

REPUBLIC OF KENYA
THE NATIONAL
ASSEMBLY
OFFICIAL REPORT

TUESDAY, 22nd November, 1988.

ORAL ANSWERS TO QUESTIONS

Questions Nos. 402, 529, 466, 519, 521 and 528

Questions Nos. 526, 508 and 516 - Deferred

QUESTIONS BY PRIVATE NOTICE

Kubomolewa kwa Jumba Kuu la Posta (G.P.O.) - Mr. Aden -
Deferred.

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MINISTERIAL STATEMENT

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COMMUNICATION FROM THE CHAIR

Notice of Motion for Adjournment to Allow an Hon. Member
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MOTION

Adoption of Sessional Paper No.6 of 1988 - The Minister
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PROCEDURAL MOTION

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H A N S A R D

Tuesday, 22nd November, 1988.

The House met at thirty minutes past Two o'clock.Mr. Speaker in the Chair

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 402

MR. SPEAKER: Mr. Lewa ~~is~~ not here? We will leave his Question until the end then. Next Question.

Question No. 526

MR. SPEAKER: Mr. Jaldessa ~~is~~ not here? We will leave his Question until the end then. Next Question.

Question No. 508

MR. SPEAKER: ^{arap} Mr. ~~Chepkok~~ ~~is~~ not here? We will leave his Question until the end then. Next Question.

Question No. 529MR. KAGWIMA [→] asked the Minister for Labour:-

- (a) whether he is aware that Mr. Cyrus Mbii, a former employee of Catumbwini Estate, in Thika was sacked without prior warning;
- (b) why he was not paid three months salary in lieu of notice to terminate his services; and
- (c) whether he could ensure that Mr. Mbii is paid all his dues.

THE ASSISTANT MINISTER FOR LABOUR (Mr. Mibei): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Mr. Silas Mbihi, a former employee of Gethumbwini Estate, Thika was sacked with prior warning.

(b) Mr. Mbihi's dismissal was as a result of gross misconduct, ~~and~~ and as such, he was not entitled to three months salary in lieu of notice, in accordance with terms and conditions of ~~his~~ his service.

(c) Mr. Mbihi has already been paid all his dues amounting to Kshs. 181.70.

MR. KAGWITA: Mr. Speaker Sir, can the Assistant Minister tell us the number of ~~warnings~~ warnings Mr. Mbihi received from his employers and when they were issued to him?

MR. MIBEI: Mr. Speaker, Sir, Mr. Mbihi was given two warnings, ^{and receiving} ~~of~~ the second warning, he refused to sign the warning letter after being requested to do so three times. He refused to sign it even before his union officials and the labour officer.

MR. MANG'OLI: Mr. Speaker Sir, while appreciating the ~~reply~~ Assistant Minister's reply, is he satisfied with the compensation of Shs. 181.70 to a Kenyan worker ^{in an} ~~of the~~ Independent Kenya today? What wrong has that citizen done that when he is sacked, he is ~~only~~ compensated with ~~an~~ Shs. 181.70 only?

MR. MIBEI: In accordance with the collective agreement, all the employees with eight years and above continuous service ~~were~~ were entitled to three months pay in lieu of notice. But, in this case, Mr. Mbihi did not qualify to receive the three months pay in lieu of notice. I am satisfied that that was what was due to him.

DR. MISOL: We do appreciate the Assistant Minister's reply, but what type of compensation is this Shs. 181.70? Is it something reasonable?

MR. MIBEI: ^{Sum of} The Shs. 181.70 which was paid to Mr. Mbihi was agreed to as follows:- Three days which he worked during that month ~~amounting~~ amounting to Shs. 73.50; ~~there are~~ some other four days pro rata leave and leave allowance amounting to Shs. 116.20 ^{deductions} less N.S.S.F. amounting to ~~an~~ Shs. 8.00. The balance of that amount, which was deposited in our labour office in Thika by the ~~an~~ employer has already been collected by Mr. Mbihi. There is no ~~an~~ other entitlement due to him.

MR. KAGWIMA: Mr. Speaker Sir, in the first reply ~~by~~ the Assistant Minister, ~~he~~ said that Mr. Mbihi had already been ~~paid~~ paid the three months salary in lieu of notice. Now, he is saying that he was ~~not~~ paid for seven days. Can he withdraw the first reply and retain the second reply?

MR. MIBBI: Mr. Speaker Sir, I did not say that he had been paid three months salary in lieu of notice because he did not qualify for that payment. I said that he had already been paid all his dues.

Question No. 446

MR. MANG'OLI ~~asked~~ Asked the Minister for Education:-

- (a) how many university colleges the Government does intend to establish in the next four years; and
- (b) whether he could consider upgrading Sang'alo Institute of Technology into a constituent university college.

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri): Mr. Speaker Sir, I beg to reply.

(a) The Government has no immediate intention to start other university colleges as it is considered paramount to consolidate the existing established national universities and the new university colleges.

(b) The proposal to consider up-grading Sang'alo Institute of Technology into a constituent university college is a good idea, ^{it} but can only be considered along with the other applications subject to availability of adequate funds and sufficient qualified personnel.

MR. MANG'OLI: Mr. Speaker Sir, while appreciating the ~~re~~ Assistant Minister's reply and considering the ^{impending} ~~of~~ crisis ~~for~~ ^{of} the 1990 university intake because we ^{will} have 238,000 students sitting for examinations, is he satisfied with the ~~exact~~ consolidation of those facilities in the existing universities? Will those ~~z~~ facilities be able to cope up with that situation at that time?

END A...

MR. KARAURI: Mr. Speaker, Sir, there will be no crisis about university intake in 1990. The hon. Member should realise that it is not everybody who has gone to school who must go to university.

MR. MANG'OLI: Mr. Speaker, Sir, the university intake we are talking about is a serious matter, and the Assistant Minister should take it as such. We had a critical situation which could have been explosive had His Excellency the President not got involved in it. As a fact, we know that----

HON. MEMBERS: What is your question?

MR. MANG'OLI: I am directing my question to the Assistant Minister through the Speaker, and not to the hon. Members.

