

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 19th June 2019

The House met at 2.30 p.m.

[The Speaker (Hon. Justin Muturi) in the Chair]

PRAYERS

COMMUNICATIONS FROM THE CHAIR

DELEGATION FROM THE PARLIAMENT OF UGANDA

Hon. Speaker: Hon. Members, I wish to introduce to you a delegation of Members of the Budget Committee and staff from the Parliament of Uganda seated in the Speaker's Row. The delegation comprises:

1. The Hon. Amos Lugoloobi, MP - Leader of Delegation.
2. The Hon. Kenneth Lubogo, MP – Member.
3. The Hon. Sulaiman Hashim, MP – Member.
4. The Hon. Othieno Okoth, MP – Member.
5. The Hon. Solomon Silwany, MP – Member.
6. The Hon. Elias Asiku Elly, MP – Member.
7. The Hon Justine Khainza, MP - Member.

(Applause)

The delegation is accompanied by Mr. Julius Kabatsi, who is a member of staff.

(Applause)

The delegation is in the country on a study visit to our Parliament, specifically to share experiences with our counterpart committees and other offices. On my own behalf and that of the House, I wish to welcome them to the National Assembly and wish them fruitful engagements during their stay in the country.

Thank you.

GUIDANCE ON CONSIDERATION OF FOUR SENATE BILLS

Hon. Speaker: Hon. Members, I have this second Communication. As you may recall, on 6th June 2019, I conveyed to the House a Message from the Senate regarding the passage of

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the County Early Childhood Education Bill (Senate Bill No.26 of 2018), the Public Participation Bill (Senate Bill No.4 of 2018), the Petition to County Assemblies (Procedure) Bill (Senate Bill No.22 of 2018), and the Treaty Making and Ratification (Amendment) Bill (Senate Bill No.23 of 2018).

Hon. Members, following the First Reading of the four Bills on 11th June 2019, I undertook to pronounce my opinion with respect to money Bill; effects of the Bills pursuant to Standing Order 143(2), which provides:

“Following First Reading, the Speaker shall, within reasonable time, pronounce his or her opinion contemplated under Article 114(2) of the Constitution.”

Therefore, I have made the following determination on the said Senate Bills:

(i) The County Early Childhood Education Bill (Senate Bill No.26 of 2018) and the Petition to County Assemblies (Procedure) Bill (Senate Bill No.22 of 2018) do not fall within the meaning of a “money Bill” as contemplated in the Constitution. As such, they may proceed for Second Reading in the same manner as a Bill originating in the National Assembly as provided for under Standing Order 143(3). These Bills, therefore, stand referred to the Departmental Committee on Education and Research and the Committee on Justice and Legal Affairs respectively for consideration.

(ii) The Public Participation Bill (Senate Bill No.4 of 2018) and the Treaty Making and Ratification (Amendment) Bill (Senate Bill No.23 of 2018) are “money Bills” within the meaning of Article 114 of the Constitution. They, therefore, stand referred to the Budget and Appropriations Committee for consideration and advice on the manner in which the House ought to proceed, pursuant to the provisions of Articles 109(5) and 114 of the Constitution, as read together with Standing Order 143.

Hon. Members, the House is thus accordingly guided.

Thank you. Next Order!

PETITION

ALLEGED REFUSAL BY TSC TO PROMOTE TEACHERS IN SAMBURU COUNTY

Hon. Speaker: The Member for Samburu North, Alois Lentoimaga, you have the Floor.

Hon. Alois Lentoimaga (Samburu North, JP): Thank you, Hon. Speaker, for giving me this opportunity to present the public petition regarding the alleged refusal by the Teachers Service Commission (TSC) to promote teachers serving in Samburu County and its environs.

I, the undersigned, on behalf of 19 concerned teachers in Samburu North Constituency, draw the attention of House to the following:

1. That, Article 41(1) of the Constitution entitles every person to fair labour practices;
2. That, the petitioners have and continue to selflessly serve the nation under the TSC in the volatile and hardship areas of northern Kenya, particularly in Samburu County;
3. That, the petitioners are aggrieved that despite their selfless service in the face of risks and hardships in northern Kenya, the TSC has marginalised them in term of promotions;

4. That, Part IV of the regulations (Kenya Subsidiary Legislation of 2015) made pursuant to Section 47 of the Basic Education Act provides for the criteria and the procedures for promotion of teachers from one grade to another;

5. That, under the said Regulations, a teacher is automatically promoted to the next grade after three years of service in the present grade, until Job Group L, from where promotions are based on appraisals and interviews upon advertisement of vacancies;

6. That, most teachers, especially those serving in northern Kenya are not promptly promoted to the next Job Group after serving the mandatory three years in the entry Job Group or common cadre job groups, hence, most of them have overstayed in the same job groups for as long as 15 years without promotion;

That, even though the TSC considers several other factors to promote a teacher, it is inconceivable that for 15 years, a teacher cannot meet the requirements for promotion;

That, the delay by the Commission in promoting teachers has lowered the morale of the teachers especially in rural northern Kenya, caused teacher shortages, increased attrition of teachers to other regions where their chances of promotions are higher thereby affecting performance in schools in the region;

That, local teachers have not been appointed to head local schools because most of them do not meet the requisite Job Group, which is M, N and P for appointment as school heads, and the only option left for most northern Kenya schools is to have head teachers from other counties;

That, the head teachers from outside the county are allegedly absent from work most of the time attending to family or personal issues far away, some stay away from schools due to the volatile state of security in the region, leading to mismanagement of schools;

That, efforts to have the matter addressed by the TSC have not yielded any fruit; and,

That, issues in respect of which this Petition is made are not pending before any court of law or constitutional or statutory body.

Therefore, your humble petitioners pray that the National Assembly, through the Departmental Committee on Education and Research:

(i) inquires why teachers from northern Kenya have overstayed in their current Job Groups (J to L) for as long as 15 years without being promoted;

(ii) explores possibilities for applying the principle of affirmative action to promote heads of schools for the local schools from among the local teachers willing to serve in northern Kenya, as soon as possible, so as to improve standards and boost the morale of the affected teachers; and,

(iii) makes any other orders it deems fit in the circumstance of this matter.

And your Petitioners will forever pray

Hon. Speaker: Well the Petition is referred to the Departmental Committee on Education and Research for consideration in the normal manner.

Hon. Members, before I proceed, allow me to recognise the presence, in the Speakers Gallery, of students from the following institutions: St Charles Lwanga Girls High School, Nyaribari Masaba Constituency, Kisii County; ACK Holy Trinity Sosit Primary School, Belgut Constituency, Kericho County; Ngenia Secondary School, Laikipia North Constituency, Laikipia County, and Kaharo Secondary School, Mukurweini Constituency, Nyeri County. They are all welcome to observe the proceedings of the National Assembly this afternoon.

(Applause)

Next Order!

NOTICES OF MOTIONS

FORMATION OF AGRI-BUSINESS ENTITIES FOR SUSTAINABLE FOOD AND NUTRITIONAL SECURITY

Hon. Speaker: The Member for Tigania West, Hon. (Dr.) John Mutunga you have not carried your card?

Hon. John Mutunga (Tigania West, JP): Hon. Speaker, I beg to give Notice of the following Motion:

THAT, aware that farmers in Kenya are least organised into associations, following the collapse of the agricultural cooperatives; further aware that the Crops Act, 2013 provides for registration of farmers so as to establish who they are and what they produce; noting that Government's efforts to establish farmers' organisations have ended up delivering short-lived and unsustainable initiative-based groups which fizzle out soon after their formation; further noting that the best way to organise farmers is through their organisations; appreciating that the best suited organisation to undertake farmers' registration is the Kenya National Farmers' Federation which has both experience and capacity; further noting that through organised farmers, farming will be more beneficial in terms of volumes, lowered cost of production and improving organised raw material supply to industry; realising that organising farmers into Agri-business entities is a costly undertaking which calls for Government support, and acknowledging that through organised production systems, the country will achieve the Big Four Agenda faster and also create more and better jobs in the agricultural value chains; this House urges the Government to facilitate and support the Kenya National Farmers' Federation to mobilise and organise the registration of farmers into preferred entities and manage national farmers' database for use in engagements and sustainable management of the various agricultural product value chains.

Thank you.

Hon. Speaker: Very well. Next Order!

ORDINARY QUESTIONS

Question No.278/2019

STALLED REA PROJECTS IN OL JOROK CONSTITUENCY

Hon. Speaker: The First Question is by the Member for Ol Jorok Constituency, Hon. Michael Muchira. Please, have your card ready. Use the microphone next to you.

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Hon. Michael Muchira (Ol Jorok, JP): Hon. Speaker, I beg to ask the Cabinet Secretary for Energy:

- (i) Whether he is aware that several electrification projects namely; Ahiti Iriani (Kwa Meja), Busara Mutitu, Gatitu kwa Ndivo area, Kianjata Njunu, Kwa Ngara Pondo area, Thunjui area and Ngano Turuit, which were started in Ol Joro Orok Constituency under the Rural Electrification Authority (REA) in the year 2017 have since stalled; and,
- (ii) what measures the Ministry is putting in place to ensure that the said projects are completed and by when,
Thank you.

Hon. Speaker: Very well, the Question will be responded to before the Departmental Committee on Energy.

Next Question is by the Member for Sigowet/Soin Constituency, Hon. Kipsengeret Koros.

Question No.279/2019

STATISTICS ON KUCCPS PLACEMENT OF 2018 KCSE CANDIDATES

Hon. Kipsengeret Koros (Sigowet/Soin, Independent): Hon. Speaker, I beg to ask the Cabinet Secretary for Education and Research the following Question:

- (i) whether he could provide detailed statistics on the placement of students by the Kenya Universities Colleges Central Placement Service (KUCCPS) in respect of the recently concluded exercise for the 2018 KCSE candidates specific to the programme and the particular university placement as well as the number of students each university was allocated;
- (ii) what the expected transition rate of KCSE 2018 candidates to local universities and in particularly universities available for placement by the Government through KUCCPS;
- (iii) how the slots for those who will not report will be filled up; and,
- (iv) what the Government's contingent approach to sustain public universities with extremely low admissions over the recent years occasioned by low number of students is meeting the low-cut points for the local university admission.

Hon. Speaker: Question will be responded to before the Departmental Committee on Education and Research. The next Question will be by the Member for Tharaka, Hon. George Gitonga Muragara.

Question No.280/2019

CHALLENGES FACED BY INUA JAMII CASH TRANSFER PROGRAMME

Hon. George Gitonga (Tharaka, JP): Thank you, Hon. Speaker.

I beg to ask the Cabinet Secretary for Labour and Social Protection:

- (i) whether he is aware that the Inua Jamii Cash Transfer Funds implemented under the National Safety Net Programme for the less privileged in society is facing a

myriad of challenges including most cash transfer pay points being located in far flung areas that the elderly find very hard to access;

- (ii) whether he could consider liaising with commercial banks to undertake mobile disbursements of the funds to the nearest chiefs' offices in all locations in Kenya at regular and convenient intervals to enable the elderly and 'persons living with disabilities access the funds without any delays and inconveniences.

Hon. Speaker: That Question will be responded to by the Cabinet Secretary before the Departmental Committee on Labour and Social Welfare. The next Question is by the Member for Mwatate, Hon. Mwadime.

Question No.281/2019

WRONG COMPENSATION BY KENHA

Hon. Andrew Mwadime (Mwatate, ODM): Thank you, Hon. Speaker. I beg to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works:

- (i) whether he is aware that S. K. St Lukes, Namanga Church was wrongly compensated by the Kenya National Highways Authority (KENHA) for alleged surrender of parcels of land namely Wusi Kaya/2334, Wumari/Sechu/A/3 and Wumari/Sechu/A/4 for the construction of Mwatate-Taveta Road instead of the rightful owner; the ACK St. James Mwatate Church; and,
- (ii) what steps he is taking to ensure that ACK St. James Mwatate Church is rightfully compensated by KeNHA.

Hon. Speaker: The Question will be responded to before the Departmental Committee on Transport, Public Works and Housing.

The next Question is by the Member for Mogotio, Hon. (Dr.) Daniel Tuitoek. If anybody desires to have their Question deferred for whatever reason, they can write to me or the Clerk. Any other mode of communication is not permitted or will be unknown to the rules of the House. So, the Member is absent. He is not desiring to be present.

The Question is dropped!

(Question dropped)

Question No.282/2019

BURNING OF HOUSES BY KENYA FOREST SERVICE GUARDS

(Question dropped)

Hon. Speaker: Before we move on to the next Order, allow me to recognise a group of 21 students from PURES Village, highest performance, who are in the House under the State House administration from Dagoretti North Constituency, Nairobi County. They are welcome to observe the proceedings in the National Assembly this afternoon.

(Hon. Alois Lentoimaga walked along the gangways)

The Member for Samburu North, you just raised an issue about hardship, and you appear to be in a hardship area even now.

(Laughter)

Members who are making their way in, please, do so briskly.

MOTION

AGREEMENT WITH REPORT OF COMMITTEE OF SUPPLY ON ESTIMATES OF RECURRENT AND DEVELOPMENT EXPENDITURE FOR 2019/2020

THAT, this House do agree with the Report of the Committee of Supply on its consideration of the Estimates of Recurrent and Development Expenditure for the National Government for the Financial Year 2019/2020, in respect of Votes 1011, 1021, 1023, 1024, 1032, 1035, 1041, 1052, 1064, 1065, 1066, 1068, 1071, 1072, 1081, 1091, 1092, 1093, 1094, 1095, 1107, 1108, 1112, 1122, 1123, 1132, 1134, 1152, 1162, 1164, 1165, 1167, 1168, 1173, 1174 and 1175, approves the same with amendments and seeks leave to sit again, today.

Hon. Members, as you recall during yesterday's sitting at the Committee of Supply, various Votes were considered. What remained is for me to put the Question for agreement.

(Question proposed)

Hon. Speaker: Hon. Members, I am proposing that Question.

(Loud consultations)

I put the Question?

Sorry, Hon. Members, most likely the Supplementary Order Paper has not been approved.

It has.

There is a proposal to amend. Let me allow the Member making the proposal to move it. The Chairman, Budget and Appropriations Committee (BAC), you have the Floor.

Hon. Kimani Ichung'wah (Kikuyu, JP): Hon. Speaker, I beg to move an amendment to the Motion to recommit a Vote:

THAT, the Motion for agreement with the Report of the Committee of Supply be amended by inserting the following words "Subject to re-committal of Vote 1066 (State Department for early Learning and Basic Education).

This relates to movement of money for sanitary towels as had been proposed by the National Treasury, something we considered in the Committee yesterday, but was subject to agreement on whether the same Vote would be moved to the National Government Affirmative Action (NGAF) Fund. After consulting with the Chair, Hon. Wario, we agreed that we could not move the money to the NGAF.

However, we were in agreement that since we had already allocated more funds to the NGAF, and our women legislators are also able to utilise the same funds still under the Ministry of Education, we move it as proposed by the National Treasury to the Ministry of Education.

(Loud consultations)

Hon. Speaker: Hon. Members, you do not legislate by shouting!

Hon. Kimani Ichung'wah (Kikuyu, JP): Hon. Speaker, I, therefore, beg to move that the House doth agree with me...

