

PARLIAMENT OF KENYA**THE NATIONAL ASSEMBLY****THE HANSARD****Wednesday, 9th October 2019**

The House met at 9.30 a.m.

[The Deputy Speaker (Hon. Moses Cheboi) in the Chair]

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon. Members, since we do not seem to have the requisite quorum, I order that the bell be rung for 10 minutes.

(Quorum Bell was rung)

Order, Hon. Members. Take your seats. We have quorum and business will now begin.

PAPERS LAID

Hon. Deputy Speaker: Under this one, just for your information, I have been requested by the Chairman of the Committee on Delegated Legislation that she would wish to lay a Paper slightly later than is normal. So, I have given her an opportunity to lay it at 10.30 a.m.

NOTICE OF MOTION

CLASSIFICATION OF WIDOWS AS DISADVANTAGED GROUP

Hon. Deputy Speaker: Let us have Hon. J.P. Mwirigi.

Hon. John Paul Mwirigi (Igembe South, Independent): Thank you, Hon. Deputy Speaker. I beg to give notice of the following Motion:

THAT, aware that Kenya has an estimate of eight million widows with the number said to be steadily increasing; concerned that most widows face numerous challenges, including losing their sources of income and security, economic hardship, social discrimination, degrading treatment, physical and mental abuse; cognisant that the said challenges could be mitigated through providing widows with the alternative source of income that would afford them a level of liberty and dignity in their lives upon the death of their spouses; appreciating the effort by the Government in empowering widows economically through various programmes that provide opportunities for capacity building and skills training for widows;

further appreciating that the Government has established the National Government Affirmative Action Fund (NGAF), Women Enterprise Development Fund (WEDF), Uwezo Fund and the Youth Enterprise Development Fund (YEDF), which provide loans and financing to the targeted groups; this House urges the Government to classify widows as a disadvantaged group.

Hon. Deputy Speaker: Next Order!

QUESTIONS AND STATEMENTS

Hon. Deputy Speaker: I am yet to receive any request for Statements, but we have a few Ordinary Questions. To start us off is Hon. Kipsengeret Koros, Member for Sigowet/Soin.

ORDINARY QUESTIONS

Question No.443/2019

REASONS FOR CHARGING REGISTRATION AND LICENSING FEES BY PUBLIC HEALTH OFFICERS AND TECHNICIANS COUNCIL

Hon. Kipsengeret Koros (Sigowet/Soin, Independent): Thank you, Hon. Deputy Speaker. I rise to ask Question No.443/2019 to the Cabinet Secretary for Health.

(i) Why has the Public Health Officers and Technicians Council, a public body mandated to oversee training, registration and licensing of public health professionals, been charging registration and licensing fees?

(ii) Is there a standard curriculum for teaching of public health programmes in Kenya by the Council?

(iii) Why has the Council been charging training institutions in order to conduct inspections with regard to establishment of standards for teaching of public health programmes yet it is fully funded by the Exchequer?

Hon. Deputy Speaker: That one will be replied to before the Departmental Committee on Health. Next is the Member for Mbeere North, Hon. Muriuki Njagagua.

Question No.444/2019

RECRUITMENT STATUS OF MARY NZISA MAKAU

Hon. Charles Njagagua (Mbeere North, JP): Thank you, Hon. Deputy Speaker for giving me this chance. My Question is directed to the Departmental Committee on Education and Research.

Could the Commission provide the recruitment status of one Mary Nzisa Makau, a graduate of Kenyatta University, Teachers Service Commission No. 666705/Y who emerged successful during the interview conducted for a teaching position at Mutus Mixed Secondary School, Embu County, on 30th May 2018?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: That is due for a written reply by the Chairperson of the Teachers Service Commission. Next is the Member for Kamukunji, Hon. Yusuf Hassan.

Question No.445/2019

ROADS CONSTRUCTED OR REHABILITATED IN EASTLANDS AREA

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Deputy Speaker. Can you give me a few minutes to get into the system to fetch my Question?

Hon. Deputy Speaker: The easier option is for me to give you what I have because the system is working. You can proceed.

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Deputy Speaker for giving me an opportunity to ask Question No.445/2019, to the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development.

(i) How many roads have been constructed or rehabilitated in the 11 constituencies in the Eastlands area, Nairobi County, as per the Presidential Directive of May 2018, under the Kshs4 billion scheme to improve roads specifically in Eastlands?

(ii) Could the Cabinet Secretary provide details of the said roads particularly the location in terms of constituency, construction/rehabilitation status, and the cost for each of the project?

I have specific interest in what they have done in Kamukunji Constituency. Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: That one will be replied to before the Departmental Committee on Transport, Public Works and Housing. The next Question, which would have been the last, is by the Member for Lamu East. He has made a written request that the matter be deferred and I accept to defer it to the next available opportunity.

Question No.446/2019

DELAYED COMPLETION OF NDAU AND KIZINGITINI SEAWALLS

(Question deferred)

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

Hon. Deputy Speaker: Hon. Members, I can see a few Members who have pressed intervention buttons. What is it, Hon. Mutua Barasa, Member for Kimilili?

Hon. Didmus Barasa (Kimilili, JP): On a point of order, Hon. Deputy Speaker. I rose here three weeks ago requesting for a Statement on the very many accidents happening in this country. It was to be given through the Departmental Committee on Administration and National Security. The Vice-Chair committed to provide the Statement within two weeks. We are now in the third week and I am wondering when the Statement will be brought because I do not want to wait for a long time owing to the fact that accidents are increasing every day. Despite the fact that police are carrying out investigations, maybe, they are not effective. That is why I wanted that Statement through the Chair of the Departmental Committee on Administration and National Security.

I am reminding them so that they can give me a fresh undertaking. I do not think they need more than three days to provide it because this is something the Government has been doing. The police have been investigating these matters and the National Transport and Safety Authority (NTSA) is also alive to this issue. So, I think you should order them to provide the Statement by Tuesday next week. Thank you.

Hon. Deputy Speaker: Is the Chairperson or Vice-Chair Departmental Committee on Administration and Security in? I know for sure that last week they were preparing for a major function which is happening here in Nairobi this week. Hon. Member for Kimilili, yours is a genuine concern.

I only wish they were here to confirm their availability to place the Statement before us. Of course, this is an extremely urgent issue which is serious. When Chairs commit themselves to give Statements at a particular time or give deadlines, they should keep them. Unfortunately, I cannot see either of them. Therefore, I will ask the Majority Whip. What is it, Majority Whip, I can see you are pointing one figure salute? I know you used to be in that particular party, but I think that must mean something else today.

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Deputy Speaker. I am not in a position to tell where the Chair is, but as a Whip, I am disturbed in the sense that Hon. Didmus Barasa is a Member of that Committee. I was just wondering who would know better because I was imaging being a Member of that Committee, he would have used internal committee mechanism to get an answer to this Question. Therefore, I will ask him to help us know where the Chair and Vice-Chair are because as a Member of that Committee, he is closer to the Chairman and may know where he is much faster than us.

Hon. Deputy Speaker: That brings another angle to this particular one. I did not know that he is a Member of that Committee. But even if that is the case, it does not stop him from utilising the avenues on the Floor. The Members must work and be seen to work by their own constituents. I can see there a few Members who want to speak. I know sometimes Members ask Questions directed at Cabinet Secretaries in committees they oversee, which is perfectly in order. But there are also other avenues they can use. What is it, Hon. Mabongah Mwambu?

Hon. Mwambu Mabongah (Bumula, Independent): Thank you, Hon. Deputy Speaker. My concern is slightly different and is on the same Committee.

Hon. Deputy Speaker: If it is something different, I will give you another opportunity.

Hon. Mwambu Mabongah (Bumula, Independent): Kindly, Hon. Deputy Speaker, it is now two months down the line and I have not received a response from the same Committee.

Hon. Deputy Speaker: What had you requested?

Hon. Mwambu Mabongah (Bumula, Independent): I rose here about two months ago because I wanted to know why the Cabinet Secretary, Ministry of Interior and Coordination of National Government, has not posted security officers in some of the gazetted divisions in my constituency two months down the line. One of the reasons why I asked the question is the insecurity that I am experiencing even up to now. I have not received any response to date.

Hon. Deputy Speaker: Was that a Question or a Statement?

Hon. Mwambu Mabongah (Bumula, Independent): It was a Question, Hon. Deputy Speaker.

Hon. Deputy Speaker: A Question would, obviously, be slightly different because we will be asking why the specific Cabinet Secretary has not responded. I am looking at you now, Hon. Barasa and the Vice-Chair of the same Committee, and I see that you are neighbours both where you sit and where you come from. It surprises me that you are not able to quickly...

That is a serious issue. I would want to know. I wish the Chair was here. Probably on this particular one, I will be asking some of the Members of the Committee including Hon. Didmus Barasa why that particular Question has not been answered. Is there an issue between the Committee and the Cabinet Secretary or the Principal Secretary for that matter? Let me listen to Hon. Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Deputy Speaker. I think the Statement Hon Barasa seeks is for public good given that accidents have increased. The fact that there was a promissory note on the deadline on when the Statement would be given is sufficient enough to give some orders to that particular Chair. Even if Hon. Barasa is a Member of that Committee, I do not think it is good or proper for the Whip to say that Hon. Barasa should use the internal mechanism to have his Question answered. I want to believe Hon. Barasa asked the Question for the public good and not for personal good. I find that methodology sought by the Whip being unorthodox because that will be a private matter for private understanding.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I hear you. Hon. (Dr.) Makali.

Hon. (Dr.) Makali Mulu (Kitui Central, WDM-K): Thank you, Hon. Deputy Speaker. I confirm that Hon. Barasa is a Member of that Committee. I agree with you, Hon. Deputy Speaker, that he has a right to ask for a Statement from the Floor even though he would have gained more by raising the same matter in the Committee. He is one of the Members who question the Cabinet Secretary on a regular basis compared to the rest of us who might be seeing him from television screens.

However, you must also realise that if you look at all the Questions which are being raised on the Floor of the House, over 50 per cent are related to security. So, there is a long queue in terms of Questions. At times, it is something we might need to discuss as a House because this particular Cabinet Secretary is still coordinating all Government development projects. So, you can imagine the kind of workload he has. I know at times Members are not very comfortable when it comes to getting answers from the so-called Chief Administrative Secretaries (CASs). So, at times we are in that dilemma that you want the Cabinet Secretary to come. Sometimes he is summoned and we have a meeting with other Cabinet Secretaries and this puts the Committee in a tricky situation. This is something we might have to discuss whether we could allow CASs to answer Questions, but Members sometimes demand that the Cabinet Secretary must be there. That is my input.

Hon. Deputy Speaker: Let us put it this way: We go the old way that always a promise is a debt and the Vice-Chair is here. I want to hear from him when he intends to do that. However, the issue of whether Hon. Didmus Barasa, who is a Member of the Committee, can ask a Question or request a Statement is neither here or there. He has a right. I am sure very soon enough, I believe by 31st of this month when our own Speaker will be launching the live broadcast of committee proceedings, many Members will go back to their committees and even canvass some of these things in their won committees. I can see the dilemma for Members. Obviously, they want their constituents to know that other than them working, they should also be seen to work.

So, I think Hon. Barasa is in order. He can ask his own Chair both at the committee level and also when they are doing things in their neighbourhood. I can tell you Hon. Barasa and Vice-Chair are neighbours even at the constituency level. However, since this is a matter of national concern, I think it is something that should be brought to the House and the Statement made.

Now let us hear from the Vice-Chair. You made a promise. I believe you can confirm that. Why is it that you have not been able to give the Statement and when are you likely to give it?

Hon. John Waluke (Sirisia, JP): Thank you, Hon. Temporary Deputy Speaker. Hon. Barasa's Question is a concern to us a Committee and it is a national issue. The Question that he raised is pertinent. I promised that in two weeks' time, we will respond to him, but this week, we have been very busy. As you know, visitors from almost 70 countries visited our Committee. We finished the conference yesterday and Hon. Barasa is one of us in the Departmental Committee on Administration and National Security. He was also there in the meeting when the Cabinet Secretary, Mr. Matiang'i closed the meeting at about 5.00 p.m. So, we are ready to answer his Question. Probably next week we will answer Hon. Barasa's concern.

Hon. Deputy Speaker: I am aware it was not a Question, but a Statement that was sought. Now, can we fix a date that you will be ready to make the Statement? This is something that I need to be clear about. If it is a Question, you know it is something that is dependent on someone else.

Hon. John Waluke (Sirisia, JP): Hon. Deputy Speaker, I can promise on 17th October 2019 we are going to give that Statement.

Hon. Deputy Speaker: Now let us hear from Hon. Barasa. That is a fixed date. I think it will be good enough. That is about a week and a half from now.

Hon. Didmus Barasa (Kimilili, JP): Thank you, Hon. Deputy Speaker. I just want to bring to the attention of the House that it is clear that we are not the persons to draft that Statement. The Statement should be drafted by the Ministry. Whether as a Committee we were busy or not, it does not stop the Ministry from functioning. The delay is affecting our oversight role and delaying our representation role. I do not think the Government can take two or more than two weeks to provide a Statement on something that they do on a daily basis. Whether we travel today as a Committee or the Chair will be attending a conference for the whole of next week, that does not affect the deadline and the time the Ministry should take to provide a Statement.

We are behaving as if the Chair of the Committee is the one to draft the Statement. The Chair of the Committee is just to relay the Statement from the Ministry to this House. That should not take even more than two or three days. So, I am not satisfied. I am very worried that this is delaying.