So, while appreciating that not everybody, as the Assistant Minister says, will go to university, will he tell us how many students will go to university.

KARAURI: Mr. Speaker, Sir, the question is not how many will go to university. Those who will qualify in 1990 to go to university will be admitted.

Question No. 516

MR. GACHUI asked the Minister for Education:--

- (a) whether he is aware that Muranga District does not have a teachers' training college; and
- (b) if the answer is in the affirmative, when the Ministry will establish one in this district.

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Cheruiyot):
Mr. Speaker, Sir, because the answer we have is inadequate, we beg to answer this Question tomorrow in the afternoon.

(Question deferred)

Question No. 519

MR. MUREITHI asked the Minister for Water Development:-

- (a) whether he is aware Mweiga Location in Kieni Constituency has no water supply; and
- (b) if so, what plans he has to supply water to the residents of this area.

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Mr. Mwita):

Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that the rural areas of Mweiga Location in Kieni Constituency have no water.

(b) Plans are afoot to supply Amboni, Rabula, Kamatongu, Watuka and Uaso Nyiro sub-locations of Mweiga Location with water by extending the existing Endarasha Water Project to these areas. Work is already in progress using the materials bought with the funds that were allocated in the 1985/86 and 1986/87 Financial Years. The completion of the project, which will eventually cover the whole location, will entirely depend on availability of funds.

MR. MUREITHI: Mr. Speaker, Sir, as no funds were provided in the 1987/88 and 1988/89 Financial Years, can the Assistant Minister assure this House that funds will be available in the 1989/89 Financial Year so that this project can continue?

MR. MWITA: Mr. Speaker, Sir, ^{Funds} there were provided in the 1985/86 and 1986/87 Financial Years, but it is true that there are no funds allocated for this project in the 1988/89 Financial Year. However, as usual, we will put our case to the Treasury, and, if we get the money, well and good.

Question No. 521

DR. MISOI asked the Minister for Public Works:-

- (a) whether he is aware that Makutano-Timboroa Road is almost impassable due to numerous potholes; and
- (b) what has caused the potholes within such a short time of its construction and when it is going to be repaired.

THE MINISTER FOR PUBLIC WORKS (Mr. J.K. Koech): Mr. Speaker, Sir, I be reply.

(a) Yes, I am aware that a number of potholes have developed along Makutano-Timboroa Road.

(b) The potholes in question have been caused by frequent heavy rains which have occurred in the area, coupled with movements of overloaded motor vehicles along this road. Plans for repair of these potholes, including resealing of the road, are in an advanced stage, and work will start before the end of this month or next month.

DR. MISOI: Mr. Speaker, Sir, I ^{thank} think the Minister for that prompt and clear answer to the effect that work on this road will start before the end of November. The Minister talks of a number of potholes, but I am not sure whether they are countable; they are numerous. I would like to ask the Minister what steps he ^{is} taking to ensure that these repairs will comply with specifications and financial controls to avoid wastage caused by sub-standard work.

MR. J.K. KOECH: Mr. Speaker, Sir, I know this road very well. In fact, over the weeks I have passed there and seen the state in which it is; we are going to start ~~now~~ resealing work on it. Later on we are going to do a bigger job on it. As to the question of specification, ^{let me assure the hon. member that,} even before, the specification was followed. The only problem is that we have heavy trucks which this road cannot cope with. So, I am considering how I am going to overcome that problem in future.

DR. WAMEYO: Mr. Speaker, Sir, the answer the Minister has given is very interesting. Comparing the same road with the one from Nakuru to Kericho, and the other going to Eldoret, which were done more or less ^{at} the same ^{time}, you find that these ones have not potholes whereas the Makutano-Timboroa ^{one} has potholes. What is the reason for this? There must be something else other than the issue of heavy trucks because the same heavy trucks use the Mombasa-Nairobi Road. There must be some other reason which the Minister is not willing to give us, but which we would like to hear because we are tired of potholes and spending a lot of money.

MR. J.K. KOECH: Mr. Speaker, Sir, I agree with the sentiments of the hon. Member that there is a difference between the road to Kisumu through Kericho and the one from Timboroa to Eldoret, although they were done at the same time. The reason for the difference in the state ~~of~~ of these roads is that I have discovered there are more heavier trucks bound for Eldoret than those which go through Kisumu. This is why this road has deteriorated faster. In fact, I have the relevant statistics. While you may find that there ^{are} more vehicles going to Kisumu, there are more very heavy commercial vehicles, and which are really doing a lot damage of roads - we normally call them 'monsters' - from Mau Summit towards Timboroa than there are from Mau Summit through Kericho to Kisumu.

DR. MISOI: On a point of clarification, Mr. Speaker, Sir. We are talking about the road from Nakuru to the Kericho Junction and vice versa. Now, the heavy traffic emanates either from Nairobi or Nakuru, and on reaching the junction, ^{the traffic} branches ~~to~~ either to Eldoret or to Kisumu so that the roads to both Eldoret and Kisumu are affected by the heavy traffic. ^{However,} ~~the~~ the road from the junction to Eldoret has deteriorated faster than the road from Nakuru to the ~~the~~ junction. That ^{is} the point we want the Minister to clarify.

MR. J.K. KOECH: Mr. Speaker, Sir, ix I had not got that correctly. I thought we were talking about the road to Kisumu. But the road from Nakuru to Mau Summit was repaired with heavier specification. We had assumed that the traffic would be shared between the two roads. However, ^{it} ~~ix~~ so happened that the share of the ~~ix~~ heavy traffic between the two roads was not proportional.

END

B

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MR. arap KOECH (CTD.):

The vehicles with heavier loads were more biased to the road leading to Eldoret, and this is why this road has deteriorated so fast. This is why the road from Nakuru to Mau Summit has not deteriorated so fast, although it is already beginning to develop some distress because of heavy traffic. The specification for the making of the road from Nakuru to Mau Summit was different from that of the road from Mau Summit to Eldoret.

Question No. 528

MR. TUVA asked the Attorney-General:-

- (a) why Messrs Samuel Katana and Changawa Thoya were charged with the same offence twice, that is Criminal Case No. 1941/86 and Criminal Case No. 1058/87, in Malindi Resident Magistrate's Court; and
- (b) why the squatters in Malindi are charged with trespass when they move in to harvest their tree crops and yet they have reasonable cause to do so.