Hon. (Ms.) Gladys Wanga (Homa Bay CWR, ODM): Hon. Speaker...

Hon. Speaker: Order Members! There must be order. Hon. Wanga, you cannot shout from where you sit. How is it that Members who are doing their second terms are the ones who seem not to follow the rules?

It is never done that way anywhere. Let the Mover make...

(Loud consultations)

You can oppose. Hon. Chair, proceed.

Hon. Kimani Ichung'wah (Kikuyu, JP): Hon. Speaker, as I said, the proposed amendment is to move the money from the Ministry of Public Service, Youth and Gender to that of Education. The simple reason is that there was a further amendment by Hon. Sabina Chege on moving the money from the Department of Gender to the NGAF. That amendment was defeated on the provisions of our own Standing Orders in accordance with your guidance that that amendment was time barred and could not be done yesterday.

Secondly, the justification is basically on a simple understanding that the sanitary towels are going to our girls in schools. Therefore, the Ministry that has the logistical systems and organisation to distribute the sanitary towels is the Ministry of Education. I beg our women legislators that these sanitary towels are not going to women. They are going to school girls who are based in schools.

Hon. Speaker, I know there is a spirited effort by our women legislators, whom we support, that the same way you are able to procure through county commissioners, you will do the same.

(Several female Hon. Members consulted loudly)

Hon. Speaker: Are you in the House or elsewhere? Hon. Members, maybe you may have forgotten the Standing Orders. More particularly Standing Order 107(1), which states:

“A Member commits an act of gross disorderly conduct if the Member—

(a) demonstrates or makes disruptive utterances against the suspension of a Member.”

If you are opposed to any proposal by a Member, I am here to allow you speak to it in opposition, but I will not allow you to just shout from your places. This is a National Assembly. It is not the County Assembly of Homa Bay or Kisii for that matter.

(Laughter)

It cannot be like that. If you are opposed, you will get a chance to speak to the proposal. In the meantime, remember the proposal is for re-comittal. Once recommitted, you will have the opportunity to discuss the merits and demerits and express yourselves through a vote when the Question is put.

This new method of just wanting to shout is not going to be allowed to continue. I will not allow it. I want to caution many of you, I have noted from there and there (pointing at different positions of the Chamber) and I will not allow you to legislate that way. It does not matter which county you come from.

(Loud consultations)

I am not part of the *Inua Mama*. I am not part of that kind of arrangement. We are here legislating. I do not know what those other things are. So, please, allow the Chair of the Budget and Appropriations Committee to move his proposal, then if you want to speak to it, I will allow you to do it. Even you will require to be protected to speak so that you can be understood. We cannot legislate this way.

So, Chair, Budget and Appropriations Committee, proceed.

Hon. Kimani Ichung'wah (Kikuyu, JP): Hon. Speaker, I think I had said what I needed to say. I wanted to also clarify that, indeed, this amendment is one of the numerous amendments that we considered yesterday in the BAC amongst the amendments that came from the National Treasury. I beg to move and ask Hon. Melly, the Chair of the Departmental Committee on Education and Research to second.

Hon. Julius Melly (Tinderet, JP): Thank you, Hon. Speaker. I beg to second. The issue of sanitary towels has been very emotive and the Ministry of Education gave it to the Ministry of Public Service, Youth and Gender three years ago. Distribution of sanitary towels has been wanting.

The Cabinet Secretary for the Ministry of Public Service, Youth and Gender gave it back to the Ministry of Education knowing very well it had distribution network. It should go on record that this year sanitary towels were not supplied to schools because of procurement issues in the Ministry of Public Service, Youth and Gender.

I beg to support that this item be brought back because the girls belong to the Ministry of Education. I want to tell our colleagues that they can distribute the sanitary towels through the ministry officials in the field. This can be done equitably across all constituencies and counties.

Thank you, Hon. Speaker.

(Several Hon. Members walked into the Chamber)

Hon. Speaker: Hon. Members, can you take your seats, so we can transact business?

(Question of the amendment proposed)

Hon. Speaker: Hon. Mbadi.

Hon. John Mbadi (Suba South, ODM): The Motion has been proposed, you know the problem with Pukose.

Hon. Speaker: Please, just speak to the issue of recommittal. Hon. Members, it looks like the more experienced, the more we forget. It is not possible for the Leader of the Minority Party to start addressing other Members across the aisle.

Hon. John Mbadi (Suba South, ODM): Hon. Speaker, even in politics we get senile. I agree that I sit in the Budget and Appropriations Committee. Unfortunately, I had left before this matter was discussed. I completely do not understand if these funds were voted to the Ministry of Public Service, Youth and Gender. Why is it too urgent that we have to reallocate to the Ministry of Education?

I want to urge that we let this matter rest and if there will be issues around the usage of the funds, then, next time we can make a different decision. But the way I see it, this is polarising this House further and it will be wrong for us to appear like there is gender war in the House. No! I am not part of the gender war. So, I want to oppose that recommittal.

Hon. Speaker: Hon. Wario.

Hon. Ali Wario (Bura, JP): Thank you, Hon. Speaker. I am lost and I ask for your indulgence. I am the Chair of the Departmental Committee on Labour and Social Welfare. We oversee the State Department for Gender through the budgetary process, and we allocated the sanitary pads money to the State Department for Gender.

As a Committee, we have not moved any amendment requesting for that money be moved to the Ministry of Education. Neither did my good friend, the Chair of the Budget and Appropriations Committee consult me about moving this money from the State Department of Gender to the Ministry of Education.

Hon. Speaker, I seek your indulgence on whether we have a role as committee Chairs, and at what point are our recommendations changed. I am shocked, baffled and I want guidance from you because we had allocated this money to the State Department for Gender. Who moved it and why? As the Committee which oversees that State Department, we want to know why.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Wario, I think the point you have raised is very fundamental. Hon. Duale, you have the Floor.

Hon. Aden Duale (Garissa Township, JP): Hon. Speaker, after Hon. Wario has spoken, I do not think with a budget of Kshs2.7 trillion this afternoon, we should argue on a matter as small as Kshs420 million. Again, concerning our girls, we do not look serious discussing a little amount given to sanitary pads. In the community where I come from, we do not discuss such things.

(Laughter)

Whether it is in the Ministry of Education or the Ministry of Public Service, Youth and Gender, we should not discuss such a thing.

(Hon. (Ms.) Fatuma Gedi consulted loudly)

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Hon. Speaker: Hon. Fatuma Gedi, next time I hear you shouting when another Member is speaking, you will see that door. There is no need for people to get excited about anything. Just listen.

Hon. Aden Duale (Garissa Township, JP): Hon. Speaker, I can assure you that even the ladies in this House can slap me and I will not slap them. I am a very peaceful man. So, I want to tell Fatuma that I do not play the league of last week. So, you can shout and I will not touch you, but you must live to the decorum of the House.

Yesterday and even today, the Speaker said that when you enter the Chamber, you must behave like a Member of Parliament. If you want to speak, you should ask the Speaker to give you a chance. You were not here and when Duale speaks, you want to shout. I want to ask the Chair of the Budget and Appropriations Committee to withdraw because he must also respect other Chairs. Hon. Ichung'wah has no interest, but he got letters from the National Treasury, which the Speaker and I have copies. So, this is from the Government. Therefore, he should just withdraw. As Africans, we do not discuss such matters. We can discuss other issues.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, let me just make this absolutely clear. The process in which we are now engaged is one that does not anticipate situations whereby even the Cabinet Secretary for the National Treasury can write letters. If any CS desires to make any representation, he or she must appear before the relevant departmental committee, convince, pursue and conjure the Members of that committee. Should there be intractable differences, the matter can then be referred to the Budget and Appropriations Committee, which will then consider what the Cabinet Secretary for the National Treasury is asking. But matters have been agreed to go to a particular State Department. So, it is not open to the Cabinet Secretary for the National Treasury to begin writing letters. That is why I do not look at those letters because the matters are before the committees.

The committees have taken a lot of time to go through and listen to whoever desires to be heard. Therefore, if the Chair of the Budget and Appropriations Committee is proceeding on the basis of some letter from the National Treasury, this is un-procedural. What needed to be done is that you would have invited the Departmental Committee on Labour and Social Welfare and the Cabinet Secretary responsible for those particular dockets together in a consultative meeting to agree on whatever changes. At this stage, I think it is only fair we adopt that kind of procedure so that the National Treasury should be told to relax.

Hon. Chair of the Budget and Appropriations Committee.

Hon. Kimani Ichung'wah (Kikuyu, JP): Thank you, Hon. Speaker. I thank the Leader of the Majority Party and yourself for the guidance. Let me state the following: One, it is, indeed, true that this came through a letter with a myriad of other amendments affecting the Ministry of Education, the Ministry of Interior and Coordination of National Government and the Ministry of Public Service, Youth and Gender Affairs. We did invite the Chairs and Hon. Wario can bear testimony because he sent a Member of the Committee to represent him before the Budget and Appropriations Committee. The Budget and Appropriations Committee, and, indeed, the Chair, has no interest in this matter at all. We absolutely have no interest. The only interest we have as Members of Parliament is to ensure that girls in our schools receive sanitary towels. Whether they get them from the Ministry of Public Service, Youth and Gender Affairs, the National

Government Affirmative Action Fund or the constituency Members, as long as our girls get the sanitary towels, it is fine.

Unlike Hon. Duale who will not discuss sanitary towels, I am a father to three beautiful girls and I will discuss them. In fact, my first daughter is 12 years old now and I am in talks with them on those things.

This is not the only amendment. I think it is important that the House pronounces itself on this matter because this is not the only matter. As I said, there were amendments from the Ministry of Interior and Coordination of National Government and the Ministry of Education and we went through them, but what worries us is that there seems to be a disconnect even within the Government between ministries and the National Treasury on the allocation of funds.

These funds, as Hon. Wario says, were, indeed, allocated to the Ministry of Public Service, Youth and Gender Affairs. We are being told that even the Cabinet Secretary in the Ministry of Public Service, Youth and Gender Affairs has a problem with these funds because of procurement issues. Two years ago, this money was in the Ministry of Education. It was moved to the Ministry of Public Service, Youth and Gender Affairs and now it is being moved back to the Ministry of Education. Our gracious women representatives want this money to go to the NGAAF. However, all in all, since we have no particular interest in this matter and we do not want to polarise the House on a matter that is not of our own making but of the making of the Executive, we should do what is the most honourable thing for this House. We do not want to polarise the House. We withdraw the amendment, but also serve notice to the National Treasury and the Executive that by the time they bring Estimates, they should have decided on where to apportion particular Votes. Let them not bring their turf wars to the House. Hon. Melly has no issues with Hon. Wario, neither do I have any issues with Hon. Wario, Hon. Melly or Hon. Koinange. They are bringing issues now even between the committees. Had we allowed many of the amendments that the other Members of the committees were opposed to... You can see that is why Hon. Kolosh has moved his seat to come and sit next to me because of amendments that touch on other areas.

Hon. Speaker, I, therefore, beg to withdraw that amendment and we proceed with the other Votes without re-committal.

*(Proposed amendment by Hon. Kimani Ichung'wah
on Recommittal of Vote 1066 withdrawn)*

Hon. Speaker: Hon. Members, when we listen to one another, you can see even Hon. Gladys Wanga now is very relaxed. Hon. Janet Ong'era is very relaxed. Hon. Fatuma Gedi has also relaxed. It is because we have been able to listen to one another. It could not have come if we did not hear what Hon. Mbadi, Hon. Duale, Hon. Wario and the Chair have said. So, I just want to beseech that let us allow everyone an opportunity to say what they have to say on the many issues that are before us. Now the matter has been withdrawn. The Motion for re-committal has been withdrawn. So, there might be nothing for the elder to comment on. Please, your information is now not necessary at this stage.

Hon. Jimmy Angwenyi, this is not just about girls. The issue is now spent. Nobody is discussing about girls now. Hon. John Mbadi, you notice that there is need, within the

nominations being made under Article 95 of the Constitution, to create room for nominating elders. They want to give elderly advice. Hon. Jimmy Angwenyi, what is your elderly advice?

Hon. Jimmy Angwenyi (Kitutu Chache North, JP): Actually, my advice is on the provisions of the Constitution of Kenya, which states that we must respect our culture. In all African cultures, men do not discuss about nickers... What do you call those things? They do not discuss them. So, we should have left sanitary towels alone. Men do not discuss them. Actually, you might be condemned. So, I advise my menfolk not to discuss sanitary towels, nickers and those other things that belong to women.

Hon. Speaker: Order, Hon. Members! Please, take your seat. The Chair of the Budget and Appropriations Committee, having withdrawn his proposed amendment, I, therefore, put the Question.

(Question put and agreed to)

COMMUNICATION FROM THE CHAIR

INVITATION TO AN OPEN DAY BY PARLIAMENTARY CAUCUS ON SUSTAINABLE DEVELOPMENT GOALS

Hon. Members, before we go to the next Order, allow me to convey that Standing Order No.259A provides for the recognition of parliamentary caucuses formed to advance a common legislative objective. Indeed, we have had numerous caucuses established in the history of our Parliament with diverse objectives and purposes. One such caucus is the Parliamentary Caucus on Sustainable Development and Business, which was initiated by the Member for Kibra, Hon. Ken Okoth, and which is currently chaired by the Member for Bondo, Hon. (Dr.) Gideon Ochanda. The Caucus has had several activities in the past geared towards mainstreaming Sustainable Development Goals (SDGs) in the national discourse.

Hon. Members, it is against this backdrop and through my office that the Caucus, in conjunction with other partners, has organised an open day to disseminate information on SDGs and explore modalities for responsive business through legislation, oversight and partnership and also to launch its strategic plan. The open day will be tomorrow, Thursday 20th June 2019, at the Parliament Courtyard starting at 9.30 a.m. All Members are invited to the event. I thank you, Hon. Members.

Next Order!

SPECIAL MOTION

APPROVAL OF NOMINEES FOR APPOINTMENT AS HIGH COMMISSIONERS/AMBASSADORS

Hon. Speaker: Let us have Hon. Tong'i.

Hon. Richard Tong'i (Nyaribari Chache, JP): Hon. Speaker, I beg to move the following Motion:

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THAT, taking into consideration the findings of the Departmental Committee on Defence and Foreign Relations in its Report on the Vetting of Six Nominees for Approval as High Commissioners and Ambassadors, laid on the Table of the House on Tuesday, 18th June 2019, and pursuant to the provisions of Article 132(2)(e) of the Constitution and Section 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House approves the appointment of the following persons as High Commissioners and Ambassadors –

- (1) Amb. Purity Wakiuru Muhindi for appointment as Ambassador to Dakar, Senegal.
- (2) Amb. Eliphaz Mugendi Barine for appointment as High Commissioner to Accra, Ghana.
- (3) Ms. Halima Abdille Mohamud for appointment as Ambassador to Kuwait City, Kuwait.
- (4) Amb. Andrew Maina Kihurani for appointment as Ambassador to Bern, Switzerland.
- (5) Amb. Jackline Lumumba Yonga for appointment as Ambassador to Rome, Italy.
- (6) Amb. Lemarron Kaanto for appointment as Ambassador to Berlin, Germany.

