering. Some are still in hospital and some are still lost. That is why I concur with the person who talked of discipline in our parties. More needs to be done to streamline and ensure that political parties behave well and conduct their campaigns properly.

In fact, I want to say that KANU was better than what is happening now. During KANU, you could not see the number of deaths we are seeing now and the sufferings Kenyans are going through now. Kenyans are funding these political parties but they are still being run by individuals. If you go to the ODM, you cannot do it without the party leader. Even this one of ours, the Jubilee Party, you cannot do without the political leader on the other side. So, what is the use of having these political parties? In fact, it is better to have an individual running it and we just sing the chorus of that person and forget about these other things.

Otherwise, I thank the Committee through the Chair who is with us here. He is a good guy. I also want to echo what the EFP did. Where the EFP conducted their campaigns, you cannot read in the newspapers that people lost their lives. It is better to go for these small parties than these big ones where they are rotten as they move round. I end there and ask that we improve and support these small parties. They can do better than others. Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Oduor Ombaka.

**Hon. (Dr.) Christine Ombaka** (Siaya CWR, ODM): Thank you Hon. Temporary Deputy Speaker for this opportunity. Just like most Members here, I would like to applaud the Committee that has come up with this Report. The audit report on the funds for political parties is a good thing because it demonstrates, first and foremost, that parties are ready to have their books audited. That is good. What may be said about parties and that money is given to them and they do not account for it does not arise. So, it is a good step that shows that parties are ready to be transparent and have the funds they have received audited.

It is also true that when you do not get funds to improve your party - like we never had parties getting funds from the State - failure comes. Today we have funds. It is great history of democracy in this country. It is promotion and sustainability of democracy. Parties given funds from the State will be stronger than ever before. Many parties across the world are equally supported. More importantly, they are supported by their members. Apart from the money we receive from the State, parties still need to raise their own money because they cannot just wait for the State to give them money and be audited. They must also raise funds from their own members. The role of parties is to me very huge. The State should give their part without hesitation. It is bad if they can only give 0.1 per cent and not 0.3 per cent of national revenue yet take a lot of time to do so. The delay in disbursing funds is the beginning of frustrations for a party. It means that parties that are frustrated as a result of lack of funds will never grow. They will never champion democracy, freedom and all that goes with human rights. So, it is important that the State becomes more responsible in disbursing funds. Once these funds are disbursed correctly and used well, it will be audited and we will see how the impact has been.

There is the argument of small parties as well not receiving funds. There is the argument of bigger parties getting the bigger chunk. That is the logical thing to do, generally. When you are big, you get big money. When small, you are given a little. Even children growing are sometimes given little food, not that it is a good thing it is a bad one.

At least big parties have wider space to cover. The ODM party that I belong to is a national party. It is cuts across the country. All parts of this country feel it. So, you cannot give it such little money compared to other small ones that are within one constituency or something to that effect. So, it is necessary that even though you have small parties, there is a formula that

works that can help small parties get something. What is critical in every party is to be able to sell themselves, their policy, their agenda and what they want to do when you take over leadership. They need to be supported to spread their word because they may be better than bigger parties, anyway. Small parties grow into bigger ones. So, we need to encourage small parties. We should not lose hope but when their funds and their formula works well for them, why not give them funds to improve and grow!

At the same time bigger parties must also not own the funds that they have. They should always display what they have and how to spread it and how to utilise it. More importantly, I have seen that parties need to go to the ground. They need to devolve the parties up to the grassroots level. It tends to become more expensive when a party has a presidential candidate. That is where the party spends a lot more of money. The presidential candidate should never spend money from his or her pocket. That is what happens worldwide. Your presidential candidate is supported by the party and by the members because party members want him to win the election. So, there is need to pump more monies into these parties. Therefore, the Government should think of supporting political parties. Currently, political parties receive their funding from the membership and well-wishers. Some parties also get money from abroad. They get money from well-wishers who are not necessarily from the countries but from foreign bodies. Even this should be audited. How much do you receive from a foreign country, what interest do they have in a local party here? Everything needs to be audited here. It is not just the money that comes from the State. Party Members also contribute to that and the funds that come from outside the country. Otherwise, I appreciate the work that has gone into this Report. It is a demonstration that parties are ready to have their books audited and they are transparent and therefore, there should be no fear that once funds are disbursed to parties, the money will get lost.