THE ATTORNEY-GENERAL (Mr. Muli): Mr. Speaker, Sir, I beg to reply.

(a) In Criminal Case No. 1941/86, one Samuel Katana and another Changawa Thoya were charged with the offence of trespass before ^{the} District Magistrate II in Malindi. The District Magistrate perused the charge and formed the view that the charge did not disclose an offence. Therefore, he rejected it and thereby discharged the accused under Section 89 (5) of the Criminal Procedure Code. The word that should be underlined here is a technical one: discharge. Anyone discharged under that Section, can be re-arrested and charged with the same offence should the prosecution deem it fit to do so. This is exactly what happened here. The accused were charged with the same offence in Criminal Case No. 1058/87 before the ~~resident~~ resident magistrate. The magistrate dismissed the case and acquitted the accused under Section 210 of the Criminal Procedure Code. The two technical words here are "dismissed" and "acquitted" as opposed to "discharged".

This happened because, after trial, and before the accused were put

THE ATTORNEY-GENERAL (CTD.):

on their own defence, the magistrate formed the opinion that the prosecution had not made out a prima facie case against the accused. There is nothing peculiar here since this is a normal procedure in court. This has happened elsewhere from time to time.

(b) As you will notice, this part of the Question is in general terms, regarding why the squatters in Malindi are charged with trespass when they move in to harvest their tree crops and, yet, they have reasonable cause to do so. We do not know which squatters these are, nor whether this part of the Question is related to the two cases I have mentioned. So, it is difficult to get a suitable answer to such a generalised Question as this. If the hon. Member would like to particularise the trespassers, on whose land they trespass, where it is situated and when trespass is committed, perhaps, we would give some other answer which might be suitable to him.

MR. TUVA: Mr. Speaker, Sir, the offence that led to the charging of Samuel Katana and Changawa Thoya with trespass was committed on 19th December, 1986, and they were taken to court immediately. The magistrate withdrew the case, as the Attorney-General has just said. Why was it necessary to take them to court again after six months for an offence that is supposed to have been committed in 1986? Why was there that delay? This pertains to part (a) of the Question.

MR. MULLI: Mr. Speaker, Sir, I think I have explained this slowly and carefully so that there may be no misunderstanding. After the charge was rejected and the accused discharged, there was no ban to subsequent re-arrest and prosecution of the accused persons. The intervening period between the discharge and re-arrest and re-charging of the accused was used in carrying out further investigations.

MR. TUVA: Mr. Speaker, Sir, in the whole of Fundisha and Magarini locations, in hon. Kdzai's Constituency, and in most of the other locations in the Coastal Strip, squatters have grown trees on other people's land, and they are accused of trespass from time to time. If the Attorney-General wants to

MR. TUVA (CTD.):

get examples of such cases, I will bring them here next week. The law provides that if somebody has a reasonable excuse, he can trespass. Chapter 294, Section 3 (1) says:-

"Any person without reasonable excuse enters any private land without the consent of the occupier thereof shall be guilty of an offence."

In this particular case, these squatters have a reasonable excuse to enter this land because they planted their trees there many years ago. Some of these trees were planted even before the Attorney-General was born. Is this not a good excuse for these people to enter this land?

MR. MULLI: Mr. Speaker, Sir, the hon. Member appears to be addressing you, submitting some legal points of law to which, ~~thing~~ I think, he is entitled. He seems to understand these points, and I have no quarrel with him here. However, I must tell him that trespass is a serious offence which can be acted upon. It can be either criminal or civil, and damages can be awarded as a result of it. Whoever enters anybody's land without the permission of the owner is presumed to do so at his own risk. Messrs Samuel Katana and Changawa Thoya, according to the facts the hon. Member has given - which I think are generalised - entered someone else's land, trespassing on it, and caused damage to it by planting trees there without permission. When the owner complained about it, wishing to stop them from trespassing on his land, these gentlemen claimed that they entered the land with a reasonable cause. Such people have to satisfy that good court that they had a good cause to enter such land. In all cases of this nature, the court normally gives such people time to go and reap their crops. Every time they enter such land without permission they commit trespass.

As I said, part (b) of the Question is general, and it should be looked into on its own merit.

MR. TUVA: Mr. Speaker, Sir, maybe the Attorney-General does not get my point. The people who are being accused of trespass have been living on

MR. TUVA (CTD.):

the land in question for the last 20 or 30 years. Others were born there.

How come that the landlord decides one morning that such people are trespassing on his land? Can the Government not look into this problem since these squatters have been there for many years, even before land adjudication was carried out? Because of the nature of the political system existing at the time adjudication was carried out, squatters did not qualify to claim this land. These were the Sultan's days.

END C

MR. TUVA (ctd.):

Why is the Government not looking into this particular problem or even taking it to the Law Reform Commission for reviewing?

MR. MULI: Mr. Speaker, Sir, if the hon. Member would like these two squatters to acquire the land belonging to another person by what we call adverse possession for a period of 10 years without interruption, they should go to court and get an order declaring that they are entitled to that occupation due to the long time they have sat on it. Otherwise, I would say that the best way to deal with this matter, with all due respect, would be for the hon. Member, together with the complainants, to approach the provincial administration so that the matter can be sorted out at that level.

Question No. 402

MR. TUVA, on behalf of Mr. Lewa, asked the Minister for Energy when electricity will be supplied to Chumani Trading Centre with specific reference to Chumani Secondary School of Kilifi District.

THE ASSISTANT MINISTER FOR ENERGY (Mr. Moturi): Mr. Speaker, Sir, I beg to reply.

Chumani Trading Centre and its environs will be included in the forward forward budget under Rural Electrification Programme after the Kilifi District Development Committee recommends it as a priority to my Ministry.

Question No. 526

MR. SPEAKER: Mr. Jaldesa still not here to ask his Question? Next Question, Mr. Chepkok.