Hon. Deputy Speaker: Looking at it, today is 9th and it is going to be Thursday next week. Really, that is a fixed date that we know that on that day we should be expecting a Statement. What you have said is a generalised statement which I support. Matters will proceed; never mind the fact that we have other activities. However, as I have said, even the unavailability of the Chair and the Vice-Chair early this morning can be attributed to the work they were doing. It is a major conference. Of course, I would expect you will be there. I am not in any way saying that they have an excuse not to have presented a Statement. So, let us fix it for Thursday. I think it is something we can easily agree. You are neighbours. Behave like good neighbours who really cede grounds for themselves. Since you are also a Member of that Committee, please, make sure you push it, so that when the Statement will be given here, it will not be a Statement to you, but to Kenyans and the rest of the Members. It will be owned by the House and not you. So, for the purpose of other Members, never mind the fact that you are in that Committee, the House would want to hear what the Chair and the Vice-Chair have to say about that one.

I think we can leave that for now. Is there something different? On the one by Hon. Mwambu, I think the Vice-Chair did not give something on that. Hon. Mwambu had an issue

that he asked a Question two months ago. It is easier for us not to expect a straightforward answer from the Vice-Chair. Let him take that as a concern. Hon. Mwambu says he asked a Question and it has not been answered. Look at it, Hon. Vice-Chair, and see what you can do to fast-track it. You do not really need to attach yourself to this one.

Hon. John Waluke (Sirisia, JP): I stand guided, Hon. Deputy Speaker. Let him also give us two weeks because we have been busy with the conference, but now we are almost...

Hon. Deputy Speaker: I am reluctant for you to give yourself a timeline on that because it is not dependent on you, but on somebody else. Since you have done it yourself, that is okay with us.

Hon. John Waluke (Sirisia, JP): Hon. Deputy Speaker, we will answer him in two weeks.

Hon. Deputy Speaker: What is it again, Hon. Members? What is it? Let us start with the Chair of the Departmental Committee on Energy and then I will come to you. He is ahead in the queue.

Hon. David Gikaria (Nakuru Town East, JP): Thank you, Hon. Deputy Speaker. I totally agree with you on your directive regarding Hon. Barasa and whether he can ask a Question as a Member of a Committee. One day, I asked a Question directed to my own Committee and the Speaker came to my defence. He said that I have a right, as the Member for Nakuru Town East, to ask that Question. You are perfectly in order.

Hon. Deputy Speaker, I do not know whether a Question has reached your desk regarding the directive by the Cabinet Secretary for Education on closure of some schools. I asked that Question and said it was urgent, but I have not seen it. I do not know whether it has reached your desk or the Table Office.

On Monday, there was a huge demonstration in my constituency because of the schools which were closed following the directive by the Cabinet Secretary. Yesterday, when I was talking to the Chair of the Departmental Committee on Education and Research, he said that they have invited the Cabinet Secretary tomorrow. I understand tomorrow is a public holiday. The matter is urgent because there are children who are out, yet they have only three weeks before they sit for their exams. Others are doing their exams and they are out of school. We were asking for some timelines to be given. Instead of closing the schools, timelines should be given to allow the children to complete the few weeks and schools be given timelines to comply with the directives and requirements of the Ministry. It is unfortunate that there are so many children who have been affected. I was reading a newspaper which stated that 10,000 children across the country have been affected. I do not think that is right. The Children Act protects children.

What happened at the Precious Talent Academy in Nairobi was unfortunate. At the same time, we need to consider the welfare of these children. When I engaged the County Director of Education on Monday, she said that children should go to another school. It is too much. I had asked an urgent Question on that matter so that, we, at least, get a directive.

Hon. Deputy Speaker: Did you ask the Question by Private Notice or was it an Ordinary Question?

Hon. David Gikaria (Nakuru Town East, JP): I may not have read the Standing Orders properly and I just asked a normal Question, but I asked that it be answered urgently as per the Standing Orders.

Hon. Deputy Speaker: The only way we can know how urgent it is is when you make the determination on how you approach the Question. If you ask a Question by Private Notice, it will be much faster. Luckily, I see you are sitting next to the Chair of the Departmental

Committee on Education and Research. I am surprised you said that you discussed with him yesterday yet you are seated next to him. I am surprised that you are not discussing with him when he is your desk-mate.

Let us hear what the Chair of Departmental Committee on Education and Research has to say. Unfortunately, if the Question is not on the Order Paper, there is very little we can do.

Hon. Julius Melly (Tinderet, JP): Thank you, Hon. Deputy Speaker. The matter that the Hon. Member for Nakuru Town is raising is very weighty. It is a matter of national concern. The Ministry had to take that stern action because it is better to have a student alive than a dead one. We have seen some schools which are ramshackle or a disaster waiting to happen. It was better for the Ministry to take that action of closing those schools.

However, there are instances where we urged the Ministry to appear before the Committee, so that they can tell us the various steps they are taking to safeguard the 10,000 or 20,000 students who are out there and are supposed to sit for the Kenya Certificate of Primary Education (KCPE). What steps have they taken to ensure that the revision time for these students is not lost? They had agreed to appear before us. I know tomorrow is a gazetted national holiday. Therefore, we will reschedule the meeting. I will invite my friend and colleague, Hon. Gikaria, to listen to the Cabinet Secretary when the time comes.

Hon. Deputy Speaker: That will be dependent on whether his Question would have been processed or not. It looks like you had asked the Cabinet Secretary to come and address your Question. Even if the Question would not have been processed, kindly invite Hon. Gikaria, so that he can raise his concerns before the Committee. I hope it will be soon. It is an extremely urgent issue. The examinations are in the next few days.

I do not think I need to give you any more chances on this one, Hon. Gikaria. That is a matter you can canvass with your colleague seated next to you. You can see how quickly that matter can be dealt with. This is not even an issue of summoning the Cabinet Secretary. It is a request that the Cabinet Secretary appears before the Committee and that matter can be discussed.

Let us have Hon. Kemosi. He should be the last one. We are taking too much time on this one.

Hon. Vincent Kemosi (West Mugirango, FORD-K): Thank you, Hon. Deputy Speaker. My concern is similar to the one raised by Hon. Barasa. On 24th April this year, I raised Question No.183 of 2019 and the same was directed to the Cabinet Secretary for Interior and Coordination of National Government. Two or three months later, the Cabinet Secretary appeared, casually gave a response and sought for more time to respond. When he failed to do so, about one-and-a-half months ago, I raised a similar issue on the Floor of the House. The Chairman said the Cabinet Secretary was to respond within two weeks. Nothing has been forthcoming.

This was a Question concerning security in a sub-location whose assistant chief died three years ago and no step has been taken to replace him. The entire location does not have a chief because he was interdicted about a month ago. The security situation is quite bad. I have a lot of pressure from the ground. The Committee has failed. The Ministry has also failed. For that purpose, given the pressure that I have received from the ground, and through a letter addressed to the Principal Secretary last week, I have called the residents of that sub-location for a meeting on the 11th of this month. We will do what is best for us by electing an acting assistant chief for that sub-location until such a time that the Ministry substantively appoints an assistant chief then we can stand down that acting assistant chief.

Hon. Deputy Speaker: Hon. Member, whatever you do in terms of having a meeting on 11th or whichever date, I will be very surprised if you go ahead with the idea of electing an assistant chief. Secondly, you asked your Question in April. You said that there was an answer of some sort which you were not satisfied with. You then said that there was development down the line about a month ago when a chief was interdicted.

This is a lot of development which is happening so quickly even for the Committee to catch up with. You had a problem with the assistant chief and now you have another problem with the chief who was interdicted a month ago after you had asked a Question five months ago. Those are fairly confusing situations and scenarios. The Vice-Chair is here and he will listen to that. I hope he will take steps, so that you can have a good answer for the Question that you asked in April. The Question on the chief who was interdicted will be a different and separate Question. What do you want to say about that, Hon. Vice-Chair? Why has the answer to the Question delayed? That is where you should only confine yourself to.

Hon. John Waluke (Sirisia, JP): Thank you, Hon. Deputy Speaker. The Member is a bit confused because he is saying that the Cabinet Secretary replied to the Question that he asked, but he gave a shoddy answer. The CS cannot give the Member a shoddy answer. As far as I know, there are no elections of an assistant chief. The Member had not planned properly to ask this Question. That is why it delayed. The chief cannot be interdicted without making a mistake. To put the record clear, we will answer his Questions. Because the CS appeared before the Committee and answered the Question, although the Member said that the answer was shoddy, we ask for three weeks to answer him properly.

Hon. Deputy Speaker: I am a bit concerned because you have said that all the Questions will be answered in the next three weeks.

Hon. John Waluke (Sirisia, JP): Hon. Deputy Speaker, I can even ask for a month.

Hon. Deputy Speaker: Okay. Please, let the Question be answered. Before we move to the next Order, let me recognise, in the Public Gallery, students from Sophos Community School, Ruiru Constituency, Kiambu County. We also have students, in the Public Gallery, from Malami Primary School, Mavoko Constituency, Machakos County. On that note, I had seen the Member for Mavoko on the request list. What do you want?

Hon. Patrick Makau (Mavoko, WDM-K): Thank you, Hon. Deputy Speaker. A month ago, I posed a Question to the Cabinet Secretary for Industry, Trade and Cooperatives concerning why he has not appointed a member of the board to represent small shareholders for the last five years. Again, I sought from why after the lapse of the lease of the East African Portland Cement Company, he has allowed them to sell the land. The Land Act is very clear. Once a lease lapses, there cannot be any other reason for that particular leasee to sell the land.

Hon. Deputy Speaker: I do not want you to go to the details, Member for Mavoko.

Hon. Patrick Makau (Mavoko, WDM-K): Hon. Deputy Speaker, it is now one month ago and the same company...

Hon. Deputy Speaker: Is that when you asked the Question?

Hon. Patrick Makau (Mavoko, WDM-K): Yes.

Hon. Deputy Speaker: Was it a Private Member's Question or an Ordinary Member's Question?

Hon. Patrick Makau (Mavoko, WDM-K): Yes.

Hon. Deputy Speaker: Was it an Ordinary Question?

Hon. Patrick Makau (Mavoko, WDM-K): Yes. I cannot see the Chairman here.

Hon. Deputy Speaker: That will be communicated. I will ask the Majority Whip to communicate to the Chair and see how we can fast-track it. Please, let us leave it at that.

Hon. Patrick Makau (Mavoko, WDM-K): Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I will not give more Members an opportunity to contribute. So, we will move to the next Order.

BILL

Second Reading

THE ANTI-CORRUPTION AND ECONOMIC CRIMES (AMENDMENT) BILL

(Hon. Ndindi Nyoro on 24.7.2019)

*(Resumption of Debate interrupted on 2.10.2019
- Morning Sitting)*

Hon. Deputy Speaker: In this particular Bill, we had 28 minutes remaining. The Member who was on the Floor was Hon. Ngeno, Member for Emurua Dikirr. He has a balance of eight minutes. He is absent. So, we will give the opportunity to the next available Member, Hon. Yusuf Hasan.

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Deputy Speaker for giving me the opportunity to contribute to this Bill, which was brought to the House by Hon. Ndindi Nyoro. Corruption is the biggest threat that our country faces today. It is a threat to our national security, peace and stability. Therefore, we need to do whatever is necessary to fight it, so that we can move ahead as a country.

Corruption is a threat to our national security because corrupt officials open our borders and have a lax attitude. People die due to lack of medicine because someone took money and sold medicine. People suffer in the education sector because corruption has taken place, for example, someone was given a bribe. Therefore, corruption is a bigger threat than some of the other threats that we have placed at the top of the list, for example terrorism. This disease cannot simply be dealt with by legal means. Legislation is not enough. We need to change the culture that does not see the collection of bribes known as *kitu kidogo* as a threat and danger to the ethics and well-being of our country. That is why we need to have legislations. However, they must be backed up by the necessary actions that will repose and remove in the minds of many Kenyans the culture of corruption that is ingrained and rooted deeply in our society.

Therefore, in addition to the legislations that we pass, we need to do civic education and say that corruption is not acceptable. Unless we have zero tolerance to corruption and make sure that we start teaching the necessity to be upright, honest and ethical from our nursery schools up to our universities, we will not fight corruption by merely passing legislation. This is not only a problem for ordinary people in the streets, but it also permeates the highest level of our society. Recently, you saw one university giving away Doctor of Philosophy degrees (PhDs) as if they were distributing sweets in the streets. When you look at that, you see that corruption is rooted in the top institutions of learning. Corruption is rooted in our public institutions. There is really nothing you can do in the National Police Service (NPS) everyday without paying *kitu kidogo*. So, we need to address this issue comprehensively at every level and supplement what we are

doing in legislation by imposing rules and regulations and campaigning openly, so that we can deal with this issue once and for all.

People do not think that corruption is a problem because the idea of giving something is ingrained in some traditions and cultures. It is a requirement in some communities. We need to go to the root problem of this particular case. Kenyans are very hard working. They work day and night. We are an entrepreneurial country. People work hard in whatever they do in their businesses, jobs and studies. When you go outside this country, people tell you that we are about to take off economically. The same people will tell you that we are doing well as a country, but we have a problem of corruption. So, corruption has become synonymous with our brand or name. That is why it is absolutely necessary to take cultural, legal and political actions that will make corruption a thing of the past. This is the time to start.