The Departmental Committee on Defence and Foreign Relations conducted approval hearings for the above Ambassadors and High Commissioners on 10th June 2019. We received the duly-filled questionnaires and looked at their CVs and documentation from the relevant authorities. We listened to the oral submissions during the approval hearings and made various observations. We also advertised in the print media on Thursday, 30th May 2019 inviting the public to submit memorandum by way of written statements or notes. We received some memoranda. Some were in support and a few were not, but they did not meet the criteria required for usage in the House.

Ambassador Purity Wakiuru Muhindi holds a Bachelor of Arts Degree in Political Science and Sociology from the University of Nairobi, a Post-Graduate Diploma in Mass Communication from the University of Nairobi, a Post-Graduate Diploma in International Relations and a Master's Degree in Media Governance and Democracy. She is a career public civil servant. She has 32 years' experience in the Ministry of Foreign Affairs.

She started her career as an Assistant Secretary III under the European Union (EU) in 1984. She rose through the ranks to the position of Director of Africa and the African Union (AU) in the Ministry of Foreign Affairs.

Ambassador Jackline Lumumba Yonga holds a Bachelor of Arts Degree in Economics and History from the University of Jabalpur and a Master's Degree in Human Resource Management from Poona University both from India. She is a career public servant with 31 years' experience. Having served in various ministries, we found her duly qualified to serve.

Madam Halima Abdille Mohamud holds a Bachelor of Education Degree from Kenyatta University. She is currently pursuing a Master of Arts Degree in Gender and Development Studies - Project Management Option from the University of Nairobi. Halima Abdille Mohamed is a public servant with over five years' experience and has held various positions in both the public and the private sector. She was previously a nominated Senator from August 2013 to August 2017.

Ambassador Lemarron Kaanto holds a Bachelor of Arts Honours in Sociology from the University of Nairobi, a Postgraduate Diploma in Food Security and Nutrition from Wellington University in the Netherlands and a Postgraduate Diploma in Human Rights and Gender Equity

from Sweden University. He also holds an Executive Master's in Business Administration in Leadership and International Business Development from Copenhagen Business School, a Master of Arts in Sociology from Catholic University and is currently pursuing a PhD in Social Transformation from North-West University South Africa as from March 2019.

Ambassador Lemarron Kaanto has work experience of over 22 years. He began his career as a Project Development Manager in March 1996. He rose through the ranks of the corporate ladder to become a Corporate Affairs and Community Development Manager for Tata Chemicals Magadi Limited in 2014. He was the coordinator of the Information Centre for Extractors in the United Nations Development Programme (UNDP) in Kenya up to 2015. He was later appointed Deputy Ambassador - Head of Kenya Mission for the Government of Kenya from January 2015 to August 2015 in Algeria, and September 2015 to date in South Africa.

Ambassador Andrew Maina Kihurani holds a Bachelor of Arts Degree and a Postgraduate Diploma in International Relations graduating in 1998 both from the University of Nairobi. He has work experience of over 32 years. He started his career as an Assistant Secretary III in the Ministry of Foreign Affairs in 1996 and rose through the ranks from Assistant Secretary III to position of Ambassador/Deputy Ambassador Representative of the Kenya Permanent Mission to the UN in Geneva.

Ambassador Eliphas Mugendi Barine holds a Bachelor of Arts Degree in Anthropology and a Postgraduate Diploma in International Relations both from the University of Nairobi. He holds a Master's Degree in International Relations from the University of Annamalai, India. He has more than 26 years' work experience. He began his career as an Assistant Secretary Cadet - African Division in the Ministry of Foreign Affairs. He was later appointed Deputy Head of Mission of Kenya to New Delhi, India. Subsequently, he was appointed Director of Liaison, Parliamentary and County Affairs - a position he has held until today.

[The Speaker (Hon. Justin Muturi) left the Chair]

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

The Committee observed that the nominees had received clearance letters from the Ethics and Anti-Corruption Commission (EACC), the Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB), Office of the Registrar of Political Parties and the Kenya Revenue Authority (KRA). The Committee observed that the nominees demonstrated that they had the requisite qualifications and experience for appointment as Ambassadors and High Commissioners.

The Committee is aware that the composition of elective and appointive bodies should reflect the principle of regional diversity, gender, representation of persons with disabilities and employment of youth. The Committee appreciated the appointing authority taking into consideration these principles and nominating a youth, Hon. Halima Abdille Mohamed, and a person with disability, Amb. Jackline Lumumba Yonga. In terms of gender, the nominees included three males and three females. This was one of the best list of nominees.

Having considered the suitability and integrity of the nominees and pursuant to Article 132(2)(e) of the Constitution and Standing Order No.216(5)(f), the Committee recommends that the National Assembly approves the nomination by His Excellency the President of -

- (1) Amb. Purity Wakiuru Muhindi for appointment as Ambassador to Dakar, Senegal.
- (2) Amb. Jackline Lumumba Yonga for appointment as Ambassador to Rome, Italy.
- (3) Hon. Halima Abdille Mohamud for appointment as Ambassador to Kuwait City, Kuwait.
- (4) Amb. Lemarron Kaanto for appointment as an Ambassador to Berlin, Germany.

(Loud consultations)

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Order, Hon. Members! Can you consult in low tones and allow the Chairperson to move his Motion? Can those who are consulting in the wrong areas resume their seats? Let us have the Chairman.

Hon. Richard Tong'i (Nyaribari Chache, JP): Thank you, Hon. Temporary Deputy Speaker, for helping me. I beg to move and request Hon. (Maj.) Bashir to second the Motion.

I thank you all.

Hon. Major (Rtd.) Bashir S. Abdullahi (Mandera North, JP): Thank you, Hon. Temporary Deputy Speaker. Without taking much time, I want to make a few comments. I want to remind the House that in our last Session, I mentioned that the previous appointments of this nature did not meet gender and ethnicity requirements. I am on record. However, I am glad because the current appointments have considered regional balance, ethnicity and gender. For the first time, I wish to note that the two-thirds gender rule has been surpassed in this case. We have three men and three women. That means that the gender balance is 50-50 for this appointment. It is a good thing for this country.

One thing to note is that persons living with disabilities and the youth are represented to serve as ambassadors outside this country. The nominees have all the requisite qualifications. They performed in previous appointments. Therefore, they proved before the Committee that they can work and serve this country. It is my humble submission that this House agrees in totality with the recommendations of the Departmental Committee on Defence and Foreign Relations.

Therefore, I second the Motion. Thank you.

(Loud consultations)

(Several Members stood in their places)

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Order Members! Can I allow the Members to resume their seats? I said that you resume your seats, and not move from one seat to the other.

(Question proposed)

The Motion is open for debate, Hon. Members. I will start with the Leader of the Majority Party.

Hon. Aden Duale (Garissa Township, JP): Hon. Pukose has no business here. We have to debate this important Motion. Thank you, Hon. Temporary Deputy Speaker. I beg to support the Report of the Departmental Committee on Defence and Foreign Relations. I want to go on record that I know three or four of these personalities. They are career diplomats.

In line with the provisions of the Constitution and the Public Appointment (Parliamentary Approval) Act of 2011, the Committee subjected all of them to the statutory requirements in terms of qualifications, tax compliance, integrity through the EACC, certificate of good conduct from the Directorate of Criminal Investigations (DCI) and the Leadership and Integrity Act.

Ambassador Yonga is a career diplomat. I know her because she has been in the Ministry. At one time, she was the Liaison Officer between the Ministry of Foreign Affairs and International Trade and the National Assembly. Until Ambassador Barine's appointment, he was the Parliamentary Liaison Officer and a career diplomat who was the link between the Office of the Speaker, Office of the Clerk and my office. He made sure that there is synergy between Parliament, the Ministry of Foreign Affairs and International Trade and our diplomatic stations outside this country. He is a man whom I know. He has grown over the years in the Ministry of Foreign Affairs and International Trade.

The other person, whom I have worked with in the Ministry of Foreign Affairs and International Trade and Parliament is Ambassador Purity Muhindi as Director of various desks in the Ministry. She is now going to Dakar, Senegal. She is also very polished and a renowned diplomat whom I am sure will serve the people of Kenya wherever she goes.

Ms. Halima Abdille Mohamud is a former Senator in the 11th Parliament. She is a very young brilliant lady from the part of the world that I come from in the north. We want to thank the President for showing confidence in the young people of our country. Days are gone when diplomats used to be grey-haired. We want to have young diplomats. This started with President Uhuru Kenyatta. I remember our current Ambassador in Zambia is also a very young lady. We approved her name in 2013.

Ms. Halima joins the league of the young diplomats whom we have in our country. I want to thank the President because a number of colleagues who lost in the last election from the northern region were given different opportunities. Hon. Shidiye is our Ambassador in Botswana.

Ambassador Andrew Maina is also a career diplomat. I am sure he will serve us well. Unlike last time when there was an issue, I really want to ask colleagues that when we are given an opportunity to vet nominees, we must comply with the law, even if that person is related to you.

I want the Chair of the Committee to listen to me. If what is in the Report is true that the Kenya Revenue Authority (KRA) did not submit a response to confirm whether the six nominees were tax compliant, then we must indict the leadership of KRA. The KRA, like the EACC and the DCI, must write a confidential letter to the Committee and say that the individuals are tax compliant or not. If the Committee says that the six nominees brought their tax compliance certificate, how can you authenticate those documents? The new Director-General of the KRA must listen to this House. If he is told to send a confidential report to any committee of this House for the vetting of nominees, whether for appointment as ambassadors, principal secretaries, cabinet secretaries or constitutional commissioners, he is under obligation to do so. I

want the Clerk to write to the KRA even as we approve the nominees, within the next two days, to ask him to bring a confidential letter. We do not want to approve nominees and then we are later told that one of them has tax issues and that he or she is being taken to court.

Parliament will be indicted in such a situation. So, institutions that are under obligation to give reports when vetting is being done should not take their work lightly. We cannot indict the nominees because that is a communication between the Office of the Clerk and the KRA. Before any vetting begins, any Chair of a Committee must insist on having a confidential letter from the KRA, the DCI, the EACC and the Credit Reference Bureau. Such documents should be in their custody. That is what we do when we vet nominees in the Appointments Committee. That is not the fault of the nominees but the fault of the KRA and our Clerk.

“Mr. Speaker”, having considered the Report of the Committee on the suitability and integrity...

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Leader of Majority Party, as much as I appreciate the word “Mr.”, I confirm to this House that I am not a “Mr.”

Hon. Aden Duale (Garissa Township, JP): You are Madam Speaker. There is no way you can be “Mr. Speaker”. I apologise and withdraw. Today, I said that I respect women and they must also respect me. Respect is two way.

On the suitability and integrity of the nominees, and pursuant to Article 132(2)(e) of the Constitution and Standing Order No.45(4), the Committee unanimously agreed that these nominees are suitable to hold these positions. As we move forward, I ask the Departmental Committee on Defence and Foreign Relations to ensure that we allocate more resources to the Ministry of Foreign Affairs and International Trade and its foreign stations during the budget-making process. When we go out on parliamentary duties, some of our diplomatic missions out there have to hire vehicles for our transport. Therefore, we must have a specific Vote line for all our diplomatic missions abroad and ensure that they are sufficiently resourced, so that they can have enough vehicles and other amenities because they represent the people of Kenya.

Parliamentarians are always received at the airport by our ambassadors. So, we must also be cognisant of the budget we allocate to the Ministry of Foreign Affairs and International Trade in making sure that our foreign missions across the world are adequately funded.

With those remarks, I beg to support and ask the House to approve the nominees and move on to the Committee of Supply

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Before I put the Question, let me have the Member for Funyula.

Hon. Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support the list of nominees presented by the Committee. It is time we rewarded hard working public servants who have grown through the ranks, having demonstrated competence and ability to serve. However, as we have always said, future appointments must reflect the face of Kenya. We have always asked for this audit. The list presented before the House does not reflect the face of Kenya, but since they are all Kenyans, I support the approval of the nominees.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Yes the Member for Ijara.

Hon. (Ms.) Sophia Noor (Ijara, PDR): Thank you, Hon. Temporary Deputy Speaker for giving me this chance to support the Report of the Departmental Committee on Defence and Foreign Relations. I congratulate the Committee for the Report and for the wonderful work it has done. I also congratulate the nominees. I know some of them. They are hardworking, humble and experienced public servants who know what to do. They will advance the interests of this country wherever they are going to represent us. Congratulations to them! They will do useful work and place the name of this nation on the map of the world. They are people of high integrity. They have the experience and academic qualifications required of a person to act on behalf of this country.

I have known Halima Abdille from childhood. She is a humble lady who is well experienced. She is a hardworking person who understands this country properly. Therefore, she can represent us well because she has gone around the country and has seen how people in the country live. She understands the challenges of the country. She will sell this country properly wherever she will be. I have been a teacher and she has gone through school with my daughters. I know her at that level.

When she was at the university doing Bachelor of Education, my daughter was studying Medicine and Surgery at the same university. I have been to the university to give talks. Whenever I went there, Halima was one of the students who would stand up and talk about the geography of this country.

With those remarks, I support 100 per cent the approval of all the nominees.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): The Member for Ndhiwa, you have the Floor.

Hon. Martin Owino (Ndhiwa, ODM): Hon. Temporary Deputy Speaker, I rise to support the approval of the nominees. Having heard about their educational background, they deserve to be given a chance. However, as one of us said, in the next appointments, it is fair to have a representation of the face of the nation. I was also disturbed, but this can be expressed to the Committee and the KRA - that it is not good for us to approve them if we do not know their tax compliance standings. I hope that does not happen in the next appointments. We should have it upfront as well.

I support and wish them all the best.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): There is an intervention from the Member for Kajiado South.

Hon. Katoo ole Metito (Kajiado South, JP): I have a point of information. I want to clarify that all the nominees have clearance from the KRA on tax compliance. We highlighted in the Report that Parliament wrote to KRA so that they could get us the clearances but, by the time of going for vetting, KRA had not communicated to Parliament. Despite that, all the nominees had authenticated tax compliance certificates because they also applied as individuals.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Are you a member of the Committee?

Hon. Katoo ole Metito (Kajiado South, JP): I am the Chair.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Thank you, Chair of the Committee for the confirmation and information.

Hon. Ali Rasso (Saku, JP): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): There is a point of order from the Member for Saku. What is out of order?

Hon. Ali Rasso (Saku, JP): Thank you, Hon. Temporary Deputy Speaker. I rise under Standing Order 95. Considering that the Committee passed all the nominees without any issues hanging around them and the fact that this House is seized with the Budget, could you ask the Mover to reply?

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Members, before I put the Question, I must recognise students from Ndururumo High School, Laikipia West Constituency, Laikipia County. Please join me in welcoming them as they observe the proceedings of the House from the Public Gallery.

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

Hon. Richard Tong’i (Nyaribari Chache, JP): Hon. Temporary Deputy Speaker, my friend, Hon. Sankok, is very excited that we have, for the first time, got a nominee who is disabled and he wants to say something in support. So, I donate to him two minutes.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Order! We must follow the procedures of the House. I am not in a position to give him the time because the debate was prematurely ended. Those are the procedures of the House.