Question No. 508

MR. SPEAKER: Mr. Chepkok also not here yet? Let us move on to Questions

QUESTIONS BY PRIVATE NOTICE

(MR. ADEN) kumwuliza Waziri wa Uchukuzi na Mawasiliano:-

- (a) Waziri anafahamu kuwa wakurugenzi wa Posta wameamua kulibomoa Jumba Kuu la Posta, yaani G.P.O.?
- (b) Kwa nini jumba hili linabomolewa na vifaa vilivyoko vitapelekwa wapi?
- (c) Kumefanywa mpango gani ili mawasiliano ya simu yasitatizike?

MR. SPEAKER: Mr. Aden not here? Okay, let us move on to Dr. Wameyo's Question by Private Notice.

DR. WAMEYO: Mr. Speaker, Sir, I beg to ask the Minister for Education the following Question by Private Notice.

(a) Why did Mr. Michael Mukwambo, the Headmaster of Buchifi Primary School, South Wanga Location, Mumias Division, Kakamega District, send away pupils of Standard 4-6 for not paying KShs.45/- on 24th October, 1988?

(b) How many pupils had already paid KShs.45/- as at 24th October, 1988, and how was the money used?

(c) Why did this headmaster refuse to supply exercise books to pupils whose parents had not paid KShs.190/- building fund on 21st October, 1988?

(c) When will he produce ~~it~~ to the parents of the school a statement of expenditure of the building funds already collected?

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Cheruiyot): Mr. Speaker, Sir, although I am aware that this is a Question by Private Notice, I beg ~~for~~ the indulgence of the House to be given some more time to do further investigation since the information I have is not adequate. I will be able to answer the Question next Thursday in the ~~xxxx~~ afternoon.

DR. WAMEYO: On a point of order, Mr. Speaker, Sir. Questions by Private Notice are supposed to be answered within 48 hours. I put in this Question last week and I made the Department of Education, Kakamega District, aware of it so that we could have it answered by the people who are in charge and in control. Is it in order for the Assistant Minister to come here and ask ~~more~~ for more time to conduct investigations? It has become a habit that Questions by Private ~~Notice~~ Notice are not answered on time.

MR. SPEAKER: Order, Dr. Wameyo. I am not aware of that habit. What you must take to be important is that you must be given correct answers.

Next Order.

MINISTERIAL STATEMENT

THE MINISTER FOR HEALTH (Mr. Kibaki): Thank you very much, Mr. Speaker, Sir, for giving me an opportunity to make a Ministerial Statement and ~~lay~~ lay on the Table of the House some detailed information that I think would be helpful to this House, in that there have been Questions asked of me regarding the expenditure on drug purchases in the last three months. We are laying on the Table some detailed information so that it may be available to hon. Members. I have some three sets of information that I think will be useful to hon. Members.

First, Sir, there is information as from whom drugs were purchased with the monies that were advanced to the Ministry of Health before the actual Budget to enable us to continue ~~to~~ with the business of supplying drugs. At that time, the funds available had become exhausted. We have extracted the actual list of suppliers and the amounts paid to each supplier. Any other details will, in fact, be given because ~~the~~ our Purchasing Department and the Central Medical & Stores have all this data in proper computer records. With regard to that information, we have also mentioned an explanation here that the suppliers who were paid had been waiting for more than nine months, and they had to be paid to enable them to remain solvent and to continue supplying drugs to the Government.

THE MINISTER FOR HEALTH (ctd.):

Mr. Speaker, Sir, we have also included in this information a statement, from the Supplies Division of the Ministry, of the drugs actually purchased and distributed. This is a detailed information ~~and~~ including the actual drugs themselves by name and the code numbers they have in the quotations.

Thirdly, Sir, because we ~~may~~ keep records of supplies on the basis of districts and provinces, we are producing a more detailed information on the drugs and the dates when they were supplied to the various district hospitals in various provinces. We have gone further and involved the provincial medical officers in the purchasing of drugs. In fact, a month ago, the provincial medical officers, together with other officers, made a tour to the manufacturers in Europe and Kenya. They are now involved in the actual purchasing of what is requested by the district hospitals within their provinces. Once they collect these drugs from the Central Medical Stores, they sign for them so that they can be held accountable, after some investigation, as to where the drugs have gone.

Mr. Speaker, Sir, this kind of information is required so that this Parliament, as the representative of the people, may have a totally detailed information that the money hon. Members voted to the Ministry of Health has, in fact, been spent on buying drugs and that those drugs have been distributed properly. If there are queries about a particular point where drugs have not reached, we now have a system of identifying who signed for the drugs with a view to pursuing ~~that~~ the matter. In the Ministry of Health we need this data because we are interested, like all other Kenyans, to see that the truth should be told.

Thank you once for for that opportunity.

(Mr. Kibaki laid the documents on the Table)

END.... D

COMMUNICATION FROM THE CHAIR

MR. SPEAKER: Hon. Members, I have received a written notice from the Member of Parliament ^{for} Bomet, hon. Kones of his intention to raise ^{on} a Motion on Adjournment, a matter contained in a reply given ~~to~~ to a Question by Private Notice concerning second payment of tea farmers answered on Wednesday, 16.11.88. I ^{acceded} have ~~presented~~ to his request and I will, therefore, call upon the hon. Member to move the Motion of Adjournment at the interruption of business on Thursday, 24.11.88.

(Applause)

MOTIONS

THAT, this House adopts Sessional Paper No. 6 of 1988 on Education and Manpower Training for the Next Decade and Beyond, laid on the Table of the House on 10th November, 1988.

(Minister for Education on 10.11.88)

(Resumption of Debate interrupted on 17.11.88)

THE MINISTER FOR EDUCATION (Mr. Oloo-Aringo): Thank you very much, Mr. Speaker, Sir. Last week, I was called upon to respond to this Motion. I took that opportunity to thank my colleagues the hon. Members for their contribution and I thank all hon. Members for the support which they have given to the ~~Sessional Paper No. 6 of 1988 on Education and Manpower Training for the Next Decade and Beyond.~~

I informed the hon. Members that we took note of their submissions, suggestions, criticisms, observations and that we are studying ^{these} ~~them~~ carefully and we will incorporate these views at the stage of implementation. Maybe at this stage. I will underline that in the Sessional Paper itself, we have provided how the implementation must proceed for us to realise the aims and objectives of this Sessional Paper. In that recommendation, we have suggested that every Government Ministry because ~~at~~ nearly all Ministries have training programmes of one kind or another, must now give us their projections in the light of these recommendations

THE MINISTER FOR EDUCATION (Ctd.):

so that we know the training capacity and the potential in the country. All these projections will be put together before an inter-ministerial committee comprising several Government Ministries which will then formulate the procedure of implementation in ^{the} short-term, medium-term and long-term. It is at that stage that a great deal of some of the recommendations which have already been placed before the House will be reflected in our implementation programme.