I thank the Member for bringing the amendment Bill, but I believe we need to go beyond legislation. We need to go for a cultural campaign, and an ethical and moral rearmament, so that we can fight this disease. It is eating into our national body and damaging our reputation and aspirations of becoming a well-developed and successful country among the nations of the world.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I am looking for Members who have not spoken to this amendment Bill. Hon. Cheruiyot, Member for Baringo, had you spoken to this one?

*(Hon. David ole Sankok consulted
Hon. (Ms.) Gladwell Cheruiyot)*

Do not get too engrossed to Member No.001. Had you spoken on this one and do you want to speak to it?

Hon. (Ms.) Gladwell Cheruiyot (Baringo CWR, KANU): I had not spoken on this one.

Hon. Deputy Speaker: Okay, let us hear you.

Hon. (Ms.) Gladwell Cheruiyot (Baringo CWR, KANU): Thank you, Hon. Deputy Speaker.

Matters corruption are issues we talk about day in, day out and year in, year out. By bringing any legislation or regulations on corruption, I do not think we are doing anything different from what our laws have on corruption. The only thing that must be done is culture and attitude change. Unless we change the way we do things and the way we think about how to approach issues, corruption is here to stay with us. It is unfortunate that corruption affects our education standards, health of people and the economy of the country. It is unfortunate that the people who are purported or alleged to be corrupt are the ones who call the shots in this country. Even communities do not encourage or like people who do not have money. It is unfortunate that when people steal and ask for votes, they are liked and voted in by the community.

I looked at the proposal of the Departmental Committee on Justice and Legal Affairs on setting up of an international academy on corruption and wondered who the teacher would be. I do not know who is pure to be in the institution to give the right morals to society.

On economic crimes, I would like to bring up the issue of the Nakumatt Supermarket, which collapsed a few years ago. I do not know how many employees and suppliers suffered after the collapse of that entity. What has this country done about it? If we are talking about economic crimes, I believe something happened that affected the economy of the thousands of people who were working in that supermarket. Up to date, we do not know the fate of Kenyans

who were working in Nakumatt Supermarket. We do not know whether they were paid or not or whether they are still suffering.

The unfortunate part about corruption in our country is, for example, when people's buildings in cities or towns are demolished. One wonders how a building can be completed without the institutions concerned raising a flag. It is all about corruption. Somebody builds a multi-billion building, then as if it happened in one night, it is demolished. Nobody wants to look into that. Sometimes we punish the investors, but we never look for the person who signed or gave authority to whichever entity to develop a place. I believe after the demolitions that happened sometime back, people have lost lives as a result of stress. The probability that they parted with some money is very high before they were allowed to construct their investment.

Time has come for Kenyans to become truthful to themselves and bring about culture and attitude change. I wish corruption and economic crimes could be lessons in schools, so that our young people are brought up understanding corruption. In some instances, when students are asked what is the best way of acquiring wealth some of them answer that it is through corruption. Why do we not make it a subject in school, so that our children can be modelled to grow differently from those who were not taught about corruption?

I challenge the clergy in the country to make corruption in churches, mosques and other sacred places a sin. They should teach their followers the effects of corruption. I believe corruption and stealing is the same thing. After all, corruption kills. That is why the Ministry of Education is closing schools which would probably have collapsed thus endangering the lives of pupils. But these schools were not built yesterday. They have been there and inspectors have even been visiting them. How come they did not see the danger during their visits? For a long time, they did not do anything. They had to wait for a disaster to happen for them to rush to do something. The country should start becoming proactive and not reactive. When we think about such tragedies, we feel we do not know exactly what to do.

At the prosecution level in our courts and in investigations departments, right things must be done. When someone is alleged to be corrupt, unless that person is proven guilty, he cannot be charged. Unfortunately, when people go through a court process, the thing hits up and we have Friday arrests like what happened last year and this year. After some time, things go quiet and people begin to think that corruption cases go nowhere. We need to be serious from the three arms of the Government. The Legislature should make the right laws and the Judiciary should prosecute as required.

Thank you.

Hon. Deputy Speaker: We will have Hon. Bady Twalib. Hon. Twalib will have only five minutes because the Mover must reply at 10.35 a.m.

Hon. Bady Twalib (Jomvu, ODM): Ahsante sana, Mhe. Naibu Spika kwa kunipatia nafasi hii. Ijapokuwa umenipunguzia muda kwa dakika tano, nitazitumia vilivyo. Kwanza, ninaunga mkono Mswada huu kwa kusema kuwa mambo ya ufisadi sio mambo mazuri kufanyika katika nchi yoyote. Ni vizuri sana kuona kile kitengo cha kupambana na ufisadi kuwa kimeweza kufanya kazi yake bila kuogopa na vilevile kutumia fursa kuona kuwa watoto wa shule wanaweza kufundishwa kuhusu mambo ya ufisadi ili waweze kujua kuwa hii si tabia nzuri katika nchi inayoendelea.

Nikitoka kwenye mambo ya ufisadi, ninaingia katika hii mada ya *economic crimes*, yaani uhalifu wa kiuchumi. Mswada uko sawa kabisa kwa sababu nikiwa Mbunge kutoka Mombasa, kuna mambo ambayo yamenigusa. Tukiangalia mambo ya kiuchumi kama watu wa Mombasa, tumeumizwa sana kulingana na hali ilivyo kwa wakati huu. Tukiangalia mambo ya SGR, mambo

ya kubeba makasha, wafanyibiashara wetu hivi sasa hawawezi kufanya biashara kwa njia huru. Kwa maana hiyo, inakuwa hujuma ya kiuchumi. Nikiwa Mbunge wa Jomvu, ninasema hatutakubali jambo hili. Lazima Serikali iweke huru ufanyaji wa biashara. Watu watumie njia yoyote ile wanataka kutumia. Ikiwa mtu anataka kutumia malori, atumie malori. Ikiwa mtu anataka kutumia SGR, atumie, lakini kulazimishana isifanyike katika nchi hii. Serikali imesema kuwa imesimamisha mambo haya lakini tunaona mambo haya bado yanaendelea. Juzi kuna watu waliofanya maandamo na wameshikwa. Nikiwa Mbunge wa Jomvu ambapo wafanyibiashara wa malori wengi wapo, ninasema leo sisi watu wa Mombasa tutaichukulia hatua Serikali ya Kenya ikiwa haitaki kutusikiza. Tutapeleka mashtaka katika Korti ya Afrika Mashariki. Afrika Mashariki ina haki ya kusikiza shida yetu ikiwa nchi yetu haiwezi kutusikiza.

Kando na Afrika Mashariki hata International Criminal Court (ICC), tunaweza kuenda kwa sababu hii ni hujuma. Hatuwezi kuishi katika hujuma ya kiuchumi. Watu hawana kazi. Watu hawawezi kusomesha watoto sasa. Hivi sasa, watu hawawezi kuishi katika nyumba zao. Kwa hivyo, ninachukua fursa hii kusema ninaunga mkono Mswada huu kwa sababu utawezesha kuona kuwa mambo ya *economic crimes* yamechukuliwa kwa hali ya sawasawa.

Ahsanteni sana.

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

Hon. Deputy Speaker: What is your point of order, Hon. Sankok?

Hon. David ole Sankok (Nominated, JP): I am standing on a point of order, Hon. Deputy Speaker, in terms of relevance to the subject matter.

Hon. Deputy Speaker: I agree with you. We should be discussing things that touch on corruption because that is what this matter is all about. Let us stick to our Standing Orders. You should be winding up, Hon. Twalib. Your time is over.

Hon. Bady Twalib (Jomvu, ODM): Huo ni ufisadi. Ni ufisadi kuambia watu kuwa SGR lazima ibebe makasha peke yake. Bado niko katika mada ya Mswada huu nikizungumza mambo ya ufisadi. Ni ufisadi mkubwa kuambia watu wapakie makasha katika SGR na si malori. Leo, ninasema tunajitayarisha kushtaki Serikali ya Kenya katika Korti ya Afrika Mashariki mpaka tukomboe watu wa Mombasa.

Ahsante na Mungu atubariki.

Hon. Deputy Speaker: Ahsante. Let us now have the Mover to respond.

Hon. Ndindi Nyoro (Kiharu, JP): Thank you, Hon. Deputy Speaker, for the chance to reply. I would plead before I do so that I donate two minutes each to Hon. Gikaria and Hon. Major Bashir.

Hon. Deputy Speaker: You are perfectly in order, Hon. Gikaria.

Hon. David Gikaria (Nakuru Town East, JP): Thank you, Hon. Deputy Speaker. I thank the Mover of this very important Bill. Hon. Deputy Speaker, Protect me from these two Members.

Hon. Deputy Speaker: As I protect you, you have exactly one minute and 40 seconds.

Hon. David Gikaria (Nakuru Town East, JP): I agree with the Mover of the Bill. In the last Parliament, Hon. Kang'ata had proposed a death sentence for anybody involved in this kind of crime. The House, in its wisdom, decided to have not more than a 10 year jail term and a fine of not more than Kshs1 million.

We also need to be very careful as Members of Parliament. We are saying this because sometimes the agencies that are bestowed with the responsibility to undertake investigations act with malice. As we look at the amendments brought by Hon. Ndindi Nyoro, we also need to be very careful. How I wish justice was done in a fair and acceptable manner. Sometimes when you

look at justice and the way it is done in this country, you get scared because of the way these agencies reason. I totally agree with Hon. Ndindi Nyoro, but at the same time, we need to be very careful. Sometimes you might end up becoming a victim, if fairness is not done properly. How I wish we will be here in our numbers when we will be making a decision to pass or not to pass this Bill. However, I agree that corruption is a vice that needs to be taken care of in this country.

Hon. Deputy Speaker: Hon. Bashir.

Major (Rtd.) Bashir S. Abdullaih (Mandera North, JP): Thank you, Hon. Deputy Speaker. I know there is corruption in this country. Several speakers have talked about corruption being a cancer. We know cancer does not have a cure. Does that mean corruption does not have a cure? We keep on saying corruption is a cancer. Time has come for corruption to be dealt with accordingly because of its effects on Kenyans. We have cancer and other diseases in our country because of corruption. Resources that would have been used to treat Kenyans are swindled. The Bill talks about penalties that will be meted out to individuals involved in corruption.

While this is a good indication, the Judiciary also needs to have some leeway to handle matters as they come. We have corruption but cases of corruption differ. Cases of mega corruption and those of individual persons committing crimes are not the same. So, as we support this amendment, we need to look at its nitty-gritties to see whether it is usurping the powers or jurisdiction of the Judiciary.

Therefore, I support, but when it comes to looking at the Bill during the Committee of the whole House, we need to look at how it will affect the Judiciary as an institution.

Thank you.

Hon. Deputy Speaker: Hon. Nyoro, you have the Floor.

Hon. Ndindi Nyoro (Kiharu, JP): Thank you, Hon. Deputy Speaker. I would have wished to donate more minutes, but because of limitation of time I will just go ahead and reply.

First, I would like to thank all the Members for their contributions to this Bill, especially my seconder, Hon. Sankok, who is seated right here. As the author of the Bill, I have learnt several things as far as enriching the fight against corruption is concerned. I am sure even in the subsequent registration we will continue to make this war better and bolder.

Hon. Deputy Speaker, Rome was not built in a day. Therefore, any step in the right direction is the right one. I believe there are too many ways of fighting graft, especially economic crimes. We can be in a circus of amending the law every now and then until we get nothing done. I plead with my colleagues that this Bill is very instrumental when it comes to fighting graft, especially on the punitive side of fighting crime. This is because we are increasing the years that one can be jailed from “not more than ten years to not less than ten years.” We are also increasing the fine from “not more than Kshs1 million to not less than Kshs1 million”. We also have an input of stiffer fines. For example, if you steal Kshs1 billion, the fine will be double the gain you get from public coffers. If you cause a loss of Kshs1 billion of public money, the fine would be double that sum.

Listening to the majority of my colleagues, time has come for us to direct corruption and the fight against it where it belongs. I commend Members. Because of the nature of our work as the representatives of the people, if anything goes wrong in this country people will point fingers at us, governors, Members of County Assemblies (MCAs), Senators and other persons who have majority support. However, most of the corruption in this country happens beyond the people

who are elected and, therefore, it is time we strengthened this fight. We have seen other countries do so, and they have won the fight.

When I was moving the Bill, I gave the example of Singapore, which I will not repeat. There is another clear example of South Korea, where we have two former presidents serving jail terms. We can give countless examples of countries that decided to liberate themselves from corruption and the results were economic growth that trickled down to their population.

Hon. Deputy Speaker, we also have to know that beyond legislating, there are three components of a modern state that I will give. We can have very many laws like the ones we have in Kenya, but the buck stops somewhere, and not just in legislating. The three components of a modern state includes, having a strong state apparatus. We have room for improvement in this country, in terms of strengthening the state, by implementing and enforcing the existing laws. Another characteristic of a modern state is accountability, which often comes with democracy when it comes to election circles. Even as we legislate; our state is currently very weak. That is why we have runaway corruption. This is an area that needs improvement.

Secondly, there is the aspect of not adhering to the rule of law. In this country, there is no rich or wealthy person who is in Kamiti Maximum Prison, Shimo la Tewa Prison or any other jail in this country. Prisons in this country are reserved for the poor because the rich can always buy justice, and this leads to a total breakdown when it comes to adherence to the rule of law in this country.

The level of corruption at Independence was different from the level at which corruption is happening today. The current mode of corruption is patronage. That is why majority of the people strive to join Government. In comparison to other countries where people get rich through employment of their entrepreneurial skills and genuine hard work, it is the other way in Kenya, where the State is weak and there is no rule of law.

With those remarks, I reply.