Hon. Richard Tong’i (Nyaribari Chache, JP): I am ably guided. I thank the Members for the support of six nominees that we have given to serve as ambassadors and high commissioners. They are very qualified as has been alluded to in their CVs and in the contributions from Members.

I beg to reply.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Members, I confirm that the House is properly constituted for purpose of taking a vote. I, therefore, move to put the Question.

(Question put and agreed to)

Next Order.

COMMITTEE OF SUPPLY

(Order for Committee read, being the Second Allotted Day)

[The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu left the Chair]

IN THE COMMITTEE

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

ESTIMATES OF RECURRENT AND DEVELOPMENT EXPENDITURE FOR THE FINANCIAL YEAR
2019/2020

The Temporary Deputy Chairman (Hon. Patrick Mariru): order, Members. We are now in the Committee of Supply (2nd Allotted Day).

VOTE 1184 - STATE DEPARTMENT FOR LABOUR

THAT, a sum not exceeding Kshs6,233,470,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1184 (State Department for Labour).

(Programmes 0910000, 0906000 and 0907000 agreed to)

(Vote 1184 agreed to)

VOTE 1185 - STATE DEPARTMENT FOR SOCIAL PROTECTION,
PENSIONS AND SENIOR CITIZENS AFFAIRS

THAT, a sum not exceeding Kshs34,312,629,200 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1185 (State Department for Social Protection, Pensions and Senior Citizens Affairs).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Makali Mulu.

Hon. Makali Mulu (Kitui Central, WDM-K): Thank you, Hon. Temporary Deputy Speaker. If you look at this vote, it is actually the State Department for Social Protection, Pensions and Senior Citizens Affairs. It is under this Vote that we have money for the elderly. I wanted to note that, as we approve this money, it is important that the State Department ensures the money reaches the elderly in good time. There has been a lot of delay and the elderly members of the society are suffering out there. So, I want to encourage the Department to make sure that the old people get their money in good time and in the most efficient manner. That is what we have always said in this House.

(Programmes 0908000, 0909000 and 0914000 agreed to)

(Vote 1185 agreed to)

VOTE 1192 – STATE DEPARTMENT FOR MINING

THAT, a sum not exceeding Kshs1,206,326,074 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1192 (State Department for Mining).

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Martin Owino, do you want to contribute on this?

Hon. Martin Owino (Ndhiwa, ODM): Yes, Hon. Temporary Deputy Speaker. Mining today is a trap for many people. So, many people are dying because there is no proper equipment for safety. As we approve this Vote, I did not hear anything on safety. It will be prudent that we also consider the safety of miners as they do their work.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order, Members. You must express yourselves through a voice vote. I will carry it again.

(Programmes 1007000 P1, 1009000 and 1021000 agreed to)

(Vote 1192 agreed to)

VOTE 1193 – STATE DEPARTMENT FOR PETROLEUM

THAT, a sum not exceeding Kshs5,707,102,900 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1193 (State Department for Petroleum).

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order, Members. I have to hear your expression either way. I will carry that again.

(Programme 0215000 agreed to)

(Vote 1193 agreed to)

VOTE 1202 – STATE DEPARTMENT FOR TOURISM

THAT, a sum not exceeding Kshs7,875,928,800 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1202 (State Department for Tourism).

(Programme 0306000 agreed to)

(Vote 1202 agreed to)

VOTE 1203 – STATE DEPARTMENT FOR WILDLIFE

THAT, a sum not exceeding Kshs9,156,168,700 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1203 (State Department for Wildlife).

The Temporary Deputy Speaker (Hon. Patrick Mariru): Yes, Member for Seme Constituency.

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker. As we approve this Vote, there is one important thing we need to know about wildlife. There is human-wildlife conflict. Compensation – although we passed a law in the last Parliament – has been poor. It takes years for persons to be compensated. So, as we approve this Vote, the State Department should make sure that human beings are protected and compensated.

I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Makali, do you want to speak on this?

Hon. Makali Mulu (Kitui Central, WDM–K): Thank you, Hon. Temporary Deputy Speaker. It is like Hon. Nyikal has taken words from my mouth. That is what I wanted to say. Compensation is a major issue in this country. The State Department should make sure that people are compensated when there is human-wildlife conflict.

Thank you.

The Temporary Deputy Chairman (Hon. Patrick Mariru): I will just get one or two others on this specific one. Hon. Catherine.

Hon. (Ms.) Catherine Waruguru (Laikipia CWR, JP): Thank you, Hon. Temporary Deputy Chairman. I also want to echo the sentiments of the Hon. Member who has just commented about the human wildlife conflict. This is the case which has been experienced by majority of us from Laikipia, and particularly Laikipia West, where our farmers are never compensated for their crops or even loss of human life. We hope that by passing this Budget in the Committee of Supply, we are going to see a change and that the Ministry concerned will start with immediate effect to compensate people who have lost their lives and people who have lost their properties because of human-wildlife conflict.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Lesuuda.

Hon. (Ms.) Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Temporary Deputy Chairman. I do not want to belabor this point. As soon as we have passed this Budget in the Committee of Supply and we have appropriated, we will be following up very keenly to see whether members that we represent have been compensated and, if not, in the next budget, there would rather be zero allocation on issues of compensation rather than voting in this House issues of compensation and nothing is actually not done. In the next budget, if it does not happen, they will get zero allocation.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Sankok, let us make progress. Please use 30 seconds.

Hon. David Sankok (Nominated, JP): Thank you very much, Hon. Temporary Deputy Chairman. This is the House that is mandated to allocate funds. Since we are allocating funds, we want to tell the Ministry in charge of wildlife that they should compensate those who have been affected and those who have been maimed by wildlife. Whenever an animal is killed, they

are very ready to take people to court. But when human beings are maimed, KWS is not responsible and does not take action. I think human life is more important than that of an animal. We want to conserve animals, but human lives must always be more important than those of animals.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Jessica.

Hon. (Ms.) Jessica Mbalu (Kibwezi East, WDM-K): Hon. Temporary Deputy Chairman, I would like to add my voice to the same issue. I would urge Hon. Members to pass this Vote so that we can ensure that there is proper implementation of the promised compensation. I represent the people of Kibwezi East Constituency and they have not been compensated. If our people are not compensated, we will not pass their budget next time.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Members, why do we not make progress? We have all agreed. We will all get a chance next time.

(Vote 1203 agreed to)

VOTE 1212 – STATE DEPARTMENT FOR GENDER

THAT, a sum not exceeding Kshs 4,343,382,764 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1212

(Programme 0911000 agreed to)

(Programme 0913000 agreed to)

Programme 0912000 -Gender Empowerment

Hon. Ali Wario (Bura, JP): Thank you very much Hon. Temporary Deputy Chairman. I am standing in for the Chair who is not feeling well.

Hon. Temporary Deputy Chairman, I beg to move:

THAT, the proposed allocation under the programme in respect of Recurrent Estimates, Kshs1,098,079,125 be deleted and substituted thereof with the figure Kshs1,248,079,125.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Vice Chair, you can briefly explain the import of that amendment, just to carry Members along.

Hon. Ali Wario (Bura, JP): Hon. Temporary Deputy Chairman, this is one of the amendments that were proposed by the Departmental Committee on Labour and Social Welfare to the Budget and Appropriations Committee. These monies were to be reallocated for the benefit of gender empowerment but within the same sector. So, we are removing about Kshs150 million and reallocating it to gender empowerment.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Makali Mulu.

Hon. (Dr.) Makali Mulu (Kitui Central, WDM-K): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Chairman (Hon. Patrick Mariru): What is your point of order, Hon. Makali?

Hon. (Dr.) Makali Mulu (Kitui Central, WDM-K): Hon. Temporary Deputy Chairman, would I be in order that we be given more details on that matter? We have just been given a general statement on gender empowerment. What is gender empowerment?

The Temporary Deputy Chairman (Hon. Patrick Mariru): Let us hear from Hon. Sankok. I think what Hon. Makali is raising is fundamental.

Hon. David ole Sankok (Nominated, JP): Hon. Temporary Deputy Chairman, I am a Member of the Departmental Committee on Labour and Social Welfare. This is the House that is mandated to allocate funds. We realised that we have allocated a lot of funds to National Gender and Equality Commission and most of those funds will be used in board room meetings, conferences and so on. We want this empowerment to go to the women on the ground. The only way we can have these funds going directly to the empowerment of women of this country is through National Government Affirmative Action Fund, which was introduced to this House for the 47 county women representatives. You will realise that for a long time, we have used a sizable amount of our money in the recurrent expenditure. The National Gender and Equality Commission only have a recurrent budget. Theirs is just conference and advocacy. Whenever we have funds, if it is possible, we reach to the women at the grassroots level.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Very well, Hon. Sankok. We must go there briefly. Hon. Makali, we will come to you, but let us have Hon. Wanga first. Then we will have a few Members.

Hon. (Ms.) Gladys Wanga (Homa Bay CWR, ODM): Thank you, Hon. Temporary Deputy Chairman. I rise to oppose this amendment.

First of all, I sit in the Departmental Committee on Labour and Social Welfare. This amendment was never processed through the Labour Committee.

Secondly, let me make this point. This is Kshs150 million being taken away from a constitutional commission. The National Gender and Equality Commission (NGEC) is a constitutional commission that is going to be grounded if this money is taken away from them. It is being moved to the National Government Affirmative Action Fund (NGAAF) and NGAAF is for 47 counties. If you move Kshs150 million from NGEC, you ground it. But then that money does not...

(Technical hitch)

When you divided Kshs100 million by 47 counties, it is Kshs 3 million per county.

If we want to beef up NGAAF, let us beef it up in a serious way but not cripple one commission to give us money that is totally negligible and I would be a beneficiary. So, I oppose because it is meant to make Constituency Women Representatives look bad, by doing things that we do not even understand.

(Technical hitch)

I thank you.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Very well. Let us have those who have not spoken, such as Hon. Owen Kangogo.

Hon. Kangogo Bowen (Marakwet East, JP): Thank you, Hon. Temporary Deputy Chairman for giving me this opportunity. I support the amendment. If you go down to the far areas of this country, there is money meant for women at the grassroots, but it is being used in board rooms. This afternoon, we were discussing about sanitary towels for our girls. Just like we do in the National Government Development Constituencies Fund (NGCDDFF), all the money meant for sanitary towels must be divided into 47 counties.

However, I support this. Let it be removed and given to our 47 women leaders so that they can help our male representatives and not have it spent in board rooms.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Very well. Hon. Members, let us have just two other Members, then we make progress on this because I can take from this wing, that wing and that side, and then we make progress. You will get a chance. However, I am looking at persons who have not spoken such as Hon. Gedi. Please, just be brief. We are at the Committee of Supply. We need to make progress.

Hon. (Ms.) Fatuma Gedi (Wajir CWR, PDR): Thank you. We are so dishonest to ourselves. I sit in the BAC and I agree with the Member who said that this amendment was generated through the BAC. We allocated Kshs150 million additional money to the Gender Commission. But we do not want a situation where it is women who are fighting. We do not want to fight. I oppose this because Kshs150 million is nothing to us women representatives, much as I am also a beneficiary.

I oppose.

Hon. Kimani Ichung'wah (Kikuyu, JP): On a point of order.

The Temporary Deputy Chairman (Hon. Patrick Mariru): What is your point of order, Hon. Ichung'wah?

Hon. Kimani Ichung'wah (Kikuyu, JP): Hon. Temporary Deputy Chairman, I think what Nominee 001 is loudly expressing himself regarding BAC is, indeed, true. I just want to confirm that this particular allocation was...

(Loud consultations)

Hon. Kangogo is making very loud consultations. It was an extra Kshs210 million that had been proposed by the Labour Committee as an additional allocation to the Commission. They have since reviewed that and shared the money in the ratio of Kshs60 million additional going to the Commission and Kshs150 million going to our women representatives under NGAAF.

Therefore, it is not money that is being taken away from the Gender Commission wholly. There is still a huge allocation of Kshs494 million still being left under NGECC, making a small increment to our women representatives.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Very well, one minute to Hon. Makali so that I can go to Hon. Kubai, and then we make progress on this.

Hon. Makali Mulu (Kitui Central, WDM-K): Hon. Temporary Deputy Chairman, I will be voting yes for this amendment. However, I want to make the following observations: It is

going to look very bad, if we are taking money from NGEN which is supposed to be promoting women issues, to give it to 47 women leaders. I will however vote "Yes".

The Temporary Deputy Chairman (Hon. Patrick Mariru): Very well Hon. Kubai. That is the last presenter

Hon. Kubai Iringo (Igembe Central, JP): Please I have the Floor. Hon. Temporary Deputy Chairman, BAC is putting us at crossroads in that they are bringing in amendments which are making us behave as if we are men and women fighting in this Parliament. That is wrong. We should be working as a team and as a Committee. If we have to sit and negotiate so that NGEN can be getting its own money as either men or women, I will oppose that one. This money should remain in the Commission and I oppose the amendment.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order Hon. Members. I must put Question on this one. We must make progress on this one.

*(Question, that the words to be left out
be left out, put and agreed to)*

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

(Programme 0912000 as amended agreed to)

(Vote 1212 as amended agreed to)

VOTE 1213 - STATE DEPARTMENT FOR PUBLIC SERVICE

THAT, a sum not exceeding Kshs. 9,909,459,764 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1211 (State Department for Public Service).

(Programmes 0710000 and 0709000 agreed to)

(Vote 1213 agreed to)

VOTE 1214 – STATE DEPARTMENT FOR YOUTH

THAT, a sum not exceeding Kshs17,395,362,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1214 (State Department for Youth).

(Loud consultations)

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order Members! Order Members! Those Hon. Members, who are standing, please, resume your seats. Hon. Ngirici and Hon. Nyikal, please resume your seats so that we can make progress. You can consult while seated. Yes, Leader of the Majority Party.

Hon. Aden Duale (Garissa Township, JP): Hon. Temporary Deputy Chairman, let me speak for the youth. I can see the women are busy with their agenda. I want to thank the Government that the Kshs17 billion, which we are issuing from the Consolidated Fund, must have an impact on the lives of the young people in our country. Kshs17 billion is a lot of money. Now that we have reformed the National Youth Service (NYS), this House created a law and there is a council. We want the young men and women in NYS and the many youths who are jobless in this country to see value of these billions we are allocating to this Department.

I beg to support.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Yes, Hon. Sankok. Please, be brief.

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Temporary Deputy Chairman. We all need to see the value of this money, especially the youth. On exportation of labour, we need to export human resource to the United Arab Emirates (UAE) because that is the game changer in terms of economy. We can export even one million youth and we will solve the issue of unemployment and create foreign exchange. Some countries like the Philippines make trillions of dollars in foreign exchange by exporting labour. So, we should also device ways of exporting labour.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Catherine, briefly for one minute so we can make progress.

Hon. (Ms.) Catherine Waruguru (Laikipia (CWR), JP): Thank you, Hon. Temporary Deputy Chairman. I also want to agree that majority of our young people in this country are jobless. Now that we passed the NYS Bill, we look forward to seeing the CS clear all pending bills and sum totals of savings of the young people in the NYS circle. Failure to this, we will agree they want to end up in the conmanship game. We want to see our young people paid the dues they worked for in NYS and see it devolved from Nairobi to *mashinani* in Laikipia.