Mr. Speaker, Sir, let me ask a second question. In approving this Motion in this House what are the various proposals that this House has adopted? The first one is that the House has restated our national philosophy and the education philosophy that emanates from that national philosophy. We have stated this succinctly and I have already asked hon. Members to refer and ^{revisit} ~~legislate~~ the Sessional Paper of 1965 on African Socialism. Secondly, we have approved major reforms in education; we have suggested the consolidation of 8-4-4 system of education. In other words what are our gains in the changes which have taken place in education and how best do we consolidate those gains? We have addressed ~~pre-~~ primary education, primary education, secondary education, post-school training, universities, and ^{excellence} ~~therefore~~, we have addressed centres of ~~excellence~~ and ~~the~~ research generally. Therefore, what we have before the House are major reforms which are going to affect the whole spectrum of education at various levels of consolidation.

In some of those areas we have already taken steps. For example, I have said before, and I want to repeat here, that it is very important that education being sensitive as it ^{is} and through which we are manufacturing the youth and the citizens of tomorrow, must be handled by the indigenous people. In this we have taken ~~xx~~ steps and I have made it clear that we shall phase out foreign teachers from our system and we shall give opportunities in teaching to nationals who are patriotic, nationalistic, and who are committed to this country in order to manufacture the youth that will be patriotic, nationalistic and the citizens that will serve this country for tomorrow. Therefore, the steps we took recently to phase out certain foreign teachers was not punitive. It was in line and consistent

THE MINISTER FOR EDUCATION (Ctd.):

with our policy to indigenize the teaching service and by that ~~we~~ statement also, I am giving notice particularly to those ^{running} private school that they must now come up with plans and programmes to indigenize teaching in the private institutions in this country. In fact, I am going to insist that there will be no further importation of teachers unless and until this is cleared with me as Minister for Education so as to exercise control on the foreign teachers coming into this country. Therefore the steps we took recently must not be seen as punitive; it is consistent with our policy and it is in line with our commitment to indigenize teaching.

Not only that, Mr. Speaker, Sir, we have made deliberate plans and programmes to supply adequate teachers to our institutions. For example, in the area of pre-primary school we are already embarking on the training of pre-primary school teachers and there will be adequate supply. All I can do is to appeal to all those involved in ~~pre~~ pre-primary education to ensure that they hire trained teachers in their staff and those teachers should be indigenous. In the area of primary schools, we are opening ~~additional~~ nine additional teacher training colleges. The ground work of some of them has already been done and has started. These will increase places for pre-service teachers and therefore, we shall be able to almost double the graduates of primary school teachers who teach in our schools. Similarly we are strengthening and increasing our in-take in the in-service programme^s so that those teachers who are now teaching as untrained teachers will be absorbed as in-service and will train as in-service and will qualify as in-service teachers.

Therefore, to a large extent as we have stated in this policy, the pre-service teachers ^{who} will be joining teacher training colleges will be those directly from school while those who are untrained teachers and are teaching at the present will be absorbed through the in-service teaching programme. Similarly in our interviews we are going to pay ^a great deal of attention to vocational orientation and ^{aptitude} ~~aptitude~~ so that only those who are likely to be good teachers will be absorbed as teachers and not leave teaching for every Tom, Dick and Harry particular for those who take it as an escape route when they have nothing else to do.

THE MINISTER FOR EDUCATION (Ctd.):

Therefore, we hope we shall get many people who are dedicated and committed to teaching and who will become trained teachers.

In the area of secondary schools, we are again prepared and we have made plans and programmes to adequately supply the trained teachers to our schools. We will do this through the opening of diploma colleges and with the expansion of our universities. For example, the phenomenal expansion at Kenyatta University, the opening of a faculty of Education at the University of Nairobi which is now located at the Kikuyu Campus and which is now training bachelor of education graduates will go a long way in ensuring that we have adequate teachers. We did not have this programme in the University of Nairobi. It has been reinstated to supply the much-needed secondary school graduates teachers.

END E...

THE MINISTER FOR EDUCATION (Ctd)

We are prepared and we are not working ~~max~~ without ~~plan~~ plans. Moi University has a faculty of education as well as ^{Egerton} the University of Nairobi. Through the expansion of this programme we are going to strengthen the supply of teachers for our secondary schools. There is no problem as ~~far~~ far as I am concerned and the country need not panic because we have to indigenize the teaching force in Kenya. This is the commitment by the Government that something a profession as sensitive as teaching must be handled by indigenous people. ^{However} We are going to implement this policy smoothly ^{and} so, institutions, particularly private ones, need not panic. I know many private institutions where the vast majority ~~is~~ of teachers ^{are} are actually indigenous Kenyans. I will give an example of some of the institutions such as St. Mary's School, Nairobi and Strathmore College, Nairobi where a lot of teachers are indigenous Kenyans. So, with efforts the private institutions will find teachers. Some of our own graduates, even if not trained, are likely to be good teachers than some of those ^{they} ~~is~~ are importing from other countries.

Therefore, ~~k~~ while I will not respond to all the issues raised by the hon. Members, I have taken notes of their views and some of them are recorded in some of these notes which my officers have taken. We are going to incorporate some of these views in the course of our implementation. We have undertaken a major reform of our education and we are committed to these ~~is~~ reforms because they are going to produce the type of youth and the type of citizens who are going to be useful to Kenya.

With those few remarks, I wish again to thank the hon. Members and I, therefore, beg to move.