Hon. Deputy Speaker: I am trying to ascertain if we have the numbers to put the Question.

(The clerks-at-the-Table counted the Members in the Chamber)

Hon. Members, we are short of the required number. Therefore, we will put the Question another time.

Next Order!

(Putting of the Question deferred)

LIVESTOCK AND LIVESTOCK PRODUCTS MARKETING BOARD BILL

Hon. Major (Rtd) Bashir S. Abdullaih (Mandera, JP): Hon. Deputy Speaker, I beg to move that the Livestock and Livestock Products Marketing Board Bill (Bill No.2 of 2019) be read a Second Time.

The main objective of this Bill is to streamline the marketing of livestock and livestock products in Kenya. This is in light of the fact that although the livestock industry is a very important source of income for many households in Kenya, its regulation is carried out by different entities. This most of the time results in duplication of efforts and competition amongst those entities, therefore, leading to poor service delivery. Consequently, the main beneficiaries of

the industry are middlemen instead of livestock farmers. This Bill seeks to streamline the industry by establishing a Livestock and Livestock Products Marketing Board, which is to be the main body to deal with the concerns of the marketing of livestock and livestock products in the country. It is expected that the passage of this Bill will result in establishment of an efficient livestock and livestock products marketing sector in Kenya.

Hon. Deputy Speaker, this Bill was first published on 8th February 2019, and was read the First Time in the National Assembly on 20th March 2019. Pursuant to the provisions of Standing Order No.127 (1), it was referred to the Departmental Committee on Livestock and Agriculture for public participation. I am glad to report that the said stakeholders' participation was conducted by the said Committee.

The Committee's Report was laid in the House, and I am sure Members have gone through it. When you talk of livestock, its contribution to the Gross Domestic Product (GDP) is 12 per cent. Other sectors, for example tea has the Tea Board of Kenya, coffee - the Coffee Board of Kenya and pyrethrum - the Pyrethrum Board of Kenya. All these sectors have their own boards. Unfortunately, livestock has been left hanging with no board, despite the fact that its GDP contribution is 12 per cent. The sector is not regulated and that creates lack of synergy between the producers and the market. In the absence of livestock board, we can source for livestock market outside the country. However, because we do not have structures, systems and a board, our livestock products cannot sell in international markets. In the year 2016, there was an executive order by the President for the creation of this board. However, the ministry concerned has not acted to date. This Bill will give the board the needed fine touch, so that we anchor it in law.

This Bill is in tandem with Vision 2030 which is part of the Big Four Agenda. Over 80 per cent of Kenya's land mass is made up of arid and semi-arid lands (ASALs). Livestock is the main source of livelihood in those areas. Even those areas that are non-ASAL, livestock constitutes an important source of family income and food security. So, if we have this board in place, the challenges that the livestock farmers have faced before will be addressed. Every now and then we hear the Government assisting tea, coffee, cotton and pyrethrum farmers. We have never heard of a situation where livestock farmers are assisted in the same way other sectors are assisted because there is no board in place. All these sectors have agitated for their rights. I am sure there is no household in Kenya that has no livestock products.

I hope and believe that once this board is put into operation, we will tap into the vast market that is outside Kenya. We have a lot of livestock but unfortunately, when drought comes, they all die. Even an off take programme for those livestock is not in place. The drought that is about to end has killed several livestock. If we had a board, it would have looked into this matter and I am sure livestock farmers would not have run at a loss.

We have markets in Middle East and Europe, but our products cannot sell because of lack of standardisation. A country like Somalia is able to take its livestock to the Middle East, yet it is unstable. We have been independent since 1963 and yet we do not have a streamlined livestock board that takes care of livestock farmers. We have surplus of livestock. We cannot consume all the livestock in Kenya. Therefore, the rest die when drought comes.

This Bill will ensure that we have a board that will streamline all aspects of marketing and production. This is informed by the fact that we need expertise. The board shall consist of the following members: The Chairperson, the Principal Secretary in the Ministry responsible for livestock or their representatives, the Principal Secretary in the Ministry responsible for finance and their representatives, two persons nominated by the Council of Governors with knowledge

on livestock matters since livestock is a devolved function, two persons appointed by the Cabinet Secretary taking into consideration the principles of gender and regional balancing and they must have experience in the livestock sector.

Hon. Deputy Speaker: Order! Before you proceed, I have received a request from the Chairperson of the Committee on Delegated Legislation. She will lay the paper in the next 30 minutes. So, at that point we will have to interrupt you. Proceed.

Hon. Major (Rtd.) Bashir S. Abdullahi (Mandera North, JP): Thank you, Hon. Deputy Speaker. We will have one person nominated by the Kenya Private Sector Alliance, one person nominated by the Kenya Livestock Marketing Council and the Chief Executive Officer who shall be an *ex-officio* member. If you look at the composition of the members of the board, it reflects expertise and Government involvement as far as the sector is concerned. The Chairperson shall be appointed by the President, but with the approval of the National Assembly so that he or she is accountable to the people's representatives. That is critical.

*[The Deputy Speaker
(Hon. Moses Cheboi) left the Chair]*

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

This is a straightforward Bill. I know it came up in the last Parliament, but it did not see the light of the day. I am happy that the Departmental Committee on Agriculture and Livestock has conducted stakeholder meetings, especially with the Ministry of Livestock. Having looked at the Report that was tabled by the Departmental Committee on Agriculture and Livestock, there are amendments from the Ministry of Agriculture. Those amendments are welcome. One thing that I have noted with concern is the resistance by the Executive, especially the Ministry of livestock, in derailing formation of this board. At some point, they thought of having the directorate being housed within the Ministry. Since 1963 we have had the same Ministry of Livestock. The name livestock is the main name in that Ministry. Unfortunately, it has never handled livestock matters as it should be.

Therefore, as we go through this Bill, we should remember that every household in this country has a livestock product. We recognise that certain parts of the country have more livestock products than others, but no household has nil. Let us have the bigger picture of ensuring that this board sees the light of the day, so that our livestock can be consumed in Kenya when they are healthy. Above all, we should tap into the international market. It is unfortunate that our neighbouring countries' products are sold in the international market while ours cannot simply because we have no standards and we have no board to take care of the sector. As I move, I call upon the Members to look at this matter and support the Bill.

I call upon the Chair of the Departmental Committee on Agriculture and Livestock, Hon. Adan, to second. Thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Adan.

Hon. Ali Adan (Mandera South, JP): Hon. Temporary Deputy Speaker, thank you for giving me this opportunity. I rise to second the Bill. It is sponsored by Hon. Bashir and it seeks to streamline the marketing of livestock and livestock products in Kenya. It establishes the Livestock and Livestock Products Marketing Promotion Board to be the main body dealing with marketing and livestock products in the country.

The Bill was published on 7th February 2019 and was read a First Time in the National Assembly on 20th March 2019. Following the First Reading in the National Assembly, it stood committed to our committee pursuant to Standing Order No.127(1) and we began to prosecute the Bill. The committee held a public participation meeting with stakeholders on 29th June 2019 and received oral and written submissions from the State Department for Livestock. The committee then considered all the comments, weighed them based on their merits, incorporated some and rejected others. Most importantly, the justifications for rejection of comments from stakeholders are provided in the committee's report, which was laid on the Table of the House on Wednesday, 2nd October 2019.

In the committee's report, there are proposed amendments to the Bill that have been outlined in line with the observations and recommendations made by the committee during the review of the Bill. There will be a number of amendments the committee will be proposing, but I would like at this juncture to highlight just a few.

Clause 6(1)(f) of the Bill provides that one of the members of the proposed board shall be a person nominated by Kenya Private Sector Alliance (KEPSA). However, the specific mention of KEPSA is inadvisable since it might necessitate an amendment to the Act if the status of the Alliance changes. Therefore, the use of the phrase 'umbrella body representing private sector' will address these concerns. Similar amendments will apply to Clause 6(1)(g) in relation to the one person nominated by the Kenya Livestock Marketing Council.

Two, the Bill does not provide for the qualification of the chairperson of the board. The committee will, therefore, be proposing amendments to Clause 6 of the Bill to provide for the qualifications of the chairperson of the board. Three, there are a number of amendments which will enhance the effectiveness of the provisions of the Bill, such as provision for the board to co-opt experts; a provision to provide that the CEO shall hold office for a term of three years renewable...

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order! What is it, Hon. Wamalwa, the Member for Kiminini? You have pressed the intervention button.

(Hon. (Dr.) Chris Wamalwa spoke off record)

No, Hon. Wamalwa. You cannot say you were scratching yourself and so you accidentally pressed the intervention button. You may proceed.

Hon. Ali Adan (Mandera South, JP): Thank you, Hon. Temporary Deputy Speaker. I also thank you Hon. Wamalwa. I know he was just following the proceedings. This is a timely Bill and needs to be enacted. There was a Bill in the 11th Parliament that was related to the same subject matter, known as the Livestock and Livestock Products (Development and Marketing) Bill, 2016, sponsored by Hon. Abdinoor Mohamed Ali. However, the Bill lapsed at the end of the term of the 11th Parliament. This House has another opportunity to enact this legislation. I wish to congratulate Hon. (Maj.) Bashir Abdullahi for resuscitating this Bill.

There are many reasons why as a committee we felt that this Bill is very critical to the livestock sector. A large part of Kenya is arid and semi-arid and it carries over 50 per cent of livestock and 25 per cent of Kenya's human population. Most ASAL inhabitants are also pastoralists and mainly depend on livestock as a source of livelihood. Despite many resources available in ASAL region, especially livestock, the region is characterised by high poverty levels. Therefore, this Bill will certainly play a critical role of translating livestock resources into some meaningful wealth, so that needs and wants of the livestock farmers in this region are met.

Livestock farmers face a myriad of challenges in this country, among them the distance of market places. The board will seek to help bridge the gap between the market and the market place. There is also exploitation of livestock farmers by middlemen, not to mention low prices as a result of often uncontrollable factors of the vagaries of climate change. So, this Bill is timely because it seeks to address the challenges of pastoralist farmers.

There is an important role played by the livestock sector in the ASAL. Among the pastoralists, it provides meat and milk products. It also contributes immensely to the Big 4 Agenda. I see agitation by Members from other agricultural sectors. Agriculture, as a sector, is dead. Livestock farmers have been feeling the wrath of lack of attention by the Government. Now, other sectors of agriculture are also ailing. Tea farmers are in problems; the coffee sector is dead; the pyrethrum sector is dead; the sugar sector is ailing; the cotton industry is *kaput*; you know the perennial issue we have with maize; rice is also a problem; and the dairy products sector is also ailing. We need serious intervention by the State to help the agricultural sector come back to where it used to be.

Hon. Temporary Deputy Speaker, we see agitation by individual sectors. All these boards were collapsed into what is now called the Agriculture and Food Authority (AFA). The Committee is seized of two Bills: The Sugar Board Bill and the Tea Board Bill.

The Temporary Deputy Speaker (Hon. Patrick Mariru): You second. Your time is up. Let him pronounce himself on that.

Hon. Ali Adan (Mandera South, JP): Hon. Temporary Deputy Speaker, as I finish the Tea Board Bill and the Sugar Board Bill is with us. It seems as though AFA is dead and so this Livestock and Livestock Products Marketing Board Bill is very timely. I urge Members to support it. With those few remarks I second.

I thank you.

(Question proposed)

The Temporary Deputy Speaker (Hon. Patrick Mariru): We shall start with Hon. Amin Kassim.

Hon. Rashid Kassim (Wajir East, WDM-K): Thank you, Hon. Temporary Deputy Speaker, forgiving me an opportunity to expound on this Bill which I intend to support.

The creation of the Livestock Board is long overdue. We have over 50 years of Independence. Many leaders who have had the interest of livestock farmers have brought such a Bill to the Floor of the House and yet it has not been fruitful. I can see at the end of the tunnel there is light for people who are pursuing livestock farming in this country. I thank the Mover of the Bill, Hon. Bashir, for bring this to the Floor of the House so that the people of this region and the country as a whole can benefit from the creation of this board. This Bill intends to streamline the marketing of livestock and livestock products in the country.

Hon. Temporary Deputy Speaker, Kenya has nearly 80 per cent arid and semi-arid counties and their livelihood depends on livestock and livestock products. Over the years there has been no proper and organised marketing strategy for people who derive their livelihoods from livestock and livestock products. This board, if created, will certainly provide enormous income and business for people from these counties.

Before Independence, in 1958, the Kenya Meat Commission (KMC) Board was created. The KMC was to provide for an off take for livestock from these areas, but it has certainly not met its objectives in trying to mitigate against livestock marketing and livestock trade. Today,

the creation of this board will address the shortcomings of the KMC Board which was created at Independence. Livestock is moved from those regions, brought to urban markets such as Nairobi and others. Those farmers are disadvantaged because of middlemen. The middlemen exploit the farmers who have kept livestock to earn income. So, this board will regulate against middlemen who will try to exploit the farmers.

Other challenges that this board will mitigate are the so many abattoirs which are uncontrolled; whose hygiene and health status are wanting like the Burma Market and many others in this country. This marketing board is intended to regulate the entire marketing system in this country so that we can get value for our livestock and livestock products. This board will also try to make us explore other markets that exist in the country and outside this country such as the Arab nations particularly Dubai and the Emirates which have huge markets for meat. This board and its current regulations which are going to be in place will likely to make us get value for our money and the country will earn income.