(Programme 0711000 agreed to)

(Loud consultations)

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order Members! I have to hear your voice vote. I will put the Question again.

(Vote 1214 agreed to)

VOTE 1221 – STATE DEPARTMENT FOR EAST AFRICAN COMMUNITY

THAT, a sum not exceeding Kshs671,300,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure

(Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1221(State Department for East African Community).

(Programme 0305000 agreed to)

(Vote 1221 agreed to)

VOTE 1222 – STATE DEPARTMENT FOR REGIONAL AND
NORTHERN CORRIDOR DEVELOPMENT

THAT, a sum not exceeding Kshs5,374,200,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1222 (State Department for Regional and Northern Corridor Development).

(Programme 1013000 agreed to)

(Vote 1222 agreed to)

VOTE 1252 – STATE LAW OFFICE AND DEPARTMENT OF JUSTICE

THAT, a sum not exceeding Kshs5,333,500,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 1252 (State Law Office and Department of Justice).

(Programmes 0606000, 0607000 and 0609000 agreed to)

(Vote 1252 agreed to)

VOTE 1261 - THE JUDICIARY

THAT, a sum not exceeding Kshs18,857,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020 in respect of Vote 1261 (The Judiciary).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Yes, Leader of the Majority Party.

Hon. Aden Duale (Garissa Township, JP): Hon. Temporary Deputy Chairman, unlike during the last Budget, when the Chief Justice and the Judiciary complained that the Executive and Parliament colluded to deny them resources, I want to confirm that this year, we are giving them enough resources. I really want the Judicial Service Commission (JSC) to complete all the courthouse projects that stalled in the last financial year. The Justice and Legal Affairs Committee, and the Budget and Appropriations Committee, must make sure that this money is

overseen in line with the functions of the JSC. Given this massive allocation of resources, even the courthouse that was being built in my constituency, which is about to be completed, must be completed. I will make sure that every weekend I go and check whether the contractor is finishing the work.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Oundo, please be brief.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Chairman. I also support the allocation, especially that on capital expenditure. There has been a pending case for construction of the courthouse in Funyula Constituency, which could not start in the last financial year because there was no capital allocation. I hope they will move with speed to start the court building so that our people do not have to travel hundreds of kilometres to seek justice or to be taken to faraway courts after being arrested for drinking *chang'aa*.

Thank you.

(Hon. (Ms.) Odhiambo-Mabona and Hon. (Ms) Sophia Noor raised their hands)

The Temporary Deputy Chairman (Hon. Patrick Mariru): Let us start from...

Hon. Aden Duale (Garissa Township, JP): On a point of order, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairman (Hon. Patrick Mariru): What is your point of order?

Hon. Aden Duale (Garissa Township, JP): Hon. Temporary Deputy Chairman, Hon. Millie and Hon. Sophia are ranking Members of this House. They are raising their hands like we are in a classroom. They have the gadgets. These Members joined this House in 2007 with me, even though they were nominated Members. So, they should not raise their hands. We are not in a kindergarten.

The Temporary Deputy Chairman (Hon. Patrick Mariru): In fact, that issue came up earlier on, when Hon. Speaker noted that some ranking Members seemed to have forgotten the basic rules of this House. Anyway, that aside, Hon. Millie, please be brief so that we make progress.

Hon. Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Deputy Chairman. Now you can see why we are raising our hands. Even though we are ranking Members, sometimes technology does not recognise our ranking. So, we would like to encourage technology to recognise our ranking because it has failed us. My technology is only making cricket sounds.

Having said that, I do support and urge the Judiciary to prioritise marginalised areas like Suba North. We have a court building that has been at a standstill for very long and we hope they will be able to complete it.

Thank you.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Sophia.

Hon. (Ms.) Sophia Noor (Ijara, PDR): Thank you, Hon. Temporary Deputy Chairman, for giving me this chance. I equally support the allocation of the resources that are going to the JSC. The JSC recently went round the country looking at the marginalised and vulnerable communities within the society. When they arrived in my county, Garissa, we agreed that they would be putting up Kadhi's courts, particularly in the far end constituencies like Ijara. I want

the JSC to honour their pledge and set up a Kadhi's Court in my constituency since we have allocated a lot of money to them.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Members, let us make progress. Hon. Sankok, let us make progress. I will give you a chance in the next one.

(Programme 0610000 agreed to)

(Vote 1261 agreed to)

VOTE 1271 - ETHICS AND ANTI-CORRUPTION COMMISSION

THAT, a sum not exceeding Kshs2,966,620,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June, 2020 in respect of Vote 1271 (Ethics and Anti-Corruption Commission).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Yes, Leader of the Majority Party.

Hon. Aden Duale (Garissa Township, JP): Thank you, Hon. Temporary Deputy Chairman. I have been supporting the Ethics and Anti-Corruption Commission (EACC) from the time it was known as Kenya Anti-Corruption Commission (KACC). However, the EACC does not give value for the money we allocate them every financial year. There is a lot of corruption going on in the counties. People who are not qualified are being recruited. Nepotism is going on in the counties and the cases are with them. They have no choice. I really want the Justice and Legal Affairs Committee to listen. The Chair is walking in. We need the EACC to provide him with a list of the cases under investigation.

I am going to bring an amendment to the EACC Act so that every case under investigation can have a timeline within which to be concluded. You cannot have it open ended. We did not decide, as a country, to have devolution just for a few people to enjoy, become rich and employ their cronies. A lot of our qualified children are not getting jobs. We have given the EACC Kshs2.9 billion. We have given the Director of Public Prosecutions (DPP) more than Kshs3 billion. We have given the Director of Criminal Investigations (DCI) Kshs7.9 billion. We have given the Auditor-General Kshs5.7 billion. Cumulatively, we have given them Kshs19 billion. We must see value for that money. Nobody can enrich himself using public resources. One should sell camels, goats, sheep and cows like me and become rich. One must not become rich by plundering the money that we appropriate in this House.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Sankok, be very brief please.

Hon. David ole Sankok (Nominated, JP): Thank you very much, Hon. Temporary Deputy Chairman. While we support the EACC, we want to see value for the money we have given them. The problem is that we have been giving those independent commissions money to send them to catch thieves, only for them to also become thieves. When the Auditor-General identifies where corruption has taken place, it is as if we are sending the EACC to say: "How much have you stolen so that you can give us a percentage of that money?" We want to see value for the money we allocate to the EACC. The speed at which the investigative agencies inquired

into the issue of cats being slaughtered in Nakuru should be applied in investigation of corruption cases in this country.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Very well. Finally, let us have the Chair of the Departmental Committee on Justice and Legal Affairs, so that we make progress. The next microphone is on.

Hon. William Cheptumo (Baringo North, JP): Thank you, Hon. Temporary Deputy Chairman. We need to support the allocation to the Ethics and Anti-Corruption Commission (EACC). EACC plays a critical role in the fight against corruption. The Leader of the Majority Party says that we have a specific date when we will have a session between the EACC and the Director of Public Prosecutions (DPP), so that we know exactly how many files are still pending for processing by the EACC.

I support the argument that when EACC officials are doing their work as investigators, they should not use that position to enrich themselves. They should undertake comprehensive investigations so that if they are convinced that a Kenyan is guilty or accused of corruption, there should be sufficient evidence. We support that. This funding will help them to do that work.

I support the allocation

(Programme 0611000 agreed to)

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order, Members! When the Chair puts the Question, you have to express yourselves either way. I will take that again.

(Vote 1271 agreed to)

VOTE 1281 – NATIONAL INTELLIGENCE SERVICE

THAT, a sum not exceeding Kshs37,660,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020, in respect of Vote 1281 (National Intelligence Service).

(Programme 0804000 agreed to)

(Vote 1281 agreed to)

VOTE 1291 – OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

THAT, a sum not exceeding Kshs3,043,680,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020, in respect of Vote 1291 (Office of the Director of Public Prosecutions).

(Programme 0612000 agreed to)

(Vote 1291 agreed to)

VOTE 1311 – OFFICE OF THE REGISTRAR OF POLITICAL PARTIES

THAT, a sum not exceeding Kshs1,298,710,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020, in respect of Vote 1311 (Office of the Registrar of Political Parties).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Let us start with Hon. Osotsi Godfrey. Be brief.

Hon. Godfrey Osotsi (Nominated, ANC): Thank you, Hon. Temporary Deputy Chairman. I rise to support this. I would like to make a few comments.

First, I commend the Budget and Appropriations Committee for considering it fit to increase the allocation by Kshs500 million and Kshs300 million in the Supplementary Budget. We must thank them for that. As you know, the Political Parties Act is very clear on how much should be allocated to political parties under the Office of the Registrar of Political Parties. As Parliament, we have not adhered to the law. With this small gesture, maybe in the Supplementary Budget, we will try and comply with the law. There is a court order that directed Parliament to comply with the Political Parties Act.

Most importantly, we expect that this money being allocated to political parties will be used to strengthen the Office of the Registrar of Political Parties and make it independent. It is not independent at the moment. We want an Office of the Registrar of Political Parties that is independent and does not comply with the wishes of external forces to expel a member through a phone call. We look forward to an improvement in that Office. We look forward to a situation where we will have stronger political parties that believe in democracy.

With those few remarks, I support.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Makali Mulu, did you want to speak to this?

Hon. Makali Mulu (Kitui Central, WDM – K): Thank you, Hon. Temporary Deputy Chairman. I also thank the Budget and Appropriations Committee - although I am a Member - for increasing this figure. As it has been said, this year, we are getting an additional Kshs800 million. We must note that it is only two parties that benefit from this Fund; namely, Jubilee and the Orange Democratic Movement (ODM). It is high time that the Wiper Democratic Movement (WDM-K) gets its share out of this money. That is where I belong.

(Programme 0614000 agreed to)

(Vote 1311 agreed to)

VOTE 1321 - WITNESS PROTECTION AGENCY

THAT, a sum not exceeding Kshs481,600,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020 in respect of Vote 1321 (Witness Protection Agency).

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The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Oundo.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Hon. Temporary Deputy Chairman, thank you for giving me this opportunity to contribute. I stand to support the programme. However, I wish the Budget and Appropriations Committee could give the Agency more money. We have so many cases where courts are unable to proceed because witnesses are intimidated by police officers, especially with regard to complaints against police officers, or other victims. I wish we allocate more money here so that we can accord witnesses more protection and the services can spread all over the country. They should not be restricted to some places.

With those few remarks, I support.

(Programme 0615000 agreed to)

(Vote 1321 agreed to)

VOTE 2011 - KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

THAT, a sum not exceeding Kshs384,301,220 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020 in respect of Vote 2011 (Kenya National Commission on Human Rights).

(Programme 0616000 agreed to)

(Vote 2011 agreed to)

VOTE 2021 - NATIONAL LAND COMMISSION

THAT, a sum not exceeding Kshs1,308,200,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June, 2020 in respect of Vote 2021 (National Land Commission).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Oundo.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Hon. Temporary Deputy Chairman, I stand to support the programme with a heavy heart because the events surrounding the National Land Commission (NLC) do not inspire confidence. The happenings at the NLC are, indeed, an embarrassment to the nation. They put into question the sincerity of the compensation and the land management issues. I just hope and wish that the new commissioners who will come into office will literally make efforts to remedy the bad image of the NLC, as reported in the various newspapers and the litany of court cases which are ongoing in court. I also hope that the Ethics and Anti-Corruption Commission (EACC) and the Director of Public Prosecutions (DPP) will step in and clean the mess before the new commissioners come in.

As we debate and conclude the Land Value Index Bill, it is also important that we put stringent measures to ensure that there is prompt compensation for those persons whose land and properties are taken for purposes of public projects, but also avoiding cases of corruption and

collusion among the various Government officers to make land compensation to be more expensive than the actual cost of doing the project.

Thank you.

(Programme 0113000 agreed to)

(Vote 2021 agreed to)

VOTE 2031 - INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

THAT, a sum not exceeding Kshs4,803,410,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020 in respect of Vote 2031 (Independent Electoral and Boundaries Commission).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Sheikh.

Hon. Mohamed Mohamud (Wajir South, JP): Thank you, Hon. Temporary Deputy Chairman. I have a very quick point to raise on this. The Independent Electoral and Boundaries Commission (IEBC) ideally require that amount of money to work but we want them to deliver. The commitments that the Commission has been engaging in of late are not equivalent to the amount of money that is allocated to them. They must deliver according to the amount of money that they are given. Therefore, I hold my reservation on this Commission. They must show the expenditure versus the actual work that they deliver. That is all I wanted to raise.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Sankok.

Hon. David ole Sankok (Nominated, JP): Thank you very much, Hon. Temporary Deputy Chairman. I thank God because there is no money which is set aside for the referendum. This money is only for normal work to go on. So, IEBC should stick to their job and make sure that we have value for our money. They should deliver because Kshs4 billion is not chicken change. I thank God because there is no Kshs9 billion for referendum.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Lentoimaga, make your contribution briefly.

Hon. Alois Lentoimaga (Samburu North, JP): Thank you very much, Hon. Temporary Deputy Chairman. I support these funds to be allocated to the IEBC. However, just like NLC, this Commission has also been facing a lot of wrangles, especially the appointment of the CEO and also the fact that they do not have all the commissioners. We want to appeal that something should be done using this Budget to ensure that the recruitment of the commissioners is done, filling of the Chief Executive Officer's (CEO's) position and there is continuous registration of voters before 2022.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Very well. Can we make progress on this Vote? Chairman of the Departmental Committee on Justice and Legal Affairs, can you make your contribution in a few seconds, please? We need to make progress on this Vote.

Hon. William Cheptumo (Baringo North, JP): Hon. Temporary Deputy Chairman, let me say the following on IEBC. One, indeed, we have three commissioners. Four of them are no

longer in the Commission. I will move a Motion here next week to put the selection panel in place so that we can commence the process of filling the positions of the four commissioners.

Two, the money that is allocated to IEBC will, indeed, go towards the delineation of boundaries for the constituencies and wards because we cannot affect the number of constituencies at this point in time. As the Committee in charge of this Commission, we will ensure that the money is utilised in the right manner so that we get value for it.

Thank you, Hon. Temporary Deputy Chairman.

(Programmes 0617000 and 0618000 agreed to)

(Vote 2031 agreed to)

VOTE 2041 – PARLIAMENTARY SERVICE COMMISSION

THAT, a sum not exceeding Kshs16,712,150,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020 in respect of Vote 2041 (Parliamentary Service Commission).

Programme 0722000 - Senate Affairs

The Temporary Deputy Chairman (Hon. Patrick Mariru): We have an amendment by the Leader of the Majority Party.

(A Member consulted loudly)

Hon. Wangari, I am speaking to the Member seated behind you. You seem to have an animated discussion there.

Hon. Millie-Odhiambo will move the amendment on behalf of the Leader of the Majority Party. You have the Floor. It is on the Parliamentary Service Commission, Vote 2041.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Hon. Temporary Deputy Chairman, on behalf of the Leader of the Majority Party, I beg to move:

THAT, the proposed allocation under the programme in respect of Recurrent Estimates, Kshs7,215,144,400 be deleted and substituted thereof with the figure, Kshs6,715,144,400.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0722000 as amended agreed to)

(Vote 2041 as amended agreed to)

VOTE 2042 - NATIONAL ASSEMBLY

THAT, a sum not exceeding Kshs23,882,141,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020 in respect of Vote 2042 (National Assembly).