(Question put and agreed to)

PROCEDURAL MOTION

THE MINISTER FOR ENERGY (Mr. Biwott): Mr. Speaker,

Sir, I beg to move the following Procedural Motion:-

THAT, this House orders that the publication period of the Kenya Broadcasting Corporation Bill, and the Government Lands (Amendment) Bill be reduced from 14 days to 12 and 9 days respectively.

These Bills are non-controversial and are necessary.

The ^{Kenya} Broadcasting Bill will be necessary because for the first time, we would like to introduce a parastatal to handle the business normally conducted by a Government department in the way of broadcasting, licensing and so on so as to be in line with what happens elsewhere in the world.

The second Bill is the one which is intended to amend the ~~land~~ ^{Act} Government land ^{Act} so as to bring it into line because most of the provisions that we have ~~in~~ in that Government Lands Act go back to many years ago and are not appropriate today. I would, therefore, appeal to the hon. Members to support this Procedural Motion so that the House can then have the opportunity to discuss in detail the contents of the two Bills and see whether we can come to a final debate before we go on recess. If we are able to dispose of the Kenya Broadcasting Bill, we will be able to attract a lot of support by way of ~~cheap~~ good money from the international community which will then enable us to proceed to modernize ~~our~~ ^{our} broadcasting department and our news distribution system. We shall then be able to ^{be} as effective as others are.

The other ^{Bill} ~~one~~ has got far reaching implications because it will enable the Government to collect reasonable revenue from its own resources. Up to now, people are paying a fee which was

THE MINISTER FOR ENERGY (Ctd.):

prescribed about 50 ~~xxx~~ years ago which means that some people are benefitting at the expense of the Government. This is necessary so as to bring the law up-to-date in order to collect funds that are ~~xxx~~ rightly due to the Government. This is money that is needed to expand services to our people.

With those few remarks, I beg to move.

THE ATTORNEY-GENERAL (Mr. Muli) seconded.

(Question proposed)

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso):

On a point of order, Mr. Speaker, Sir. I have noticed that the guests - the Civil Servants - who have been invited to listen in the Chamber are just walking in and out without bowing to the Chair. I think it is also good for them to observe the procedures of this House.

MR. SPEAKER: I am sure the Minister concerned will tell them about the tradition of this honourable House.

MR. KILIKU: Mr. Speaker, Sir, while I support ~~x~~ this Procedural Motion, I think it is not advisable to bring Bills here when we are about to go on recess. This should not be repeated because we need to have enough time to discuss these very important Bills. We need to have enough time to express our opinions and in future we should not have a routine of reducing the publication period of Bills. If there are some Bills to be introduced, they should be brought when we have enough time to discuss them so that the Ministers can note the hon. Members' views. I do not think this is a good procedure of bringing Bills ~~over~~ here when we are about to go on recess.

However, with those few remarks, I beg to support.

THE ASSISTANT MINISTER, OFFICE OF THE VICE-PRESIDENT
AND MINISTRY OF HOME AFFAIRS AND NATIONAL HERITAGE (Mr. Lalampaa):

Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to say a few words.

I think the House is following the right procedure because the publication period of a Bill is normally 14 days. All what the House is trying to do now is to try and reduce the publication period of these Bills by just a few days. It is not affecting the contents of the Bills and I think that is a very simple procedural matter - reducing the publication period from 14 days to 12 and 9 days respectively.

With these few remarks, I beg to support.

THE MINISTER FOR ENERGY (Mr. Biwott): On a point of order, Mr. Speaker, Sir. I thank the hon. Member for supporting the ~~Bill~~ Procedural Motion but I want to correct the impression that we might have created in bringing this Procedural Motion. that we are doing so in order to finish clear business before we proceed on recess. It all happens that the ~~business~~ House has been very good to dispose of all the business, one of which has just been concluded now quite freely by the hon. Members. We are now ready to debate the next ~~Order~~ after the Motion by the Minister for Education. Since we have finished with that one, we have no other business other than ~~it~~ to move on to the next one. It happens that the next business needed this Procedural Motion. in order to ~~ex~~ enable us to fulfil the requirements of the Standing Orders of this House. So, we have not brought any Bill here before the coming recess because we are not even anticipating recess during the debate on this particular Motion. We are just appealing for the advancement of the date in order that we may have business and this happens to be the business.

Thank you, Mr. Speaker, Sir.

END P...

MR. KUBO: Mr. Speaker, Sir, along with my understanding of what the Deputy Leader of Government Business has said, I would like to make this point. We have this time got the Bill printed on a white paper instead of the normal green paper. This ^{has} somehow ^{ended} confused us since this is not the normal paper. My request is that, ^{Since we are so much used to this green paper,} in the future the Government Printers should make sure that we have the Bills in a different colour to make them clearer to us. In fact, I was about to keep this Bill aside because I did not expect it to be a Bill because it is in a different colour. This is something that I wanted to remind the Deputy Leader of Government Business.

THE MINISTER OF ENERGY (Mr. Biwott): ~~On a point of order,~~ ~~Mr. Speaker, Sir.~~ I think the hon. Member is quite right. When we went to the Government Printers we unfortunately ^{found} that this was the only paper that was available. But I think that is a good point that he has raised. In future we will make sure that we keep handy any colouring that hon. Members prefer so that we give them what they need.

DR. WAMEYO: On a point of order, Mr. Speaker, Sir. This is a Procedural Motion and I would like to move that the Mover be ^{now} called upon to reply.

MR. SPEAKER: Yes, I think it is reasonable for the House to consider that now.

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

THE MINISTER FOR ENERGY (Mr. Biwott): Mr. Speaker, Sir, I ^{beg} to move.

~~THE ATTORNEY GENERAL (Mr. Muli) seconded.~~

(Question put and agreed to)

BILLS

First Readings

The Kenya Broadcasting Corporation Bill
The Government Lands (Amendment) Bill

(Orders for First Readings read - Read the First Time - Ordered to be read the Second Time today by leave of the House)

Second Reading

The Kenya Broadcasting Corporation Bill

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja):

Mr. Speaker, Sir, I beg to move that the Kenya Broadcasting Corporation Bill be now read a Second Time.