If you look at the records which exist in this country, you will find that nearly 12 per cent of the Gross Domestic Product (GDP) comes from livestock and livestock products. That is an enormous contribution to the GDP and the economy of this nation. With the creation of this board, and with the ailing of other agricultural activities like crop farming, this one will increase the GDP from 12 to nearly 30 per cent as envisaged. So, if this board is created, it will improve the economy of this country.

This is a new frontier. The Chairman, Departmental Committee for Agriculture Livestock, from his experience has said that most of the agricultural boards have been ailing. The cashew nut and coconut boards have collapsed. If you look at all crops such as tea and coffee, you will find that all the boards have been created to improve the marketing of those products, and yet they seem to have a problem. Over the years, we have not had a livestock marketing board created for that purpose, and so this board is very timely. It is going to support the people from this region and the country at large.

I thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Very well, before we get to the next speaker, I can see the Chair of the Committee on Delegated Legislation is here. Would you like to table your Report?

PAPER LAID

Hon. (Ms.) Gladys Boss Shollei (Uasin Gishu CWR, JP): Hon. Temporary Deputy Speaker, I beg to lay the following Paper on the table of the House:

Report of the Committee on Delegated Legislation on its consideration of the public Finance Management Act, National Government (Amendment) Regulations 2019 by a Legal Notice No.155 of the 26th September 2019.

I thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Do you have a notice of Motion as well?

NOTICE OF MOTION

Hon. (Ms.) Gladys Boss Shollei (Uasin Gishu CWR, JP): Hon. Temporary Deputy Speaker, I beg to give notice of the following Motion:

THAT this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management National Government (Amendment) Regulations of 2019 laid on the Table of the House on Wednesday, 9th October 2019 and pursuant to the provisions of Section 205(4) of the Public Finance Management Act 2012 Section 18 of the Statutory Instruments Act 2013 and Standing Order 2010 4(b) approves the Public Finance Management, National Government (Amendment) Regulations 2019 Legal Notice No.155 of the 26th September 2019 thus approving the amendment made to the Public Finance Management National Government Regulations 2015, Principal Regulations as follows:

- (a) In regulation 26(1)(C) deleting the words “50 per cent of (Gross Domestic Product) GDP in net present value terms and substituting thereof for the words “Nine Trillion shillings”
- (b) In regulation 196 (1) by deleting the words “Net present value of the total public debt that is” and substituting therefore the words “Set Limit”.

I thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): At some point, I wondered whether you are giving a notice of Motion, and clearly you are. To my right is Hon. Rasso Ali.

(Resumption of Bill)

Hon. Ali Rasso (Saku, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill and thank Hon. Maj. Bashir for bringing it because it is timely. For unknown reasons to us pastoralists, this Bill was killed in the last Parliament. At the heart of pastoralists is livestock which is the basis of our economy. As we sit in this House, we talk about many issues like agriculture but livestock has never been a major subject to be considered by this House.

We have a Departmental Committee on Agriculture and livestock in this House. While we talk about agriculture in the broad sense, I think the Chair will agree with me that we have never seriously considered matters livestock. So, I thank Hon. Bashir for kicking this Bill back to life. When a particular product contributes 12 per cent to the national GDP this is a lot of contribution and Kenyans, the National Treasury and the Executive must take note of this.

The ASAL areas supply 80 per cent of the meat consumed in the country. In every other meal we take there is a meat product. This shows the level of contribution by ASAL areas since almost 70 per cent of Kenya is occupied by the ASAL people and their livestock. The thrust of this Bill is about marketing of livestock and livestock products. If we just take an example of one country to the North called Djibouti, its port is largely sustained by export of livestock and livestock products. They are able to get livestock from Ethiopia, Northern Kenya and parts of Somalia and this is what runs that port.

Kenya is the third largest producer of livestock and livestock products after Ethiopia. We need to take cognisance of this fact and put money in this sector. The debt of the Livestock Marketing Division (LMD) and KMC to a large extent actually undermined the value of livestock as the mainstay of pastoralists’ economy, therefore, making them achieve results using abattoirs in Kiamaiko and Dagoretti as throw away markets. This is where the livestock are sold at prices determined by brokers and middlemen who invest zero to the product they are buying from you.

Through this Bill, I think we need to recognise the importance of management of range lands. This is because in the range lands only 20 per cent of livestock is maintained. Therefore, for this economy to thrive we should maintain the 80 per cent of Kenya that produces this livestock and range lands. There are a few things about this Bill and one is the Board. We need to clearly focus on the Board which must represent the pastoral economy. The Members of this Board must clearly reflect the diversity of this particular sector.

In the Bill there is also a suggestion of a Chief Executive Officer (CEO) who will be appointed by the Board. But the Board has not said for how long he will be in office. I think that may be an oversight. The Mover of the Bill must think clearly because it means that the Board can hire and fire at will. Maybe, we should allow the CEO to be in office for three or five years so as to have security of tenure and to effectively serve in that office. Finally, livestock farmers find this sector no longer beneficial or having value for money. But with this Bill the Board will focus on this very important sector of the economy and generate income to the farmers and the nation.

With those few remarks, I beg to support this Bill which is timely and thank the Mover. Thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Before Hon. Nguna speaks allow me to recognise staff from Murang'a County Assembly seated at the Speaker's Gallery. Why is Hon. Nyoro saying *kabisa*? You may not speak to this one because we are just recognising staff from Murang'a County Assembly. They are:

- (i) Ruth Mumbi Kibithe – Legal Counsel
- (ii) Joseph Kimathi Nguyo – Serjeant-at-Arms
- (iii) Joseph Kimani Nduati – Clerk Assistant
- (iv) Irene Muthoni Mungai – Communications Officer

They are welcome to follow the proceedings of this House this morning. Hon. Nguna, you have the Floor.

Hon. Charles Nguna (Mwingi West, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. I would like to thank and congratulate Hon. Bashir. I can assure him he will come for a second term because he comes from a livestock zone with many pastoralists. Indeed, I am surprised that we do not have a livestock and livestock products Board, and yet, we have many Boards like Sugar Board, Fish Board and many others in place. I am surprised a sector that controls 12 per cent of what we feed on daily basis does not have a Board.

I rise to support this Bill and congratulate the Mover. The function of this Board is very comprehensive and I would like to lament on the idea of it developing and rehabilitating livestock marketing infrastructure. I recall when I was a child, my grandfather used to rear livestock and he used to sell hides and the carcass of the livestock. These things are no longer many because of climate change. This sector is neglected. One of the functions of this board would be to support infrastructure improvement in the slaughterhouses. I do not know how many slaughterhouses we have. Some counties do not even have slaughterhouses for livestock. This Bill should be supported fully. Once the board is put in place, it will deal with the issue of lack of standardisation of our products. Countries like Great Britain have successfully implemented the kind of arrangement being sought by this Bill and they market their livestock products world over. We will also be able to market our products across the world, not just in East Africa alone. Once this board is in place, all these functions will be done. Without elaborating and going through a lot, I think it will help our livestock sector.

I would also like to comment on the issue of composition of the board. It is very clear. We need to have people with appropriate expertise sitting in the board.

With those few remarks, I beg to support and request the Members of this House to support this Bill.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Mutunga Kanyuithia.

Hon. John Mutunga (Tigania West, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to speak to this Bill. I would like to thank Hon. Bashir Abdullahi for bringing this Bill to the House. It is a very important Bill, and I will say why.

We are a country that is reliant on agricultural resources and in terms of contribution to the GDP. Direct contribution of the sector is 34 per cent and indirect contribution is about 27 per cent. The livestock sector is one of the most important sub-sectors of agriculture. I would like to pick the definition of “livestock” to give comfort to our friends from the pastoral areas. Livestock is defined as cattle, camel, sheep, goat, pig, poultry, rabbit, bees and also companion animals and drought animals as well as any other animal which the Cabinet Secretary may, by order in the Gazette, declare as livestock for purposes of this Act.

I would like to join our friends from the pastoral areas by telling them that livestock is an important industry in the entire Kenya. It is not really for the pastoral areas. Therefore, we should have the comfort in discussing this Bill with all the confidence that we need. I would also like to reiterate the importance of the livestock sector, which contributes 12 per cent to the GDP. Despite the contribution of this livestock sector to the GDP, it is not given the prominence that other sectors get. I just want to compare the livestock sector with the manufacturing sector. The manufacturing sector contributes between 9 and 13 per cent to the GDP. It keeps on wavering between 9 and 13 per cent. Some of the individuals who have invested in manufacturing in this country are very well known when the entire livestock sector is not given the prominence it should be getting. So, the livestock sector is a very important sector and, therefore, we need to give this Bill all the support it requires.

I just want to highlight a few important issues that have been brought up by this Bill, like regulating the products and livestock marketing. We need regulations for us to be able to access organised and reliable marketing systems. Without regulations, we may not be able to access the European and Middle East markets. We may not be able to produce sufficiently even to sustain supply to these markets. Promotion of trade of livestock is important. Trade is mainly promoted. We vote for money. We must set aside money for promotion of trade. Without a board or an organised way of doing this business, it is not possible for us to promote this product. We need to promote our livestock as different breeds for the various products they give us.

If we have to achieve the Big Four Agenda, especially Agenda No.3, which is manufacturing, we need to produce a lot of livestock products so that they can feed the industries as raw materials. Without organising this industry, it is not possible for us to sustain supply of raw materials to these industries on a consistent and regular basis. We need advisory services and organised and credible advice to both the county governments and the national Government. We need a think-tank. This Bill comes in handy to create that think-tank in the form of a board that will be supported by a secretariat that will be focussing very carefully on issues that have to do with livestock.

We need a consistent way of mobilising resources and managing these resources so that we may promote our livestock industry. Most of this country is ASAL. Being ASAL, we need to invest in range land improvement so that we can produce livestock in a more meaningful and

more productive way. In order to do that, we need to mobilise resources. Resources will not only be mobilised from this House. They are not the resources voted in this House. There are lots of resources out there, with donors. Resources can even come from private philanthropies who would be guided to support this industry in a better way. So, the board is important in the sense that it will be organising or coordinating the function of mobilising resources to invest in particular industry.

Value addition is core to the growth and development of any country. If we have to industrialise, we must think of different ways and versions of value addition. We must define value addition in the correct terms. We must invest in value addition. Without a proper machinery to think through value addition and the many products that we need to add value to, we may not be able to reach there in a short while. So, having a board in place to look at livestock and livestock products will not only identify which livestock species or breeds we need to promote in the different ecological zones of this country but it will also enable us to know which products we need to promote so that we may be able to add value to and, therefore, industrialise this country and create the jobs that the youth need in a big way.

Infrastructural development in the livestock industry is very poor. Some of the speakers who have spoken before me have articulated the fact that there has not been commensurate investment in livestock as there has been in crops although the two sub-sectors of agriculture fall within the ambit of the same ministry. We need to invest in modern abattoirs and holding grounds. I want to take a minute to discuss the issue of holding grounds. We used to have a very elaborate mechanism of marketing livestock in this country. Thanks to the corruption that has been in existence and the many other social ills that we have nurtured in this country. We have lost the entire livestock marketing machinery that we had developed for very many years. Livestock used to trek from the northern range lands to the nearest railway stations, from where they would be loaded and transported to the coast for export. We lost our livestock quota in the European market because of disorganisation and land grabbing. We no longer have livestock holding grounds. Holding grounds used to be used as fattening centres as well as disease control centres. Right now, we are struggling to come up with a policy on development of what we call disease-free zones. It is taking forever to come up with disease-free zones. It is time we thought about livestock seriously if we really want to develop as a country.

This Bill is important in the sense that it seeks to bring order to this very important sector in terms of reorganising the sector and making it more reliable. There are efforts to insuring livestock but there are no coordinated mechanisms for identifying which animals need to be insured, and how insurance covers are going to be organised. I do not think the ministry, and more specifically the Department of Livestock Production, has the capacity to do that besides many other things that they have to do. The numbers of the livestock we are talking about are big. So, we need a specific think-tank that will develop and promote these ideas in a better way so that we may be able to know how to secure our livestock for purposes of having a consistent and reliable production.

Livestock farmers have had to contend with heavy taxation and levies in this industry. Anybody who wants to get rich quickly goes to the agricultural sector, and more so the livestock sector. We need a board that will enable us to regulate and look at the kind of taxes and levies that are being charged in different places in this country as livestock are moved, and as we process livestock products. We need a board that will enable us to regulate the taxes and levies being charged at different points in this country as livestock move and are processed. We need a body that will scrutinise and give advice on the policies that the sub-sector should have. There

are very many policies in this sub-sector. Despite that, I can confidently tell this House that this is one of the sub-sectors that are poorly regulated. The livestock sector is extremely unregulated. We do not have serious policies or laws. The Acts in the livestock sector are very poorly done. We need to focus seriously on this industry and this is the missing link. If we have this board, it is possible for us to have guidance on the upcoming policies.

My final point is about the technologies, innovations and management systems that we need to put in place in order to enable the livestock industry grow. There are many technologies that are developed but are scattered across the country. We need organisation of these technologies and the mechanism of conveying them to the farmers so that they are able to produce livestock as it is produced in other countries of this world. There is no way Botswana can beat Kenya and take the Kenyan quota. We should reclaim our quota by focusing on the livestock industry.

Thank you. Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Member, I am sure you will speak. Before you do, allow me to recognise in the Speaker's Gallery, a group of university students from Nyakach Constituency, Kisumu County as well as students from Kangema High School, Kangema Constituency, Murang'a County. We also have students from Gatanga CCM Secondary School, Gatanga Constituency in Murang'a County.