(Vote 2042 agreed to)

VOTE 2051 – JUDICIAL SERVICE COMMISSION

THAT, a sum not exceeding Kshs565,070,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020 in respect of Vote 2051 (Judicial Service Commission).

(Vote 2051 agreed to)

VOTE 2061 – COMMISSION ON REVENUE ALLOCATION

THAT, a sum not exceeding Kshs469,376,899 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June 2020 in respect of Vote 2061 (The Commission on Revenue Allocation).

(Vote 2061 agreed to)

VOTE 2071 – PUBLIC SERVICE COMMISSION

THAT, a sum not exceeding Kshs2,236,480,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30th June, 2020 in respect of Vote 2071 (Public Service Commission).

(Vote 2071 agreed to)

(Programmes 0725000, 0726000 and 0727000 agreed to)

(Vote 2071 agreed to)

VOTE 2081- SALARIES AND REMUNERATION COMMISSION

THAT, a sum not exceeding Kshs545,360,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 2081 (Salaries and Remuneration Commission).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Members, there is an amendment by Hon. Osoro.

Programme 0728000 – Salaries and Remuneration Management

Hon. Silvanus Onyiego (South Mugirango, KNC): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the proposed allocation under the programme in respect of Recurrent Estimates (Domestic Loans to Individuals and Households), Kshs545,360,000 be deleted and substituted thereof with the figure, Kshs445,360,000.

You will notice that the recurrent amount is too high for the SRC. Much of this money would probably be spent on flowers. So, we need to reduce it. In my opinion, the amount now should be used to settle the national deficit in the Budget. We need to reduce it by Kshs100 million to read Kshs450,360,000.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Patrick Mariru): Let us hear Hon. Sheikh.

Hon. Mohamed Mohamud (Wajir South, JP): Thank you, Hon. Temporary Deputy Chairman. I support the amendment by Hon. Osoro on the reduction of the amount of money given to the SRC. That arises from the position that he has taken in the sense that considerable amounts of funds are catered for under unnecessary activities. Some of it is about committee meetings and the likes that they have, which is overly touching. Therefore, that needs to be reduced.

I support the amendment as proposed by Hon. Osoro.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Briefly, Hon. Sankok.

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Temporary Deputy Chairman. I support the amendment. We use a lot of money unnecessarily sometimes in meetings and so on. In this era of economic turmoil, we need to put money where it is needed most. We have even reduced parliamentary budget and budgets for other departments. We need to put money where it is needed most, and where it is needed most is by the common *mwananchi*.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Even before we make progress, Hon. Osoro, you mentioned that you are reducing the SRC budget by Kshs100 million. But from what is in the Order Paper, it is actually Kshs95 million.

Hon. Silvanus Onyiego (South Mugirango, KNC): Hon. Temporary Deputy Chairman, the Order Paper has the right figure. We should go by that. A sum of Kshs95 million can save a situation somewhere in this country.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0728000 as amended agreed to)

(Vote 2081 as amended agreed to)

VOTE 2091 – TEACHERS SERVICE COMMISSION

THAT, a sum not exceeding Kshs252,951,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 2091 (Teachers Service Commission).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Yes Hon. Oundo.

Hon. Wilberforce Oundo (Funyula, ODM): Hon. Temporary Deputy Chairman, thank you. I will be brief. I wish to urge the TSC to move with speed and recruit additional teachers as they had indicated. That is because we have an acute shortage of teachers in both primary and secondary schools. The problem is worse in rural constituencies like mine, where most schools have less than half the establishment required to manage them. With those few teachers, it is impossible for our schools to compete with others. So, we need to move with speed. We ask them to make sure the recruitment is skewed towards those areas with massive teacher shortages.

Thank you.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Chair, Budget and Appropriations Committee, I will come to you. Let us have Hon. Joyce.

Hon. (Ms.) Joyce Korir (Bomet CWR, JP): Thank you, Hon. Temporary Deputy Chairman. Indeed, a challenge that we have on the ground is that a number of schools can even run up to Form IV without teachers. You find a school having one teacher. It also looks weird when we have teachers who trained in 2008 and to date, they have not been employed. I request the TSC to look critically at this issue and handle it well so that they do not kill the morale of the unemployed teachers.

Thank you.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Musa, briefly.

Hon. Alois Lentoimaga (Samburu North, JP): Thank you, Hon. Temporary Deputy Chairman. I support this allocation to TSC.

(Hon. Bowen stood up in his place and interjected)

Hon. Temporary Deputy Chairman: Order, Hon. Bowen! You cannot give yourself the Floor. Hon. Musa is just quiet as you scoop his space.

Hon. Alois Lentoimaga (Samburu North, JP): Hon. Temporary Deputy Chairman, I support the allocation of funds to TSC. Just like my friend has said, they

need to recruit teachers. Secondly, they need to promote teachers. There are teachers who have overstayed in one grade for a long time.

The policy on recruitment is abit discriminative. Unless you have “tarmacked” for long, you cannot be recruited. So, they need to look into their policies. The TSC needs to reduce bureaucracies. It is so bureaucratic. It is not easy to talk to them, or to get to the senior people. They should open up.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Very well. Let us have Hon. Tuwei.

Hon. Vincent Tuwei (Mosop, JP): Thank you, Hon. Temporary Deputy Chairman. I want to support what my colleagues are saying in respect to TSC employing teachers urgently. Where I come from, Mosop Constituency, I have a serious problem of lack of teachers. One school has four TSC teachers. We have a school where we have 1,000 students and yet we only have eight TSC teachers. I urge TSC to consider employing teachers in the shortest time possible, so that we can use this opportunity to improve our results.

I support

The Temporary Deputy Chairman (Hon. Patrick Mariru): Let us have Hon. Chair of the Departmental Committee on Education and Research, Hon. Melly.

Hon. Julius Melly (Tinderet, JP): Thank you, Hon. Temporary Deputy Chairman. I just want to say that the money allocated to TSC is not enough. If you look at it against what Hon. Members have said, you will realise that this country has a shortage of almost 100,000 teachers. We also have the issue of teachers’ promotion which is very urgent. We need more funds for that. To actually alleviate teacher shortage in this country, our Committee proposed that we look into the issue of interns. That is because to employ about 100,000 teachers, it will require almost double the budget that we have. I know the Exchequer will not have that money.

I want to propose that, in future, TSC should be added more funds so that we can have students being taught. Currently, many students are in school but there are no teachers. It is not enough to add students in schools who are not being taught. So, teachers are required and we need more funds for that.

Thank you, Hon. Temporary Deputy Chairman.

I support

The Temporary Deputy Chairman (Hon. Patrick Mariru): Shall we have the Chair of the Budget and Appropriations Committee, Hon. Ichung’wah.

Hon. Kimani Ichung’wah (Kikuyu, JP): Hon. Temporary Deputy Chairman, even as I support this very huge allocation, you will realise that a figure of about Kshs253 billion is almost 15 per cent of the revenues that we raised in the 2018/2019 Financial Year. It is, probably, about 12 per cent of what is projected to be raised in the next financial year. I want to challenge the Chair of the Departmental Committee on Education and Research that, for a number of years since 2013, we have allocated money to the Digital Learning Programme both under the Ministry of Education and Research and the Ministry of Information, Communication and Technology.

One of the solutions that we should probably have in this country, in terms of teacher recruitment and a number of teachers that we have to pay is to use technology and innovation in educating our children. There is no reason why, in this day and age, we pride ourselves that we have given children digital learning equipment like laptops and tablets while one teacher... For instance, in my alma mater, Alliance High School, one or two mathematics teachers should be

able to teach the eight streams if you programmed that mathematics lesson to be at the same time and use the digital learning devices that we have to be able to teach those children.

We need, as a country, to be able to use technology and innovation because, as much as we all cry now for more teachers, it will not be sustainable in the long run to continue recruiting teachers to educate millions of children in our schools. Therefore, I want to challenge the Chair of the Departmental Committee on Education and Research to ensure that we explore ways that we can use technology.

Secondly, we have areas where we are training teachers in. We have many teachers in languages such as Kiswahili, English and Arts. But the TSC will tell you that they have a huge shortage and a problem of getting teachers who can teach sciences and mathematics.

With those few remarks, I beg to support.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Omulele, the Floor is yours.

Hon. Christopher Omulele (Luanda, ODM): Thank you, Hon. Temporary Deputy Chairman. If you look at the whole budget, you will realise that we are actually giving the Ministry of Education close Kshs500 billion. If you look at the allocation that we have made to the State Department for Education, you will find that it is Kshs114 billion. If you look at Post Training and Skills Development Department, you will find that it is about Kshs200 million. TVETs have been allocated about Kshs32 billion, and now we are allocating Kshs252 billion to TSC. It is clear that this Parliament is cognizant of the need to educate our children.

It is true, as the Chair of the Departmental Committee on Education and Research has said, that this particular sector of our life needs a little bit more funding, but I would urge the Chair and his Departmental Committee that oversees the Ministry of Education to take a careful approach to this huge budget that we have allocated to this State Department under the Education sector. A lot of this money, sometimes, is allocated willy-nilly. We need to make sure that every shilling goes to the purpose to which it is meant.

I support.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Let us make progress on this.

(Programmes 0509000, 0510000 and 0511000 agreed to)

(Vote 2091 agreed to)

VOTE 2101-NATIONAL POLICE SERVICE COMMISSION

THAT, a sum not exceeding Kshs736,870,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 2101 (National Police Service Commission).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Yes Hon. Bowen.

Hon. Kangogo Bowen (Marakwet East, JP): Thank you, Hon. Temporary Deputy Chairman. I want to support the allocation to the National Police Service Commission. If this money is going to be in support of the National Police Reservists (NPR), we have appropriated a

lot of money to the National Police Service Commission even in the last financial years. However, the NPRs that were recruited in our areas because of insecurity have never been paid. To make it worse, they were withdrawn some months ago.

As we speak, we have lost lives in the northern part of the country and several counties are crying because the NPRs were withdrawn. If this money is going to recruit NPRs, I will oppose. But if they are going to support the NPRs who will ensure there is security in Kerio Valley, Laikipia and northern part of the country, I will support.

Hon. Mohamed Mohamud (Wajir, South, JP): Thank you. I support the funding of the National Police Service Commission. However, on the same note, as my colleague has put it, NPRs have been overlooked and put on the left hand. So, I suggest that this funding should also include the welfare of NPRs.

If this funding does not also include the housing of police staff... It is also unfortunate that our police who are out there in the bush are not considered for housing and welfare. Unless that is in consideration, I will not support.

Thank you.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Finally, let us have Hon. Catherine.

Hon. (Ms.) Catherine Waruguru (Laikipia, CWR, JP): Thank you. I also agree that the Kshs736 million that has been given to the National Police Service Commission (NPSC) is not enough to ensure that the NPRs are given a token, if not a salary.

I also agree that the NPSC must do something to ensure that there is balance and impartiality of placement of police services across this country. Most of our areas such as Laikipia will continue suffering when we have a Government in place and we are not getting adequate support in terms of infrastructure and money for operations back in the field.

The Temporary Deputy Chairman (Hon. Patrick Mariru): I had said finally but let us have the Chair, BAC, briefly.

Hon. Kimani Ichung'wah (Kikuyu, JP): Hon. Temporary Deputy Chairman, if you allow me, I just wanted to make a correction because Hon. Washiali is asking and from what I have heard, a number of Hon. Members are confusing this vote with that of the National Police Service (NPS). This is for the National Police Service Commission. With that, it is also good for me to point out that the NPS Vote is under the Ministry of Interior and Coordination of National Government.

There was an attempt earlier this year to create an independent vote for the Inspector-General of Police for the NPS. As a country, that is the right way to move forward. There is no reason why Correctional Services, which is a very small department with prison warders, have even a Principal Secretary (PS) in charge of prisons and yet, there are very few prison officers compared to the NPS. For us to secure the independence that is complete and total for the police and the Inspector-General of the Police is either to create a State Department and a Principal Secretary in charge of the police or have an independent vote-head for the Inspector-General of Police. This is so that we can secure the independence of the Inspector-General of Police. I have been a victim - because of politics - of having my security withdrawn. These things are being done because the IG has to go begging for money from the Ministry of Interior.

We must, as a House, assert ourselves and ensure that the NPS are, indeed, independent and the Inspector-General of Police and the Director of Criminal Investigations (DCI) are

independent of political manipulations by busy-bodies in certain offices in this country. That, we must do without any fear because it is the right thing to do. In all civilised democracies around the world, the offices of the Inspector-General of Police are not just seen to be independent, but they are, indeed, independent because they have financial autonomy. We will not have an independent DCI and Inspector-General of Police, if they do not have financial independence.

With that, let me support that Vote. Thank you.

(Programme 0620000 agreed to)

(Vote 2101 agreed to)

VOTE 2111 - AUDITOR GENERAL

THAT, a sum not exceeding Kshs5,713,110,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 2111 (Auditor General).

(Programme 0729000 agreed to)

(Vote 2111 agreed to)

VOTE 2121 - CONTROLLER OF BUDGET

THAT, a sum not exceeding Kshs703,100,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 2121 (Controller of Budget).

Hon. David ole Sankok (Nominated, JP): Thank you. We have allocated a lot of money to the Controller of Budget. I hope they will control finances going to county governments. That is because county governments have become a den of corruption. We cannot be putting money and yet they cannot account for it. So, the Controller of Budget should consult the Auditor-General so that they know which votes should be controlled. I thank you very much.

(Programme 0730000 agreed to)

(Vote 2121 agreed to)

VOTE 2131 - COMMISSION ON ADMINISTRATIVE JUSTICE

THAT, a sum not exceeding Kshs565,040,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 2131 (Commission on Administrative Justice).

(Programme 0731000 agreed to)

(Vote 2131 agreed to)

VOTE 2141 - NATIONAL GENDER AND EQUALITY COMMISSION

THAT, a sum not exceeding Kshs642,930,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 2141 (National Gender and Equality Commission).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Yes Hon. Oundo.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Chairman. I hope the National Gender and Equality Commission (NGEC) does not restrict its mandate and operation to protecting the female and girl-child only. This is because in this country, there has been over-emphasis on the girl-child and female gender at the expense of the boy-child who is becoming disillusioned and feeling unprotected. Therefore, I call upon NGEC to go beyond looking after women or girls affair and look at how we can resolve the ongoing conflicts brought about by the over-emphasis on the girl-child.

Thank you.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order! Hon. Joyce is saying there is an amendment. Is there an amendment on this? Hon. Mukami, please, prosecute.

Hon. (Ms.) Rahab Mukami (Nyeri CWR, JP): Thank you, Hon. Temporary Deputy Chairman. I hope NGEC will utilise the money well and will not use it for campaigns.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Let us hear Hon. Catherine.