As hon. Members are aware the Voice of Kenya (V.O.K.) is charged with the responsibility of informing, educating and entertaining the society of this country. It has tried over the years from the colonial times to Independent Kenya, including this Nyayo Era, to live up to the public's expectations. As ^{our} ~~the~~ society's activities in various fields of development have increased in tempo and diversification, so has the demand for effective services by the V.O.K. But the V.O.K., ^{at} as presently constituted, has experienced human, technical and financial constraints. This Bill, therefore, seeks to remove those constraints.

The first aim of the new corporation to be formed shall be to improve and expand radio and television coverage and reception in the country. As at the present the coverage of the radio and television services, are 80 per cent of the population and 40 per cent of ~~service~~ ^{Surface} area, and 23 per cent of population and 14 per cent of ~~service~~ ^{Surface} and area respectively. The aim is and shall be to ~~recover~~ 100 per cent of both population and ~~service~~ ^{Surface} area of the country. This cannot be done within normal Governmental budgetary system as ^{the} capital investment required is huge and massive to fit into our present budgetary ceiling. The corporation shall, therefore, be able to borrow funds either locally or elsewhere with or without Government guarantee to undertake its expansion.

The second important constraint has been the caliber of personnel. Due to Government ^{Personnel} administration system, the V.O.K. has been unable to attract and retain the caliber of manpower required to run a broadcasting system. This is mainly due to low level of

THE MINISTER FOR INFORMATION AND BROADCASTING (ctd.):

salaries and other benefits offered by the Government compared with what is offered by other parastatals ^{and the} private sector especially in areas of electronic engineering and print media. It is, therefore assumed that the corporation shall be able to ^{raise these} ~~pay~~ ^{with} personnel benefit^s and get the right personnel to man its services.

Mr. Speaker, Sir, the third major constraint has been finances. As I have already mentioned above, broadcasting services are costly. They require a lot of funds which in most cases cannot be accommodated in normal Government budgetary system. Apart from capital development funds required, the V.O.K. also requires a lot of funds for recurrent costs especially on maintenance of costly electronic equipment that it uses. The revenue it collects has hitherto to go to the Exchequer. The rates it charges for its services have to be approved by the Government and in most cases ^{they} ~~these~~ have been very low. The corporation expects that it shall be able to charge the correct commercial rates ^{extra} for its services, ^{raise} ~~raise~~ money and improve its services. We have ~~been~~ been talking of cost-sharing. It is hoped that the corporation ^{will} ~~can~~ be able to get adequate finances to run itself; if not now, ^{then} in the immediate ^{future} ~~future~~ without going to the Treasury for funds.

The fourth important constraint is the ~~a~~ number of Government regulations which make decision making a bit slow. This makes the running of broadcasting system cumbersome and not interesting especially when it comes to entertainment which reduces advertisement revenue. Let us take the case of tendering in a normal Government system. In such a case it ~~a~~ takes a lot of time to award tenders. It is hoped that when the corporation commences its operations, decision making shall be faster and improvement of services shall occur.

In most countries, broadcasting services are either private or ~~publikis~~ public parastatals. All these countries must have found in the wisdom for running these ~~business~~ services either in commercial

THE MINISTER FOR INFORMATION AND BROADCASTING (ctd.):

or semi-commercial manner. The cardinal reason maybe mainly due to hasten decision making so as to reduce costs and increase revenue generated by such action and also improve services. Kenya, therefore, should not be an ^{exception} ~~exception~~. We should always accept to borrow from other societies what can improve our society also.

Mr. Speaker, Sir, while the corporation shall be expected to run commercially, I can assure this august House that the interest of our esteemed Republic and society shall be fully protected.

END G.....

THE MINISTER FOR INFORMATION AND BROADCASTING (ctd.):

Mr. Speaker, Sir, as you can see in the Bill, there shall be a Board of Directors and an Advisory Council, and the Minister shall also be involved in ensuring that ~~what~~ ^{the welfare of} what goes through the broadcasting system ~~is~~ is not detrimental to our society and the nation. Morals and good behaviour for this nation shall be fully catered ~~to~~ for.

Mr. Speaker, Sir, this is a very straight forward Bill, and with those very few remarks, I beg to move.

THE MINISTER FOR WATER DEVELOPMENT (Mr. Ayah): Thank you very much, Mr. Speaker, Sir.

Mr. Speaker, Sir, in seconding this Bill, may I first of all congratulate my hon. friend for bringing this Bill to the House, and ^{for} ~~to~~ eloquently introducing it to the hon. Members. The details and strategies of transforming the existing Voice of Kenya, to The Kenya Broadcasting Corporation, which is contained in the Bill, and also in the Minister's speech ^{and} ~~so~~ I will not go into details of finances and technicalities of it.

Mr. Speaker, Sir, I would like to make a few remarks in seconding this Motion. First of all, as you remember, this is the ~~the~~ third time that this House is taking a good look at the broadcasting system of our nation. There was a time when this House created a similar ~~organism~~ organisation; ~~the~~ Kenya Broadcasting Corporation ~~was~~ ^{was} created in 1964, and then it was ~~return~~ returned to the Government arms, as the Voice of Kenya, and we are now going

THE MINISTER FOR WATER DEVELOPMENT (ctd.):

back to the Kenya Broadcasting Corporation. I think this is a good thing because after 25 years of Independence, we have now matured ~~to~~ into a ~~new~~ position where we can look back and see the things that we have done. We have ^{to} look at those things we have done wrong, and those which we have done ~~well~~ well, and those which we need to improve on. I think that making the broadcasting system or the new system arm of the Government a corporation is a step in the right direction. I think it is an improvement.

Mr. Speaker, Sir, let us take a good look at ~~what~~ some of the things that we have been practising, ~~or~~ the things that have been happening in the existing system. The rationale has been that in broadcasting you would like to inform, entertain and educate the people. In order to ^{do} that, it ~~therefore~~ means that whoever is going to inform must have the information. It is my personal complaint ~~to~~ the Voice of Kenya as it exists, ~~not~~ not the system itself, but the people who have been employed in the Voice of Kenya, in the Kenya News Agency (K.N.A.), have not served Kenya well by way of informing our public and our people. They have not been able to inform ~~the~~ people adequately ^{about} ~~the~~ Government policies, the activities of other Kenyans and the general knowledge of their rights, so that they ~~may~~ may know what is happening in their own country.