In the Public Gallery, we have D.N Kiburi Sulmac School from Lari Constituency, Kiambu County; Kirwara High School, Gatanga Constituency, Murang'a County; Mbooni AIC Girls Secondary School, Makueni Constituency, Makueni County, and finally, PTR Primary School from Lari Constituency, Kiambu County. They are all welcome to follow the proceedings of the Assembly this morning.

Hon. (Dr.) Chris Wamalwa (Kimini, FORD-K): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill.

I listened carefully when Major Bashir was moving the Bill. Looking at livestock, I realise he focused more on the meat side and forgot to mention something on dairy. I want to give a full definition. My friend, *Mheshimiwa*, who is an expert in agriculture, has talked about agriculture in terms of crops and animals. Kenya is a signatory to the Maputo Declaration which states that 10 per cent of the GDP of the country must be invested in agriculture. When you break it down, we come to the livestock side.

When you talk of livestock, there are three main components. We are talking of dairy, meat and skins and hides. Those are the three critical products. Let us not get skewed when we talk about livestock. I understand my colleagues from the northern part of this country are mostly on the meat side and that is where they focus heavily on in their preparations or presentations.

Currently, with the issue of the climate change, we are seeing many people moving towards dairy. For instance, in Trans-Nzoia County or the part of the Rift Valley which is known as the grain basket of this country, things have changed. Because of the poor maize prices, people are moving towards dairy.

The dairy industry needs to be looked into. Currently, there is a duopoly. There are only two major players, namely, Brookside - whose owners we know - and the Kenya Cooperative Creameries (KCC). These two organisations bring a lot of problems to the dairy industry. How I wish we could look for a way in a liberalised manner. KCC is a parastatal. It is now 100 per cent owned by the Government. We know very well that Brookside is privately owned. These people collude. There is a conspiracy where they come together to frustrate the dairy farmers. Recently, they reduced the price of milk per kilogramme which they buy from farmers at almost Kshs23

from Kshs40. It is important that we have such a board which will look into ways of value addition to help the poor farmer.

We have been told that livestock contributes to about 12 per cent of the GDP of this country but the investment is negligible. I thank and salute Hon. Major Bashir for coming up with this Bill. It will add value and provide employment in terms of value addition for our poor Kenyans.

I just want to mention some of the products. When you talk of dairy, there is whole milk. In Githunguri, Kiambu County, farmers rely heavily on dairy. They have adopted modern technologies in terms of production. If we want value for money we must add value to the products. If we promote value addition and have a good body that will regulate and supervise, it will add value to the common farmer.

Those duopolistic entities are frustrating farmers. We call upon the relevant bodies or the CS in charge to look into it. This country is a liberalised market. That is why this Parliament in its wisdom passed the Banking (Amendment) Bill. Much as the banking industry has been liberalised, the players in the banking industry have been making abnormal profits. It will reach a level where we must do the same in the dairy industry. These two companies - KCC and Brookside - are making abnormal profits and frustrating farmers in terms of pricing. They must look for a way of pricing in a competitive manner such that farmers can also get value for their money.

Another issue is about our pastoralists. A big part of this country is semi-arid. We are aware of the Galana-Kulalu ghost project where the production per acre of maize only comes to 5 to 10 bags. In certain parts of the Rift Valley, you can be assured of 20 bags where God has blessed us with good rains. It is time the Government focused on priority products.

I looked at the formation of the board. I know Hon. Bashir is listening and will be answering questions. When we form this board, it will be a State corporation. State corporations are guided under the State Corporations Act. It will be very critical that as we move forward in terms of the composition of the board, we borrow from the State Corporations Act. Livestock, as per Schedule IV of the Constitution has been devolved. It will be important for the Council of Governors to also have a slot as far as the composition of that board is concerned.

Obviously, there will be a CEO. If there is a CEO under the State Corporations Act, there is guidance. We have parastatals where a CEO serves for three years and others for five years renewable. We do not need to reinvent the wheel when it comes to the composition of the board. We should borrow from the State Corporations Act which will help us.

The Kenya Meat Commission was a wonderful idea. Look at the kind of animals they buy. There is something called good manufacturing practices (GMP). If the raw materials are sub-standard, the output will also be affected. You find that some of those animals are emaciated. This country has a lot of potential in terms of beef production because of the nature of the ASALs. We can produce so much beef that we can export and bring in foreign direct investment (FDI). How I wish that those particular counties would focus and give priority to that issue because it will add a lot of value.

We cannot be legislating in vain. In the last Parliament, I brought a Bill to this House which was assented to by the President on the establishment of a fertiliser board. We have had a lot of issues when it comes to crop production. We know very well fertiliser plays a very critical role. Up to now, the board has not been put in place. We are talking about six years down the line since the Bill on the establishment of a fertiliser board was passed.

The core business of the National Cereals and Produce Board (NCPB) is not to give farmers fertiliser. However, it has been doing the fertiliser business which has brought a lot of corruption. When it comes to delivery on the ground, we do not get subsidised fertiliser. It was a wonderful idea. The law forming the Fertiliser Board was passed in this House and the President assented to it. However, up to now, six or seven years down the line, we do not have the Board in place. We are discussing about the Livestock and Livestock Products Marketing Board Bill today. If we pass it today, I do not know when it will be implemented. So, we are calling upon the Committee on Implementation in this Parliament, because it is in charge of following up on parliamentary resolutions, to work hard so that pieces of legislation that are passed here can be implemented.

The core business of the Executive is to implement what has been enacted. We legislate but it lies on the shelves. So, it is possible that all the good efforts that Hon. Bashir has put in place will not be implemented. I am worried it might take another 10 years or 20 years to implement this Bill. So, we are calling upon the relevant Government bodies and agencies to implement immediately any matter that has been passed or resolved by Parliament because it will add a lot of value and provide employment.

In my constituency, I have university graduates who rear livestock. You do not have to be employed to earn a living. About 70 per cent of unemployed people are the youths. It would be nice if young people picked up livestock and crop production so that they do not just sit at home and wait for employment. We are aware that unemployment is a big problem in this country. According to the best practices, borrowing is normally about 50 per cent of the Gross Domestic Product (GDP). During President Mwai Kibaki's regime, the Government borrowed up to 48 per cent. He left us with a debt of about Kshs1.8 trillion. Currently, the Jubilee Government has borrowed about Kshs6.8 trillion and they want to extend it to almost Kshs9 trillion. Where are we going? Where is the problem? Corruption is everywhere. Today, if a project should cost, say, Kshs10 million, that cost will be inflated three times so that 20 per cent of the money that is used can go to somewhere else. We must support the church and His Excellency the President in the fight against corruption because it is bringing this country down.

I thank you, Hon. Temporary Deputy Speaker. I support the Bill.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Shall we have Hon. Yussuf Haji, the Member for Mandera West?

Hon. Yussuf Adan (Mandera West, EFP): Thank you very much, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute. I sincerely thank my colleague, Hon. (Major) Bashir, for bringing this Bill which is very timely.

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

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

As it has already been said, livestock contributes 12 per cent of the GDP and 60 per cent of the employment opportunities within the agricultural sector. About 80 per cent of this country is ASALs. The best economic practice that can happen in those areas is livestock production. Unfortunately, compared to the other sectors of agriculture and productivity in this country, livestock has always been given a very raw deal. Compare the boards that are in this country.

You hear about the Pyrethrum Board and Cotton Board. We do not have a Livestock Board. At this stage, we could be talking of the Camel Development Board or Sheep and Goat Development Board to compare it with the crops section. Imagine that many years after Independence it is now that we are talking about a Livestock and Livestock Products Marketing Board. The Bill we are discussing was introduced in the 11th Parliament. It went round for about five years and it lapsed with the 11th Parliament. It has now been renewed. Two-and-a-half years down the line, we are still at the Second Reading. I request my fellow Members of Parliament to ensure that we fast-track this Bill and make it an Act as quickly as possible.

There are also implementation matters. There was a President's order to establish the same Board back in 2012. From that time to date, there is a budget which goes to the Ministry of Agriculture, Livestock and Fisheries for the sake of that Board, which is not there. I do not know what that Budget does since the Board is not there. If we look at the historical perspectives, during the British rule, there was the Stratified Livestock Marketing System where pastoralists in the ASAL areas were engaged in the production at some stage and then the animals would be moved to holding grounds where they would be cleaned, tested for various diseases, vaccinated and then moved to the highland ranches like in Laikipia. Here, they would be fattened and then moved to Kenya Meat Commission (KMC) for slaughter awaiting exportation. We used to have the European export market. Unfortunately, we inherited that and then killed it. We had holding grounds or ranches all over. The examples of those ranches that were serving KMC are Biko Ranch and Bombing Ranch. Today, they are not ranches but places for high-rise buildings. Do *wananchi* of Kenya eat high-rise buildings or livestock products? Which one is a priority? We are now talking about the Big Four Agenda of this Government, and agriculture is one of them. If we do not develop the livestock sector and put the Livestock and Livestock Products Marketing Board in place, we shall not achieve the Big Four Agenda as far as agriculture is concerned.

There is also manufacturing. A lot of raw materials for manufacturing like hides, skins, bones and blood meal come from the livestock sector. Therefore, if we do not put this Board in place and put a lot of effort on the livestock market industry, then we shall not achieve both the agriculture and manufacturing agenda. I remember very well that in the late 1970s and early 1980s, the Botswana Government sent its officers to come to Kenya so that they could be trained in matters of the meat industry. We trained personnel from Botswana. They took all the knowledge from us and went back to Botswana and established Botswana Meat Commission. Today, Botswana Meat Commission exports meat to almost all the European countries and their economy is based on that. We killed ours and now we go to Botswana for benchmarking all the time. The Departmental Committee on Agriculture and Livestock goes every year to Botswana which we trained. It is unfortunate. If we had a Livestock Marketing Board many years back, then that could not have happened. As it were, there is nothing to regulate the livestock sector. That is why we are looking at other people's industries and development today.

One of the livestock products that need to be looked into is milk. We already have the Kenya Dairy Board in the highlands. That is why we are putting a lot of emphasis on the products from the ASAL. For your information, we also have dairy animals from ASAL areas like dairy camels, goats and dual purpose cattle which give us a lot of milk. ASAL areas do not get milk from the highlands except when there is a very serious drought. A lot of camel milk is supplied to the Nairobi market today. It is also medicinal but the Dairy Board Act does not mention anything to do with camel milk, which is a very important dairy product.

Today, we throw away hides and skins in most homesteads and in most of the slaughter houses and abattoirs. They are an environment hazard. We throw away a very important product that can be a value-addition chain through manufacturing. But it has now become an eyesore and an environmental hazard at our backyards. Each one of us in the House has a hide and skin product like shoes, belts or bags. Those are all livestock products. They cannot be promoted and improved because we do not have any board in place that can do the work.

We have never had a serious livestock census in the country since 1980. The last livestock census was done in 1980. We do not know how many animals we have. How can we plan and be prepared for a market which we do not know its units of supply? In this year's census, there was a question about livestock; how many livestock one has. Enumerators rarely asked the question. When I was being enumerated, they asked me all questions and told me that they were done. But I asked them about the question on livestock because I knew the question was there. They were sorry. They then asked me the number of camels that I have. That was an unfortunate way of doing it. We need to have a livestock census in the country so that we can know the number of animals we have.

Improvements can only be done if we have a proper board in place that can regulate, guide, help and motivate livestock farmers.

The Temporary Deputy Speaker (Hon. Christopher Omulele): The Member for Mandera West is very passionate about this one because, of course, he is a livestock keeper.

We shall have Hon. Makali Mulu.

Hon. Makali Mulu (Kitui Central, WDM-K): Thank you, Hon. Temporary Deputy Speaker. Let me also support this important Bill. I take this opportunity to thank the Mover for bringing the Bill back to the House.

Hon. Temporary Deputy Speaker, you remember in the 11th Parliament, which I know you were a Member, this Bill was before the House, but it did not see the light of the day. At the end of the day, it was not passed. I thank the Mover for bringing it back.

This is a very important Bill. When you listen to Members making their contributions on the Bill, it has come out very clearly that livestock has been, to some extent, ignored by the Government. Some statistics have been quoted during the debate. We have heard that this sector contributes about 12 per cent to our GDP. That is a very high percentage.

What we are doing today in terms of legislation should have been done many years ago because that Board is going to be very important for the country. It is going to be important because most of our land is arid and semi-arid areas. It is only livestock that does very well in such areas. It means, therefore that, if we pass this Bill, the proposed Board will help the country grow the livestock sector.

Let me look at the Big Four Agenda. There are two important pillars of the Big Four Agenda which will be promoted by this Bill. The first one is the pillar on food security and the other one is the pillar on manufacturing. Livestock would go a long way in ensuring that this country is food secure because the majority of our people eat meat. Majority of people rely on milk and other livestock products for their survival. So, once the Board is put in place, and performs as is expected in the Bill, it is obvious that the pillar of food security will be promoted.

The other pillar is manufacturing. I have in mind the leather industry. We are all aware of the proposed Kinanie Lela Industry just in the neighbourhood of Nairobi within Athi River, where Hon. Makau is the MP. For the leather industry to grow and achieve the expected targets, it is obvious that we need livestock products. Having the Board in place, it is obvious that the sector will benefit much in promoting the manufacturing sector.

Let me give an example. I like what the immediate speaker has said. When I was a young boy, my father would go the local markets to buy skins and hides and sell them. At the end of the day, all the products would make their way to Athi River. Currently, they are thrown away. When you slaughter a goat, you either give them away free to whoever is interested or you throw them away. Some of us were educated through that small trading. It took us to school and paid for our fees. When the Board is in place, it will focus on value addition so that, at the end of the day, livestock farmers in the country benefit.