Thank you and that is my contribution to this Report.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Very well. Hon. Rono, Member for Keiyo South. Use the microphone next to yours so that you are on record.

**Hon. Daniel Rono** (Keiyo South, JP): Thank you, Hon. Temporary Deputy Speaker for the opportunity to support this Report on funding of political parties. In my opinion, it is a good Report but it should not be used to open a Pandora's Box for every Tom, Dick and Harry to register a political party. Like my colleague has said, we should narrow down to those political parties that manage to bring Members of Parliament to the National Assembly, failure to that, they should not get any funding. I also support the Member who said that it reduces corruption. If the Government does fund political parties, people are motivated to get money from all over the place to fund their political parties. My colleague said he may even end up selling his camels. Those from my community may end up selling goats to be able to fund political parties. Political parties in Kenya are, unfortunately, for individual. If you look at ODM, ODM is Raila, and Raila is ODM. In Wiper, Kalonzo is Wiper and Wiper is Kalonzo. We need to move out of that. We want rules and regulations to be put in place so that a party can stand on its own and not be owned by an individual. If the guy falls or moves, that is the end of the party. I was talking to my colleague the other day and I asked him what will happen to ODM now that they shook hands with Jubilee.

The Hon. Member told me clearly that come the 2022 General Election, he believes each party will have to stand on its own. I asked him what will happen if Hon. Raila Odinga does not vie. He said: "Whatever party Hon. Raila vies on, that is the party. If he decides to call it *Chama cha Mapinduzi*, that will be the end of the story of the ODM." So, we need to get out of this



situation by putting in place proper rules for political parties. We need to streamline the rules governing political parties to conform with the Constitution, so that we can be proud of our parties. The USA has two parties. There are other small parties but the main parties are two. As a country, we may have to take that route. We should not take the route of killing democracy. We have to give chance to other people to form small political parties.

With those remarks, I support the funding of political parties but there must be proper rules and regulations to govern them.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon Bunyasi John, the Members for Nambale.

**Hon. Sakwa Bunyasi** (Nambale, ANC): Thank you. I congratulate the Committee. This is a good development in our country.

As my colleagues have said, there are good reasons for financing political parties. The expectation is that as political parties get funded, they will use the money in a way that promotes the public good. One of the areas that political parties can promote is to bring people into mainstream politics when they are much younger. We have affirmative action by definition now because we have not achieved some social goals we needed to achieve. So, political parties can help to provide training in the early years of an individual's political life. This will help to bring youth and women to the political arena. The two demographic groups are in short supply in the public arena. This is a noble goal.

Increasingly, we should minimise reliance on foreign donors even for seminars such that when you want to go to Naivasha for a workshop, you must look around for a foreign donor to help defray the costs. It is because of that kind of expectation in mind that this provision in the law can be help. We have to think about widening the scope and making it a process that allows parties that have elected officials to access some funds so that they can train our youth and women on matters politics and give intensive civic education to other candidates.

I have said many times that the vast majority of our MPs get to understand public budget-making processes only when they come to Parliament. In the absence of that, the discourse out there is not factual enough. So, funding of political parties is of great help.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Bunyasi, Member for Nambale, I hate to interrupt you but it is 1.00 p.m. The House must rise. So, you will have a balance of seven minutes when this particular Motion comes back on the Floor, as we will be guided by the House Business Committee.

**Hon. Sakwa Bunyasi** (Nambale, ANC): Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): For the other Members who wanted to contribute to this particular Motion, it has no time limits. So, when time comes, you still have an opportunity to engage and contribute to it.

## ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Members, the time being 1.00 p.m, this House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 1.00 p.m.