Hon. (Ms.) Catherine Waruguru (Laikipia CWR, JP): Thank you, Hon. Temporary Deputy Chairman. As women, we are in solidarity with NGEC in ensuring that they are allocated money. But we hope to see the Commissioners because there is one who has become a problem. The Chair and Vice-Chair are doing very well and we will continue supporting them to ensure men, women, boys' and girls' constitutional rights are protected. But we do not want politicians who purport to be putting on white clothes and yet, when they are given maroon dresses, they do not put them on. They are seen at certain meetings in certain corners and yet, they do not attend meetings of those from the other political divide. We support them and we want things done properly.

The Temporary Deputy Chairman (Hon. Patrick Mariru): We have an amendment under this Programme by Hon. Ali Wario.

Programme 0621000 - Promotion of Gender Equality and Freedom from Discrimination

Hon. (Ms.) Joyce Korir (Bomet (CWR), JP): Thank you, Hon. Temporary Deputy Chairman. I had stated earlier on that my Chair is not feeling well and I am representing him as the Vice-Chair of the Committee.

Hon. Temporary Deputy Chairman, I beg to move:

THAT, the proposed allocation under the programme in respect of Recurrent Estimates, Kshs638,930,000 be deleted and substituted thereof with the figure Kshs488,930,000.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Patrick Mariru): Yes Hon. Millie.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Deputy Chairman. Let me rise to oppose. In doing so, let me plead with my sisters that getting where we are has not been easy. I know there are political undercurrents which may be attacking my good friend Priscilla Nyokabi.

Really, we cannot affect an entire Gender Commission because people have political differences with one. I want to suggest that if you have very severe reasons against Priscilla, bring a Petition so that we can remove her. But we cannot affect the entire Gender Commission...

Hon. David ole Sankok (Nominated, JP): On a point of order, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order, Hon. Millie! What is out of order Hon. Sankok?

Hon. David ole Sankok (Nominated, JP): Hon. Temporary Deputy Chairman, Hon. Priscilla is not the subject of discussion in this House. I sit in the Departmental Committee on Labour and Social Services and we are the ones who decided that this money will be better...

The Temporary Deputy Chairman (Hon. Patrick Mariru): What is out of order Hon. Sankok?

Hon. David ole Sankok (Nominated, JP): Is it in order for Hon. Millie to insinuate that we are allocating funds based on political affiliations and so on? As the Departmental Committee on Labour and Social Welfare, we do not discuss individuals.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Hon. Temporary Deputy Chairman, may I proceed to respond?

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Millie you may not respond because...

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): But he has raised an issue which requires me to respond because that is House procedure.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order! I cannot put the Question when there is a Member who is speaking to this Programme. Hon. Millie, do you want to raise issues about political affiliations and connotations?

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Hon. Temporary Deputy Chairman, can I please respond?

The Temporary Deputy Chairman (Hon. Patrick Mariru): You have the Floor.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): If you see me saying this, I sit in this House, talk to Members and hear what they say. That is why I am pleading with my sisters and not the male Members. I understand and can tell them they have never seen me in Embrace. This is a fight between Embrace and County Women Representatives (CWR). Let us not go that way my dear sisters. It is very wrong for the nation.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order, Hon. Millie Odhiambo! You know if there are political issues outside of what we can see here, that can be considered elsewhere. We are now dealing with an amendment to a Programme. Before I put the Question, I must give Hon. Omulele a chance.

Hon. Christopher Omulele (Luanda, ODM): Thank you, Hon. Temporary Deputy Chairman. I rise to plead with my sisters to oppose this particular amendment, considering where we have come from and where we want to go as a country. We have been in this House from 2010 attempting to come up with a procedure on how to fill up this House with at least a third of the other gender. Now we have this particular Commission which spearheads that effort. If we deny them funds we shall be shooting ourselves in the foot. I think and believe that it is proper for us to fund this particular Commission. I am, therefore, opposed to this.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order! Order! I can give two Members a chance and then we make progress. Let us start with Hon. Ngirici because she has not spoken.

You have the Floor.

Hon. (Ms.) Purity Ngirici (Kirinyaga CWR, JP): Thank you, Hon. Temporary Deputy Chairman. I wish to support this amendment because NGAAF and gender are one and the same thing. When NGAAF gets the money, it will undertake the actual gender we are talking about. This is because gender is about men and women and NGAAF deals with the most marginalised. So, I think it shall be dealing with the exact purpose it was set for. Also, we have no problem with NGEN. Actually, as Kenya Women Parliamentary Association (KEWOPA), we work together with their Chair and Commissioners. So, I do not think there is any bad blood here.

Thank you Hon. Temporary Deputy Chairman because you will put the Question.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Ngirici, you do not need to thank me because for sure, I will put the Question for the House to make a decision. I will give Hon. Juma and then we make progress on this.

Hon. (Ms.) Zuleikha Hassan (Kwale CWR, ODM): Ahsante, Mhe. Naibu Mwenyekiti wa Muda, kwa kunipatia nafasi hii. Ninawaomba wenzangu wanawake na pia Wabunge wa kiume tuungane kuhakikisha kuwa pendekezo hili lililoletwa hapa halitapita na tuache pesa hizi ziwe katika Tume ya Jinsia na Usawa ya Kenya. Masuala ya jinsia humu nchini na hususan ya wanawake, kila mtu anajua kuwa wamekuwa wakiumia kwa muda mrefu. Watoto wa kisichana wanaumia zaidi kuliko wavulana na ukiangalia takwimu, unaona kuwa jinsia hiyo inapata shida zaidi. Wasichana wengi zaidi hawaendi shuleni na kadhalika.

Kwa hivyo, ninaomba tuunge mkono kuwa Tume hii isikatiwe pesa zake na pesa ziweze kubaki pale. Tupinge pendekezo hili.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Washiali, you have the Floor.

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Chairman. In this budget-making process, as a House, we rely most on committees. Our Departmental Committee on Labour and Social Services has had time to look at this issue, evaluated it, digested it and brought it to the Floor of the House. I think it will be very unfair and it will be undermining the process of budget-making and undermining the process of parliamentary procedures that we can quickly overturn the decision that has been made by the Committee.

Secondly, this is not the first time we are changing funds for a commission. Just a few minutes ago, we changed the funds going to the SRC, which is another Commission.

Therefore, I support the amendment. Even the Parliamentary Service Commission has also been a victim. Therefore, I support this amendment and stand by the decision of the Committee.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Members, I must put the Question on this.

*(Question, that the words to be left out
be left out, put and agreed to)*

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

(Programme 0621000 as amended agreed to)

(Vote 2141 as amended agreed to)

VOTE 2151 - INDEPENDENT POLICING OVERSIGHT AUTHORITY

THAT, a sum not exceeding Kshs892,700,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30th June, 2020 in respect of Vote 2151 (Independent Policing Oversight Authority).

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Bowen.

Hon. Kangogo Bowen (Marakwet East, JP): Thank you, Hon. Temporary Deputy Chairman. I support this allocation to the Independent Policing Oversight Authority (IPOA).

(Loud consultations)

The Temporary Deputy Chairman (Hon. Patrick Mariru): Order, Hon. Members! Let us give Hon. Bowen space to prosecute his presentation.

Hon. Kangogo Bowen (Marakwet East, JP): I want to say this, Hon. Temporary Deputy Chairman. IPOA should not discriminate policemen. Policemen in this country have been intimidated by this institution to an extent that they cannot even discharge their duties. Policemen are actually discharging their duties with fear. How can a policeman go out to arrest a criminal with a gun and you tell the policeman that he needs to arrest that person. When they kill, they are told they should appear before IPOA.

I support.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Oundo.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Hon. Temporary Deputy Chairman, I rise to support the allocation to IPOA. I wish they could be given more money to enable them execute their mandate. As much as we appreciate the changes and the reforms that have taken place, we still have rogue elements in the Police Service. That is contrary to what my colleague,

Hon. Bowen, has stated. Not all police officers adhere to the guidelines, the law and respect the Constitution of Kenya, especially the Bill of Rights.

As I speak to you today, a rogue policeman attacked a schoolboy in my constituency and damaged his reproductive system. Up to now, IPOA has not done anything. The policeman is still roaming around threatening and intimidating the family. I think IPOA needs to get serious with their work. I wish we could even give them more money so that they have enough money to do investigations and establish satellite offices so that they can be reached easily and quickly other than waiting for months and by the time they come, the evidence has been destroyed. That is why I say, together with the Witness Protection Service, they need to be given more money to enable them discharge their duties because the Police Service still has old school mentality of being the law unto themselves, beating, maiming and harassing innocent *wananchi*.

Thank you.

The Temporary Deputy Chairman (Hon. Patrick Mariru): Yes Hon. Rehema.

Hon. (Ms.) Rehema Hassan (Tana River CWR, MCCP): Ahsante, Mhe. Naibu Mwenyekiti wa Muda. Ninaunga mkono watu wa IPOA wapatiwe pesa hizo lakini ninazungumza kwa masikitiko. Sioni kazi IPOA wanafanya kwa sababu mwaka jana, kuna vijana wa kwangu Madogo walidhulumiwa na sijaona wakichukua hatua yoyote. Watu watatu walikufa na kuna kijana wa miaka 20 ambaye amekatwa mkono kwa kupigwa risasi na askari wa polisi na mpaka saa hii, kijana huyo amezunguka akienda kwa IPOA Garissa. Mara anazungushwa akirudi, na mpaka saa hizi, hajapata haki yake. Kwa hivyo, kama watakuwa wanaongezwa pesa hizi ili wapate kula mishahara minono minono kwa nyumba zao na wananchi wanadhulumika, mimi hata sioni faida yake. Lakini ninaunga mkono wapatiwe pesa hizo wazidi kutudhulumu.

Ahsante.

The Temporary Deputy Chairman (Hon. Patrick Mariru): That was a quite a very hard statement, Hon. Rehema. Anyway, let us have Hon. Millie.

Hon. Odhiambo-Mabona (Suba North, ODM): Sorry, Hon. Temporary Deputy Chairman. I was consulting with the Chair of KEWOPA and so, I missed that.

I wish to support the allocation to IPOA and contrary to what Hon. Bowen has said, you notice that we even had a musician singing: “Hey, Hey, *una maswali mingi kwani wewe ni polisi.*” The reason they were singing that is sometimes we have policemen who do not conform to human rights standards and because we have a few of those, there must be somebody overseeing them. Even Parliament is overseen by the public. Every five years if we misbehave, we are voted out. Even the presidency is overseen. So, we cannot have the police without oversight. I encourage Hon. Bowen not to look at it as though these people are stopping the police from doing their work. They do not interfere with the police that are doing good work. Let us nurture a culture of respect for human rights.

(Programme 0622000 agreed to)

(Vote 2151 agreed to)

The Temporary Deputy Chairman (Hon. Patrick Mariru): Hon. Members, congratulations. That part of the Committee of Supply is concluded. Let us have the Mover, Hon. Ichung'wah. Are you not the Mover?

Hon. Kimani Ichung'wah (Kikuyu, JP): Sorry, Hon. Temporary Deputy Chairman. The Temporary Deputy Speaker, Hon. Omulele, was asking me something very interesting.

Hon. Temporary Deputy Chairman, I beg to move that the Committee of Supply doth report to the House its consideration of the Budget Estimates for the Financial Year 2019/2020 and its approval thereof with amendments and, pursuant to the provisions of Article 221 of the Constitution of Kenya, Section 39 of the Public Finance Management (PFM) Act, 2012 and Standing Order No.240, approves the issuance of a sum of Kshs1,928,270,282,319 from the Consolidated Fund to meet the expenditure during the year ending 30th June 2020, in respect of the Votes as approved in the Schedule, and that necessary adjustments be made to Programmes amended in the Committee of Supply.

(Question proposed)

(Question put and agreed to)

(The House resumed)

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

CONSIDERATION OF REPORT AND THIRD READING

ESTIMATES OF RECURRENT AND DEVELOPMENT EXPENDITURE FOR THE YEAR ENDING 30TH JUNE 2020

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Order, Members. Let us have the Chairperson to report.

Hon. Patrick Mariru (Laikipia West, JP): Hon. Temporary Deputy Speaker, I beg to report that a Committee of Supply has considered the Budget Estimates for the Financial Year 2019/2020 and approved the same with amendments and, pursuant to the provisions of Article 221 of the Constitution of Kenya, Section 39 of the Public Finance Management Act, 2012, and Standing Order No.240, approves the issuance of a sum of Kshs1,928,270,282,319 from the Consolidated Fund to meet the expenditure during the year ending 30th June 2020, in respect of the Votes as approved in the Schedule and that necessary adjustments be made to Programmes amended in the Committee of Supply.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let us have the Mover to move for agreement with the said Report.

Hon. Kimani Ichung'wah (Kikuyu, JP): Hon. Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee of Supply in its consideration of the Budget Estimates for the Financial Year 2019/2020 and, pursuant to the provisions of Article 221 of the Constitution of Kenya, Section 39 of the Public Finance Management Act, 2012, and Standing Order No.240, approves the issuance of a sum of Kshs1,928,270,282,319 from the Consolidated

Fund to meet the expenditure for the national Government, Parliament and the Judiciary during the year ending 30th June 2020, in respect of the Votes as approved in the Schedule and that necessary adjustments be made to Programmes amended in the Committee of Supply.

I also request Hon. K.J. Kiarie, Dagoretti South Member of Parliament, to second the Motion for agreement with the Report of the Committee of Supply.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Let us have the Member for Dagoretti South for seconding.

Hon. John Kiarie (Dagoretti South, JP): Thank you very much, Hon. Temporary Deputy Speaker. In agreement with the Report, I second.

(Question proposed)

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Let us have the Chairman.

Hon. Kimani Ichung'wah (Kikuyu, JP): Hon. Temporary Deputy Speaker, just allow me to profoundly thank Members for the support that they have accorded the Budget and Appropriations Committee throughout the budget-making process from the time we started considering the Estimates at the beginning of May. They agreed to use their time during the recess period when they should have been meeting with their constituents. They devoted a lot of time sitting in committee rooms. There are those who even had retreats outside Nairobi and took time away from their families to consider the 2019/2020 Budget Estimates.

I particularly want to appreciate Members because we had a lot of work. We had to consider the 2019/2020 Budget Estimates and, at the same time, consider the Second Supplementary Estimates for 2018/2019. Therefore, I take this opportunity to thank all the Chairs of Committees, their Vice-Chairs and Members of Parliament for the devotion that they have shown and their determination to work for the people of this country.

We are often not appreciated as MPs by members of the public. I can tell you - being the Chair of the Budget and Appropriations Committee - of the commitment and devotion that Members have shown throughout the budget-making process. Members showed very keen interest in providing meaningful oversight. I have seen critics in the media saying that this House is a rubberstamp. I want to confirm to the country that the Members of this House take their work seriously. There are a number of changes that were made to the Estimates that were tabled in this House.

This afternoon, the interest that you saw in the sanitary towels in terms of the proposed amendments from the National Treasury tells you that Members are alert and alive to what is going on in the country and the budget-making process. They take keen interest in what is going on.

I also want to request those in the Executive to create synergy between different ministries and the National Treasury to ensure that, by the time these Estimates come to this House, they have, at least, in principle, agreed on the one route or avenue that they will take in terms of those areas where there may be conflicts between two ministries.