The Botswana Meat Commission has been mentioned by a number of speakers. I have visited that Commission. If you go there, you realise that the difference between them and our Kenya Meat Commission in Athi River is technology - the value addition. They have gone a long way to ensure they use technology to add value to their livestock products. As a result, Botswana is now a major supplier of livestock products. Their GPD, apart from the minerals, gets a lot of money from livestock sales. The Board will also make use of technology to add value to livestock products and in a way assist our farmers.

Another important issue is drought in the country. Since drought is very common in the country, in every drought period, pastoralists and other livestock keepers lose many animals. They incur huge losses. With the Board in place, I see a situation where it will plan very well for destocking when the need arises and restocking when conditions improve. That way, farmers will have insurance through the Board so that they do not incur any losses. That will help them to some extent sustain their income and predict their income in future. We are all aware that livestock products are very expensive and if we are able to get a market for them, we will make money. That is why the Board becomes very central in the whole process.

The other issue is on the international market. Countries like Saudi Arabia and Iraq require a lot of meat. It is obvious that the demand for meat in those countries has never been met. With this Board in place, I see a situation where the country will penetrate such markets so that our people who keep livestock will sell them without any problems. In that case, we will be helping our farmers and we will be putting the livestock sector where it belongs. As we all know, agriculture is the mainstay of our economy. In the process, we will be helping our economy.

As I say those good things about this Board, I must point out one or two things which I think - as we form the board - will be very important. One of the areas is the inefficiencies we are experiencing with the existing boards. Few have mentioned the boards that are supposed to regulate the coffee, tea and pyrethrum sub-sectors of agriculture. All those boards are there to support farmers to market their products, but there are a lot of inefficiencies in terms of operations. As a country, we need to make sure that those boards do not become so inefficient that, at the end of the day, money that is supposed to go to farmers end up being used in offices. That is one area that is important. The board that has been proposed by this Bill will have to be aware of that trend.

Another issue of concern is corruption. Corruption is now a cross-cutting matter in this economy. Whichever sector of the economy you think about, corruption issues keep on coming up. This morning, we dealt with a Bill which seeks to enhance the penalties on corruption offences. This country should get to a level where the Government recovers all assets acquired through corruption, in addition to punishing the culprits. That makes corruption a futile exercise. People will know that once they are discovered, all the property they have acquired through corruption will be recovered by the State. Even if we enact as many laws as possible, the best thing would be to have any benefits or gains coming from corruption taken back to the State. In that case, people will just work hard and they will be able to do what the Bible says: That people

must work hard and out of their sweat, they will succeed. Others succeed through shortcuts which make the economy not to grow. As we speak, we are being asked to increase the debt ceiling. Those are simple problems we can do away with, if we become more organised.

With those remarks, I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Makali, you must be aware that currently, we have the Asset Recovery Agency that is supposed to recover all the assets that corrupt people have, but I have never heard of any conviction or anywhere where they have recovered assets and the people are sitting in those offices earning huge salaries. It is complex.

Hon. Mutua Barasa, you have the Floor.

Hon. Didmus Barasa (Kimilili, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to support this Bill. This is a very good Bill but it appears that institutions have failed. I know for a fact that when an institution fails, it is not the institution itself *per se*; it is the people who are at the helm of that institution. There is need to streamline cattle farming in this country. As it has been said before, Kenya is a champion of innovations. It comes up with good institutions. When other countries come to Kenya to benchmark, they improve on our ideas and end up doing much better than us. I am aware that some of the beef that we eat in this country comes from countries which had sent delegations to Kenya to benchmark. They are doing very well while we are going under.

As we support this Bill, it is important that we also take audit of how the Pyrethrum Board of Kenya and the Coffee Board of Kenya are doing. That is because we focus most of our energies on creating new state corporations and new boards and we forget the old ones, which have similar challenges. The fact is that the livestock industry is not doing well, we believe that with the passing of this Bill and the establishment of a livestock marketing board, livestock farming will improve. Unless we go back and address the challenges that the Pyrethrum Board of Kenya, the Coffee Board of Kenya and the Tea Board are facing, we might end up in the same situation. It is very important that the Departmental Committee on Agriculture and Livestock carries out an audit on the relevance of those many marketing boards for other products. As you are aware, this country has diversity of economic activities. We have, in parts of western Kenya, people who undertake sugarcane farming. We equally need those farmers to be protected from middlemen – cartels who import cheap sugar and kill our local industry.

It is a fact that we need to approach these matters together so that we do not leave any part of this country behind. This is a very good Bill. It will put this country in good manufacturing practices. This sector has been affected by people who steal cattle from elsewhere and dominate the market by lowering the prices of livestock. It is easy for you to cheaply sell a cow you have stolen than people who have gone through the procedure of rearing cattle. They need to be protected by the marketing board that we seek to establish.

Even as I support this Bill, I would be happy to see that we do not attempt to reinvent the wheel in terms of the proposals on how to compose the board. The board will be a State corporation. The modalities of how it will be formed are found in the State Corporations Act. For purposes of improving this Bill, we will propose some amendments during the Committee of the whole House. Particularly, we envisage to mitigate against the very many challenges that such marketing bodies go through in this country, so that we are able to form a State corporation in the name of Livestock and Livestock Products Marketing Board that seeks to solve very many existing public problems within the livestock rearing sector.

With those few remarks, I support the Bill.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have Hon. Sankok.

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to support this Bill, which is important. It has come at the right time. The House is aware of the various boards that we have and that are mandated to market our various products, especially in the agricultural sector. We have the Coffee Board of Kenya, the Pyrethrum Board of Kenya, the Tea Board of Kenya and the Kenya Sugar Board. I do not even know why we have never thought of having a livestock and livestock by-products board to deal with livestock by-products.

I am aware of a Presidential Directive that was given in 2012 to form this Board. I am not sure if we have not been having budgetary allocations to the same board that has not existed. If it is true that we have been having budgetary allocations to a board that has not existed for all those years, then we are in for a major scandal.

This Bill has come at the right time. It aims to exploit the resources that are within the 80 per cent of the land mass of this country. Hon. Temporary Deputy Speaker, as you are aware, 80 per cent of the landmass of this country, which was marginalised via Sessional Paper No.10 of 1965, is a pastoralist region and we have not been able to get value for the millions of livestock that we have and yet, it is a major game changer in terms of the economy in this country if it is exploited.

I thank Hon. Maj. Bashir for bringing this Bill, even though I heard that it was also in the Eleventh Parliament. Hon. Temporary Deputy Speaker, you were there and I was not but it never saw the light of the day. However, I urge Members that this Bill from Hon. Major Bashir sees the light of the day as soon as possible.

Hon. Temporary Deputy Speaker, when you are called a Major, it is not a mean title to have. This is because majors do not retire and if they do, they do not die; if they die they will not rot and if they do, they will not smell. If they do, they will smell like a rose flower.

Our people from the ASALs, that is 80 per cent of the land mass of Kenya, are tired of always being supplicants seeking favours from the Government whenever there is drought and yet we know, if we exploited this resource called livestock, and especially the by-products and not only the meat, our people will be self-sufficient. We will be better than Brazil which exports animal by-products to the rest of the world. This is because Brazil is a tropical country which exports livestock by-products and it is self-sufficient. Here in Kenya, 80 per cent of our land mass, which is occupied by pastoralist communities, can be self-sufficient rather than being always supplicants and seeking favours from the Government whenever there is drought. They receive favours like food from Red Cross because they have not exploited their economic activity fully.

Hon. Temporary Deputy Speaker, when we talk of animal by-products, we are not only concentrating on meat alone. In our abattoirs, there is a lot of blood that goes to waste and yet, blood is known to produce the highest quality of fertilisers. It is shameful that in this country, we have such blood going to waste. We are still importing fertilisers using billions of taxpayers' money to subsidise and yet, the blood from our abattoirs and homes go to waste.

Hon. Temporary Deputy Speaker, bones from our animals are thrown left, right and centre. If today you go to Northern Kenya and Narok County, you will see so many carcasses lying idle, even those ones of wild animals. They should have been collected because we have bone meals that are very important in the manufacture of fertilisers and feeds for livestock and dogs. We would be the highest exporters of dog meals because we can be able to crash those

bones and produce dog meals and even dairy meals from the same bones that we are throwing away.

Hon. Temporary Deputy Speaker, we also have hides and skins. All Members in this House have shoes that are made from our livestock. They have belts and wallets. However, you will never see a wallet or a belt written “Made in Maasailand.” We import those very simple products that we can easily manufacture and make our people reliant. By doing so, we will also raise the importance of our livestock. For a long time, we have only concentrated on meat. When we concentrate on meat, then the animal itself becomes invaluable. That is why, when they approach the farms which we think are more valuable than the livestock, they are shot left and right because their value has not been realised.

Hon. Temporary Deputy Speaker, hooves make very good buttons for our shirts and coats. However, we have not been able to exploit that particular market. Even our illiterate mothers on the ground, especially from the Maasai community, are very good in making belts. I know most of the Hon. Members have been buying belts that are manufactured by those illiterate *mamas* from the villages. We now have educated Members, engineers and everybody onboard and we cannot be able to manufacture simple things. When will this country manage to manufacture at least something that we would be proud of? This is so that even if you go abroad, you are able to find a wallet written “Made in Maasailand” and you will be proud of your own country.

Lastly, on the issue of the composition of the board, and since this particular function of agriculture is devolved, I request Hon. Bashir that we look into ways of making sure that the board will be a State corporation and will go as per the Mwongozo Code of Conduct of State Corporations and the State Corporations Act. However, let us see ways in which the Council of Governors Chairman can be the chairman of that particular board so that we bring the two levels of governance together and move this wheel forward. I know livestock rearing is economically viable in the land mass of this country. We can earn a lot from it. It would also be a form of employment for thousands of our youth.

With those many remarks, I support this Bill. I wish to request our Head of State to assent to this Bill as soon as possible for the sake of our country.

Thank you very much.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sankok, I do not believe that the blood that goes back to the soil goes to waste. Even the Bible says that it should go back to the soil because it came from the soil. All that goes back to rejuvenate our land. However, we can add value to it. It is possible to. However, that is on a light touch, Hon. Member 001. Hon. Rono Kipkosgei, the Member for Keiyo South, the Floor is yours.

Hon. Daniel Rono (Keiyo South, JP): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity.

First, I want to thank Hon. Bashir who has brought the Livestock and Livestock Products Marketing Board Bill. I am glad to learn that the blood Hon. Sankok has talked about can actually produce fertiliser. I have equally learnt that bones can be crashed to produce food. Equally, Hon. Members have spoken about creating a board, more particularly, to promote the marketing of animal and livestock products.

Hon. Temporary Deputy Speaker, we do not want to create a board that is not strong enough. That is because we have very many boards lying idle all over the place. For example, we have a company called Kenya Meat Commission which has literally impoverished the livestock farmers. It is virtually dead. As we heard from the Chairman of the Departmental Committee

on Agriculture and Livestock, he clearly stated that agriculture is technically dead. I do not know why he is the Chairman of that Committee, but those were his words.

We have the weather. Many animals are reared in Wajir, Mandera and far-flung areas towards Tanzania by the Maasais and it is very difficult for them to bring them to the markets. The KMC is located in Athi River and it is virtually a dead company. So, it is important that we have markets in every constituency so that animal products can be marketed easily. For example, we have milk products. Milk is technically controlled by two companies in this country. As Hon. Wamalwa clearly mentioned, one of the companies is owned by the leadership of our country. We need those companies to promote milk products by keeping their prices up. I do not understand how a farmer can sell milk at Kshs25 and then the company that processes the same milk, sells it at Kshs100 after packaging. It only packages the milk and then sells it at Kshs100. That is immoral.

Livestock farming is spread all over the country. Over 50 per cent of the population of this country deals with livestock in one way or the other. So, it can create a lot of employment as Hon. Members have mentioned. We cannot wish it away. We must strengthen livestock marketing sooner rather than later. You have heard that 12 per cent of the GDP of this country is from livestock and livestock products. That shows why it is important to form the Board. It will help strengthen the marketing of livestock and livestock products. The Board will help to wipe out the brokers who impoverish farmers by buying their livestock very cheaply.

On drought, it is causing mayhem in the country. If we have markets for those products, we will not have livestock dying all over the place because of drought. I support the Bill.

Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Oundo, you have the Floor.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise here to declare that I am a serious livestock farmer. My home and village is littered with chicken. Where I come from, rearing chicken is a common practice. Therefore, I have a right to contribute to this matter. Chicken forms a serious meal on the tables of Kenyans from where I come from. I take this opportunity to sincerely thank Hon. Bashir Abdullaih for bringing the Livestock and Livestock Products Marketing Board Bill (National Assembly Bill No.2 of 2019). I am told it came to this House in the last Parliament, but it did not go through. However, since the 12th Parliament is a serious Parliament, I reckon – and I am 100 per cent sure – it will go through.

The Big Four Agenda lays a lot of emphasis on manufacturing and value addition. In that regard, the issue of leather and hide industry is critical in the achievement of that agenda. That is why I welcome this Bill that tries to mainstream livestock and livestock products into the Kenyan market and discussions.

However, allow me to raise a few points of concern. One, when you look at the Government re-organisation, the issue of marketing and promotion is a trade matter and consequently seems to fall within the Ministry of Trade, Industry and Co-operatives. On this score, at the outset, when we will be looking at the definition of the Cabinet Secretary, it will be necessary for this Bill to have some bit of marketing aspect. It can be referred to the Departmental Committee on Trade, Industries and Co-operatives for its input. Marketing and promotion is a trade matter that solely belongs to the Ministry of Trade, Industry and Co-operatives.

Two, on the issue of the definition of livestock, we know we might have our cultural restrictions but elsewhere in the world, donkey meat is a delicacy. I am also told that dog meat is a delicacy in other jurisdictions. Since we are talking about marketing, promotion and exporting, we should have given some thought to allowing this kind of business to thrive in this country. Nevertheless, when you look at the issue of livestock products, it seems to have been narrowly defined as my colleagues, including Hon. Sankok, have mentioned. Livestock waste is a nutritious additive to various animal feeds. It can also be used as manure, especially the cow dung. Chicken droppings are good for fish and the rest of the other livestock. So, it will be important, at the appropriate time, to expand that definition to allow for further inclusion of other by-products and products associated with livestock.

As my colleagues have said, this Bill focuses more on cattle and camel. That is why our colleagues from the ASAL areas seem to focus much on that area. However, I would prefer that the discussion is expanded to include poultry, dairy, skin and other products that come along with those particular items. We know that, for example, the dairy sector has challenges. One of the problems that I have in particular is the duplication of many other existing boards. It is an indictment on the part of the Agriculture and Food Authority (AFA) as the overall body that is meant to oversee the agriculture and livestock industry. That is because it seems to have either failed or not risen up to the occasion. That is the feeling of a majority of stakeholders. That it has not played its part in the management of the affairs of this particular sector.

As we legislate for this Board, it will be important for us to seriously relook at the reason behind the collapse of all corporations that are tasked with the management of the agricultural sector in this country. Honestly, we do not see the impact and effect of AFA in the country.

We have the KMC. I am wondering how this Board will dovetail with the functions of KMC. We have the Dairy Marketing Board. How will it connect with the Board to make sure that we do not have a conflict of interest in the matter? We have the Leather Council and I am wondering how it will work together with the Board to avoid duplication and, thus, lead to wastage of funds. In most of the county governments, we have fully-fledged departments or sections that deal with this aspect. My fear and point of concern is that, unless we have a structured approach, this Board will be a hopeless one. It will be a talking shop where members will earn huge salaries but churn out policy papers that have no value. They will have no direct contact with external markets because they would be domiciled in the wrong Ministry. They will have no connection with the external markets.

I would propose, at the appropriate time, that we domicile this board where it deserves to sit so that it has the intended impact. I can see the spirit of the Bill is to allow livestock products to be marketed and to allow farmers to reap the biggest benefits from their endeavours. But as it stands now, it is going to become another white elephant; another of those forgotten boards. I would urge that once it comes into place, the focus should be products quality. How do we get quality products to meet international standards? There is the issue of value addition. There is also the issue of licensing importers and exporters of livestock products. It has health and trade implications internationally. So, we must have a board that is able to manage those affairs. There is the issue of the strategic food reserve. To what extent will the board ensure that we stabilise strategic food reserve?

When we look at the composition, there is the challenge of excluding the Permanent Secretary or the Cabinet Secretary for Trade because marketing is a trade affair. I am also perturbed that there is no mention of persons living with disabilities. The Bill does not seem to provide any express provision. I would imagine under Clause 6(e) which provides for two

persons appointed by the Cabinet Secretary taking into consideration the principles of gender and regional balance and having experience in livestock development, should have made a reference to persons living with disabilities and those who are disadvantaged members of the society.

As I conclude, the livestock industry is serious and important. More so, it is focusing on leather as part of the Big Four Agenda. I would therefore, request, as I support this Bill with reservations, that at the right time, we need to move amendments that will strengthen it and make it useful to this country.

Hon. Temporary Deputy Speaker, I beg to support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, allow me to acknowledge the presence of pupils of Ainsworth Primary School from Starehe Constituency in Nairobi County, who are in the Public Gallery. They are welcome to observe the proceedings of this House.

Hon. Oundo, you do not need to be very pessimistic about how this proposed board will operate. You will have an opportunity at the Committee of the whole House to refine it so that it is effective. You have also raised an important point about the effectiveness of the Agriculture and Food Authority (AFA). Probably, you need to find a way to bring the matter before this House so that we can have a review of how effective the AFA has been since we amalgamated all those bodies into one, and whether the research institutions like Tea Research Foundation and the Kenya Agricultural Research Institute of this world are more effective now under AFA than they were before.

Hon. Hulufu Oda, Member for Isiolo North.

Hon. Hassan Hulufu (Isiolo North, KPP): Thank you, Hon. Temporary Deputy Speaker. I stand to support this Bill. Livestock is a very key sector in our economy. It is unfortunate that it has taken us this long to formulate a livestock and livestock products marketing Bill. When we talk of livestock, in as much as those of us from ASAL are concerned with poor support for livestock marketing, especially cattle, sheep and goats, this particular Bill relates to all species of livestock—specifically cattle, sheep, goats, horses, donkeys, mules and poultry.

In the livestock sector, it is only the dairy sector which has a board. The Kenya Dairy Board regulates, promotes and coordinates the development of the sector. Of course, dairy cattle are part of livestock. But the aspect of livestock marketing which has been neglected mostly relates to the beef sector. And it is in the beef sector that we have a huge stake as people from the ASAL. Our country produces 390,000 metric tonnes of meat. The bulk of this comes from ASAL. It is unfortunate that, as we debate this Bill, pastoralists in the ASAL are throwing away hides and skins because there is no market for them. When we talk about livestock and livestock products marketing, it includes important by-products like hides and skins, hooves, bones and so on. Therefore, we hope that with this particular Bill, after the formation of the board, it is going to be operationalised and facilitated to carry out the roles that are stipulated in this Bill.

There are a number of areas in the Bill that require to be strengthened. For example, there are issues with the constitution of the board, particularly the two members who are supposed to be nominated by the CS and the representative of Kenya Private Sector Alliance. If we leave it open without specifying that the nominee of Kenya Private Sector Alliance has to be an investor or a key stakeholder in the livestock industry, then probably he may not add value to the board. For the two independent nominees of the CS, we need to provide the qualifications to hold. The tenure of the CEO has also to be specified. If we leave it to the board, most of the time, boards are not independent and sometimes CEOs are punished for reasons other than failure to perform their functions. Therefore, in line with what was there before, through an Executive Order in

2016, His Excellency formed a board using the provisions of the State Corporations Act. In that Executive Order, the CEO of that board is clearly stipulated to serve a four-year term which is renewable. I would like to see us considering specifying the term of the CEO.

Marketing of livestock involves sale of live animals. We export many live animals to the Middle East countries. We also export products like meat and milk. But, as I have already said, as far as dairy products are concerned, the only problem we have is that it focuses on milk production from dairy cattle. Today, we have a lot of camel milk which is being marketed. We also have goat milk which is being marketed. The bulk of camel milk comes from ASAL but, unfortunately, the Kenya Dairy Board does not focus on promotion and marketing of camel milk. Therefore, when we pass this Bill and it becomes operational, I am sure we are going to address these bottlenecks in terms of marketing livestock and livestock products.

We do not need to confine ourselves to cattle and dairy products. I would like to assure our counterparts from other parts of the country that when we talk of livestock, poultry is part of it. Therefore, our colleagues from Western should rest assured that this is a Bill which is not only going to cater for people from ASAL, but others who keep other types of livestock. Bees are also part of livestock and we have a huge potential in ASAL for bee-keeping, which is not fully utilised. I hope that when this Bill is passed into law and the board comes into place, it is not going to confine itself to cattle. It has to take care of all the species of livestock from bovine, caprine and equines, which includes horses, donkeys and bees.

Hon. Temporary Deputy Speaker, since many Members want to contribute to this Bill, I support. It is a very important Bill for livestock keepers in this Republic. I thank you very much for giving me the opportunity.

The Temporary Deputy Speaker (Hon. Christopher Omulele): The Hon. Mboni.

Hon. David Mboni (Kitui Rural, CCU): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to support the Bill. The creation of this board is long overdue because the most important sub-sectors in agriculture have marketing boards. Tea, coffee, sisal and many other agricultural products have marketing boards. This shows how the Government has ignored the livestock sector. The livestock sector is very important, especially to the pastoralists in ASAL areas. I want to do a correction – that it does not contribute 12 per cent to the GDP. It contributes 4 per cent. Nevertheless, it is a very important sector and, more so, when it comes to two of the Big Four Agenda of the Government, that is, manufacturing and food security.

Coming to manufacturing, the Government had planned to establish a leather industrial park in Kinanie. This will be a very important park because it will manufacture hides and skins up to the final product. Currently, we process hides and skins up to the wet blue stage. Everybody knows that hides and skin products are very expensive. Look at shoes and handbags! They are very expensive. The Government needs to move fast and establish that industrial park. When it comes to food security, meat and milk is taken by all people. So, the Government needs to move fast.

The board should look at markets outside the country. We are aware that we used to lead in meat production and export. However, due to corruption in this country, the quota that we used to have was taken away. As we form this board, we also need to learn from the other boards. What happened to them? Most sub-sectors, such as coffee and tea, have gone down because of the marketing board. So, we also need to learn from them. This board should promote creation of disease-free zones so that our products can be acceptable out there. It also needs to invest in modern abattoirs. Botswana came to learn from Kenya but, currently, their meat

product is the second largest foreign exchange earner after minerals. So, we need to ensure that we have modern abattoirs so that we can earn foreign exchange from our livestock and livestock products.

We also need to have a policy on the movement of livestock and grazing because our brothers are focusing more on livestock. Currently, we have many problems with animals from the North-Eastern region of Kenya being driven into our farms and disrupting our way of living. So, we also need to have a policy on grazing and movement of animals, so that we can live in a good atmosphere.

Lastly, we need to have a comprehensive livestock census for animals. We currently do not have any arrangement and, therefore, we cannot tell how many animals we have in the country. When you do not have data on animals, you cannot plan for them. So, the Government needs to put money aside and conduct a livestock census so that we can have data to enable us plan for them.

With those few remarks, I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Nyoro Ndindi.

Hon. Ndindi Nyoro (Kiharu, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to oppose.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Nyoro, before you oppose, allow me to recognise some students from Light Academy Debating Club from Dagoretti North Constituency, Nairobi County, who are in the Public Gallery. They are welcome to observe the proceedings.

Proceed Hon. Nyoro

Hon. Ndindi Nyoro (Kiharu, JP): Thank you, Hon. Temporary Deputy Speaker. My reason for opposing is not about the content, but the general view of things. If you look at the many legislations and Motions that have been brought before this House in the recent past, we are just perpetuating the idea of a big Government. Bills, and especially Motions, come with creation of boards or other institutions. That is why our Government is burgeoning and becoming so big for us to handle, especially given our income streams.

Already, our country has so many institutions that are domiciled in the agriculture and trade sectors. I do not think the creation of another board and institution will add anything and, especially, when it comes to livestock farmers. I have many reasons to give with regard to my opposing this Bill.

There is no much in terms of livestock products when you talk about East Africa. Ethiopia is doing very well when it comes to livestock. Actually, many of the leather products we consume in Kenya originate from Ethiopia. When it comes to the Gross Domestic Product (GDP) percentage of livestock in Ethiopia, it is much higher than Kenya, but Ethiopia is doing much better than us because they have liberalised their livestock business and sector.

This business of every time wanting the Government to do business for us has put us into a tight corner. Our public spending to GDP is around 35 per cent in comparison to a country like the United States of America (USA) where the Federal Government spending ratio is apparently 22 per cent and compared to the United Kingdom (UK) where it is between 18 to 20 per cent.

What we are doing especially in this House, through such kinds of legislation, is making the Government of Kenya to be predominant in these undertakings. When you compare this with countries that are growing, they have a policy of keeping a lean Government and leaving all the other business to the private sector. I want to ask: What will the Government do better than the

livestock farmers? The answer is in the tea board, coffee board and many boards that are geared towards alleviating poverty and suffering of farmers.

Tea and coffee sectors are worse off with so many boards. Therefore, the solution to our agriculture and livestock sectors is not in creating boards and institutions based in the public sector. The solution is for us to create an enabling environment as Government for the private sector to perform. We need to avoid over legislation, like what we are doing with this board that is being created by this Bill. Allow me to give the final example beyond agriculture and livestock.

In Kenya, if you go to the transport and roads sectors, we have over six institutions with most of them overlapping their mandate. A country like Singapore that we can borrow so much from, has only one body dealing with the entire land transportation - and that includes even the construction of those roads. What I am trying to say is that we must perpetuate the principle of having a lean Government and leave livestock, tea, coffee and all the other kinds of farming to the private sector. Once we create this, even fish farmers will want a board. Once we create this, even potato farmers from Nyandarua will need a board. We are just shooting ourselves in the foot by giving the Government so much work at the expense of the private sector that can do better and efficient business in livestock, fish farming and all the other sectors of our economy.

For those reasons and many others that I can give if I had more time, I oppose.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Ndindi, very well spoken, but on the example of Singapore, you must remember that Singapore is a city state. Its area is very tiny, but they have done well and we can learn from them.

Hon. Members, this Motion still has one hour and 18 minutes, but we have reached 1.00 p.m. and, therefore, I have to call this particular sitting to a close. When we resume and when this particular Motion it is set down for consideration, it will have one hour and 18 minutes. There was a lot of interest from Members.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon Members, the time being 1.02 p.m., this House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 1.02 p.m.