Lastly, let me thank the Members of the Budget and Appropriations Committee. These are people who, for a whole week and two days, were holed up somewhere in a retreat to finalize these two budgets - the Second Supplementary Estimates and the 2019/2020 Budget Estimates.

They sacrificed a lot of their time. I know we may not have satisfied everybody's expectations in terms of needs but we must always understand that our needs are unlimited but our resources as a country are limited. That challenge goes to us.

As we now proceed to consider the Appropriations Bill and later the Finance Bill that will come before this House, let us remember that whatever we have passed in this Budget will be passed by the Finance Bill that will be before this House. Even as we consider the Finance Bill, let us remember that the recommendations that were stipulated by the Cabinet Secretary for the National Treasury when he read his highlights will go towards financing this Budget. Whatever decisions we make in the Finance Bill will have an impact on what we have already passed in the Committee of Supply and what we will consider in the Appropriations Bill for 2019/2020.

With those many remarks, thank you and may God bless the people of Kenya and all these Hon. Members.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let us have comments. Member for Turkana County.

Hon. (Ms.) Joyce Emanikor (Turkana (CWR), JP): Thank you, Hon. Temporary Deputy Speaker. I was checking my card because it has been on since the beginning of the afternoon Session and I was not sure if it was working. Thanks for noticing me. I want to congratulate the Chair of the Budget and Appropriations Committee, chairs of the other committees and Members for the hard work which we have put into this process. Even as we go ahead to finalise the budget-making process, we would really want to tell the Executive and the various State Departments that we have allocated funds and Parliament has done its part. We expect them to reciprocate by implementing the projects as designed and funded without misappropriation of public funds.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Member for Funyula, make your comment.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker. Let me also join my colleagues in this House to sincerely thank the Chair of the Budget and Appropriations Committee, and all the Chairs and membership of the various committees that, in one way or another, contributed in assembling this Budget that we have concluded today.

We have done our best as a budget-making House. All the other organs of the country must appreciate and respect the role of the National Assembly in the budget-making process. The Constitution was explicitly clear. It did not contemplate that any other busy-body will purport to interfere with the role of the National Assembly in the budget-making process. This Budget will only be important or useful to the people of Kenya if the National Treasury is able to disburse funds in a timely manner.

When you listen to Ministries, Departments and Agencies (MDAs) many times, their main complaint is that funds come too late towards the end of the financial year and they are unable to utilise them. There are pending bills simply because the National Treasury does not release funds in good time. We hope that lessons have been learnt this time round and the National Treasury, working together with other agents, will make all efforts to make sure that funds reach the relevant line ministries and budget lines to enable them undertake programmes we have put in this Budget for the benefit of the people of Kenya.

As we implement the Budget, I want to call upon all those people in charge of implementing it. These are public funds. I wish and request that we do not make any deliberate efforts to steal and misappropriate these funds. I call upon the Ethics and Anti-Corruption Commission (EACC) to come hard on corruption and corrupt managers, so that we take appropriate action to make sure that the funds we have allocated have higher multiply effect to the economy, instead of all the funds being stolen.

With those few remarks, I support.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. The Member for Matungulu, make a comment on the Budget.

Hon. Stephen Mule (Matungulu, WDM-K): Thank you very much, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute. I want to thank all the Members of this House, the Budget and Appropriations Committee and all the Chairs of committees for a job well done. The public out there does not understand how this House works. I want to call upon the public to look at Parliament in a true eye to make sure that we, as the people's representatives, do our job. The job which is remaining is for the Executive and the State Departments to make sure that Kenyans get value for the Budget we have made today.

The State Departments should not take any statement from this Parliament for granted. Hon. Ichung'wah agrees with me on this. If a State department does not spend money pending certain conditions to be met, that is the final deal. They should not proceed. During the budget-making process, we, as Members of Parliament, found very grey areas within the State Departments and Government. I want to urge this House and every committee to make sure that we deal with those grey areas within the State Departments, so that Kenyans get value for money. Sometimes, it pains when a State Department receives money from the National Treasury but does not release it to the programme which the money is envisaged to. We saw that during our budget-making process.

As Hon. Ichung'wah stated during the budget-making process, Members are very keen on their oversight role. From now henceforth, all the Departmental Committees have the duty to make sure that we oversee every penny we have given to the State Departments.

Last but not least, is the issue of corruption. I want to urge all the State organs and Departments which have been given taxpayers' money to please give us value for it. Corruption will kill this country. It pains when this Parliament sits for long hours to make such a Budget and an officer in a State Department waits for the money to be disbursed to the State Department and then it is diverted. We want to urge all the officers and the agents which deal with corruption to be very thorough this time round, so that we can have value for the money we have given to the people of Kenya.

I want to thank all Members. I know that there were emotions during the budget-making process. They show us how committed we, as Members, are and how we need to give Kenyans value for money. Those are emotions which will take this country further. We need to bring them to the development agenda of this country. We need to unite this country so that we can have peace and prosperity of one nation without fear or favour.

I support the Budget.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well. Let us hear the Member for Mumias East.

Hon. Benjamin Washiali (Mumias East, JP): I thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute. From the leadership desk, I want to take this opportunity to thank the Chair of the Budget and Appropriations Committee and the entire Committee and the other committees.

The committees had a responsibility to look at the Budget together with the ministries during the long recess. From the leadership desk, there is no committee that did not have quorum. That tells you that we are, indeed, very committed to this budget-making process. As the leadership, we are very grateful that this has been done successfully. If you remember very well, this Motion is supposed to be considered for three allotted days. But you can see that we have completed the exercise in the 2nd Allotted Day. This means that we have worked very fast and diligently to make sure that we clear this business, so that we go to the next step of the budget-making process, which is appropriation.

I do not want to talk much. I want to reiterate what the Member for Matungulu has said. Other than making the Budget, this House has the oversight role. It is not enough to just supply funds. After supplying them, we must go out there and counter-check to see whether the money we have supplied today is being used the way Kenyans would wish to see it happen. Therefore, I want to urge the Members of the committees who have been given the responsibility to oversee the State Departments that we have currently supplied with funds to be more vigilant than they have been before. We want to see commissioners being reined in. We want to see Cabinet Secretaries coming in to answer questions. We want CSs to respond to issues that have been raised by Members on behalf of Kenyans. That is when what we have just concluded will make sense to Kenyans.

Otherwise, I also want to thank you and appreciate the commitment of the Hon. Speaker and the Members of the Chairperson's Panel. You have spoken in this process more than us. Because of the requirement that you must speak every time we have to vote, we thank you for your commitment. As the leadership, especially from the Majority Party side, we want to assure you that we will stand with you, especially when there is a matter that has this kind of weight.

Hon. Temporary Deputy Speaker, I thank you for giving me a chance to contribute.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Very well, from the leadership desk. Member for Dagoretti South, in line with the House procedures, you cannot contribute to this Motion now because you seconded it.

Yes the Member for Bomet County.

(Laughter)

Hon. (Ms.) Joyce Korir (Bomet (CWR, JP): Thank you very much, Hon. Temporary Deputy Speaker. Let me also take this opportunity to thank the Budget and Appropriations Committee and the House at large for this tedious activity that has taken place. Budget-making process involves a lot of commitment. The Budget and Appropriations Committee has worked very hard in looking critically into the various departments that we have in this country and making sure that everything moves smoothly.

There is also a contentious issue between the Senate and the National Assembly. These are the monies that are supposed to go to counties. The people who are complaining about this issue should know that the two Houses do not generate any revenue. We have the relevant bodies

that are mandated to allocate revenue. What we have here in the National Assembly is a matter of following the procedures that are laid down and making sure that the relevant State Departments get their allocations. I congratulate the Budget and Appropriations Committee and the entire House. The challenge is now on the Executive side in implementing, in dealing with corruption and doing what is expected by the Members of the House. We are here to oversee. After doing the Budget, we now move to oversight role which is critical because people out there see the Budget as much. But we should bear in mind that we have a huge debt.

I challenge the Executive to stick to the Budget, work by it and make sure they deliver to the people of this country.

Thank you very much. I support the Committee.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): The last Member on my request list is the Member for Eldas, Hon. Keynan, Commissioner.

Hon. Adan Keynan (Eldas, JP): Thank you very much, Hon. Temporary Deputy Speaker. I take this early opportunity to thank the House. Parliament as a deliberative House is a critical arm of any civilized nation. In the old Constitution, budget-making was a preserve of the Executive. But courtesy of the new Constitution, representation, oversight, legislation and budget-making are now in the purview of Parliament. I know there is no substitute for democracy and Parliament, and democracy is expensive. But what, as a country, we must be concerned with is the implementation of Vision 2030 and the Big Four Agenda.

Before I delve into that, I thank the Chair of the Budget and Appropriations Committee. The budget-making process is not a one-day event. It is a process from the mid-term review expenditure framework to the budget-making process to public participation and to the interrogation in the House by different departmental Committees. It is a process. My good friend and former Deputy, the indomitable Hon. Ichung'wah, is up to the task.

I have in the past, being one of the longest serving Members of Parliament, interacted with different Chairs of Committees. He has injected professionalism and sense in the budget-making process and even in its implementation.

What lacks is that the budget-making process is one component of the process, while the implementation is another thing. In our wisdom as Parliament, we introduced the Committee on Implementation. We have departmental committees, oversight committees and now a unique Committee called "Committee on Implementation". Its work is to ensure that the Executive and different arms of Government implement the resolutions of this House.

At times, I ask myself that whether representation is equated to sovereignty as captured in the opening Chapter of the Constitution. That Chapter says that representation is equated to sovereignty. Sovereignty is the making of the nationhood of the Republic of Kenya. Anybody who doubts the role of a Member of Parliament should interrogate what the framers of the Constitution had in mind when they equated representation to sovereignty. I do not see any other better role for a Kenyan than being an elected representative of the people of Kenya. To that extent, there are certain things we must reflect on.

About 40 or 50 years ago, the GDP of the Republic of Kenya was at par with a number of other countries, including South Korea, Malaysia, Indonesia, Singapore and many other nations. What has contributed to the backward development of the Republic of Kenya when other countries have surged ahead in social, economic and political development over the years? It is because of lack of visionary policies and lack of appreciation of our uniqueness. I define Kenya

as a premier nation in the region. But we can only continue to enjoy that tag if we are careful because our domain is being raided now. We brag by saying that we are the dominant regional economic hub, dominant regional investment hub, dominant regional security hub, dominant regional humanitarian hub and dominant regional infrastructure hub. These tags are being raided. Look at our GDP.

Ten years ago, when I was the Chair of the Departmental Committee on Defence and Foreign Relations, I had the privilege of accompanying His Excellency President Kenyatta in his foreign ventures. I remember one time we visited Tanzania and the balance of trade was almost 100 per cent in favour of Kenya. Today, it is almost at par. At that time, after the United Kingdom, Uganda was our number one trading partner. Today, we only need to reflect and see that this country has been reduced to an importing nation. We are killing our manufacturing sector. Our primary industries are almost being closed. Everything is imported, including toilet paper and this bottle of water and yet, those goods can easily be manufactured in our country.

How do we grow our economy? It calls upon the policy makers - including Parliament - to be prepared to safeguard the economic interests of the people of Kenya, if truly we are desirous of eliminating under-employment and unemployment which are rampant. The country has also experienced a serious demographic change because of population growth.

Fifty per cent of our population now is the youth, but there are limited employment opportunities. There is a serious scarcity of tangible jobs. It is because of this that we must think out of the box and ensure that these monies are utilized well. I am not celebrating because our industries like the cotton, coffee, tea, and livestock sectors are not in good shape. I am sorry to say that I come from the northern part of Kenya where the majority of the people are livestock farmers. Today, there are avenues for exporting our livestock products through Somalia, Ethiopia and other neighbouring states. But what has happened to the Kenya Meat Commission (KMC)? The landlords, the vicious, rich and corrupt individuals have grabbed all the land belonging to KMC, thereby killing the livestock sector. You can see what is happening to the sugar sector. Where are we? This is why we must support the fight against corruption. It is a critical avenue for us to eliminate this vice so that we can get tangible development.

To conclude, the law sometimes is an ass. There are certain things that, as Members of Parliament, we must be very careful about. It is a reality that in the current Constitution, we have two houses. We must avoid, at all times, as Members of Parliament, a situation where we will have perceived jurisdictional conflict between the two Houses. If anything, the two Houses must be prepared to complement the work of the other. If we do not do this, I can assure you our oversight role will completely be impaired.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Point made.

Hon. Adan Keynan (Eldas, JP): My last comment, Hon. Temporary Deputy Speaker. I thank you, the entire membership of the Budget and Appropriations Committee and the entire membership of the House for the interest, resilience and thoroughness you have demonstrated in interrogating the Budget and allocating money to areas that deserve.

What remains on this is not to allow the Ministries out there just to misbehave with our Budget in the name of Integrated Financial Management Information System (IFMIS). IFMIS is a tool created by man. Therefore, in the name of IFMIS, our development funding should not be affected.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Cognizant of the provisions of our Standing Orders, I am not in a position to put the Question. I order that the Question be put as it will be slotted in our Order Paper.

(Putting of the Question deferred)

Next Order!

MOTION

ADOPTION OF REPORT OF THE MEDIATION COMMITTEE ON THE PHYSICAL PLANNING BILL

THAT, pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, this House adopts the Report of the Mediation Committee on the Physical Planning Bill (National Assembly Bill No. 34 of 2017) laid on the Table of the House on Wednesday, June 12, 2019, and approves the Mediated Version of the Physical Planning Bill (National Assembly Bill No, 34 of 2017).

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): The Majority Whip, do you have something to say on this?

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Speaker. Like I said earlier, the Leader of the Majority Party, Hon. Duale, who was supposed to move this Motion, was involved in other official businesses on the “House on the Hill” in anticipation that this Motion will be moved tomorrow given that we felt as a leadership that the previous Order would go on until tomorrow. Therefore, please allow us to move this Motion tomorrow.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): With that, I order that the Motion be deferred.

(Motion deferred)

Next Order!

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Speaker, the next Order is the Committee of the Whole House on the Presidential Reservations on the Insurance (Amendment) Bill. I have just been consulting with the Chair of the Departmental Committee on Finance and National Planning, Hon. Limo. He has conferred with me that he is not ready because the matter is currently live at the Committee level. He has just requested me that using my position as a leader in this House, I request you to defer this matter to another day.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): I am convinced.

(Committee of the whole House deferred)

Next Order!

BILL*Second reading*

THE NUCLEAR REGULATORY BILL

Hon. Benjamin Washiali (Mumias East, JP): Again, this is a Bill that was meant to be moved by the Leader of the Majority Party. Unfortunately, like I had explained, he is out on official matter with an assumption that the other business that we had was going to take the rest of the day. I request you to step it down until tomorrow, Thursday.

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Again, from where I sit, I am convinced with the reasons that we are not able to handle the same. So, I order that Order No.12 be deferred.

(Bill deferred)

ADJOURNMENT

The Temporary Deputy Speaker (Hon. (Ms.) Jessica Mbalu): Hon. Members, there being no other business, and the time being 6.54 p.m., this House stands adjourned until Thursday, 20th June 2019, at 2.30 p.m.

The House rose at 6.54 p.m.