Mr. Speaker, Sir, when I watch the Voice of Kenya ~~television~~ television, I have had reasons ~~to~~ to complain when I see a whole minute wasted on television broadcast of some fire in ~~some~~ some

THE MINISTER FOR WATER DEVELOPMENT (ctd.):

Denver ?
 suburbs of Chicago, ~~Denise~~ in Colorado, or in Vaccui in the
 soviet Union or some other places/outside k Kenya. Sometimes
 I wonder, ~~why~~ why ~~is~~ the people in the broadcasting system find
 it interesting for us to know about some little fire in
Denver
 B ~~Denise~~, Colorado, when somewhere in Machakos, or, indeed, in my
 own home in Maseno or Kisumu Rural, some more devastating accidents
have
~~has~~ happened, and the people of Kenya have not been informed.
 I am quite sure that the people in Lamu would like to know how
 the people of Kisumu Rural live. I am quite sure that the people
 in Kik Turkana would like to know ~~how~~ how the people in Namanga live.
 Why should they be told that there was a fire in Texas, and a whole
 minute spent in our own broadcasting system telling us irrelevant
 and ⁱⁿ some ~~in~~ cases nonsensical piece of information.

therefore,
 Mr. Speaker, Sir, I submit/that the first requirement
 is good information. I hope that the people who will be employed
 by the Kenya Broadcasting Corporation will be people who will
 give the people of Kenya the relevant information. They should
 give people the information that is geared towards their development
 programmes. It should be information that tells our people what
 their Government/~~is~~ and the ruling Party is doing. If we
 do not do that, then we will not be able to use our broadcasting
~~system~~ system on the radio, and television for the benefit of our
 people.

Mr. Speaker, Sir, the second point I would like to mention,

...deasting system had an aim to educate the people.

THE MINISTER FOR WATER DEVELOPMENT (cont.):

For one ^{he able to} to educate, one must have the knowledge which he will pass on to the people he wants to educate. I am yet to see any serious attempt, either on the radio or television to educate our people. We could have easily ^{done} ~~achieved~~ a great deal of educating ~~of~~ our young people. Even the broadcasting programmes brought by the Ministry of Education ^{are} ~~are~~ very poorly edited, and set up. In fact, it is not at all education, but it is just mere broadcasting. I would like to ask my hon. colleague, the Minister for Information and Broadcasting to insist that the ~~ex~~ people who will be appointed to the new Corporation, and those who will be entrusted with the duties and responsibilities of educating our people, as part of the broadcasting system, ^{will be} ~~are~~ people who have acquired knowledge. It should be knowledge that they can arrange properly, ~~xxx~~ and suitable to our people, and, therefore, they will be able to educate our people properly.

Mr. Speaker, Sir, the third point that I would like to mention is entertainment. Entertainment in Kenya, through the television and radio, ^{had} ~~had~~ become ridiculous. Somehow ~~that~~ there is a feeling that if an African wants to entertain another African, one has to be ridiculous. A man must put a hip of clothes ~~on~~ ^{so} on his stomach that he looks like an Indian or somebody else. To be funny one does not have to be ridiculous. In fact, one does not have to entertain by merely insulting the history of our culture. This is what has been happening on television and on

THE MINISTER FOR WATER DEVELOPMENT (ctd.):

radio. The people just ~~wxs~~ want to be funny, not funny in a laughable manner, but funny/peculiar/^{in a} manner. In my own opinion this is very bad.

I think my hon. colleague should make sure that the people who will be employed by the Kenya Broadcasting Corporation are not people who wish to ridicule the African customs and cultures.

They should not think that all they have to do/^{in order} to ~~be~~ entertain is to ~~ridu~~ ridicule the history, and the cultures of our people.

In fact, the history of this is that the European who was here before wished to ~~re~~ ridicule our cultures, and they trained our people to

ridicule themselves, and this is still continuing in our televisions and radios. I would like to submit that whoever will be responsible

of entertainment, should take the entertainment of the African, the citizens, or the individual peoples of this country very seriously.

It is not necessary to be ridiculous/^{in order} to entertain.

Mr. Speaker, Sir, I would like to assume that a native of this country should ~~be~~ respect his own culture. He should be a person who takes the cultures ~~very~~ very seriously so that when he projects a Kikuyu, Turkana or a Kiswahili play he does it

genuinely. If it is a play on a certain background there are people who can either ^{advice} give good ~~advice~~, or do the production themselves.

(END.....H)

THE MINISTER FOR WATER DEVELOPMENT (contd.):

Having said that, let me make three further points. The first of the three further points is that in order for us to have good broadcasters, ~~good~~ entertainers, and ~~good~~ information officers, I submit that we must know the morality of the people who are going to broadcast. When I talk of morality, I do not want to sound like being holier than anybody in this hon. House. All I am saying is that the people who are broadcasting, entertaining and informing must have certain minimum standard of morality. This in my opinion, will tell when they choose the programmes they want to put on the television and radio. So often, because of the external cultural influences which we see on the programmes on the television, we are sometimes forced to watch pieces of "entertainment" which are so bad. This is because the people who are in-charge of these programmes themselves have no strong moral standards. I would wish that they could adopt certain minimum level of moral standards, so that our people can listen to radio or watch television without having to send their children to the bedroom or outside the house. In my opinion, this has been a weakness which has been caused by the inability to say "no" to the external forces that have been flooding the Voice of Kenya newsroom with programmes which are neither entertainment, nor information, and not even really education.

The second of these points is that I would like to see a situation where the politics of the broadcasters is consistent with that of the people. I say this because Sometimes I have listened to some broadcasting on commentaries, and even the news items themselves, and I sometimes wonder whether the broadcasters themselves are not actually perpetuating certain political ideas which are either external to us or detrimental to our own

THE MINISTER FOR WATER DEVELOPMENT (contd.):

political system. It is not necessary for the man who is broad-casting to say that he does not believe in what KANU believes in. It is only necessary for him to twist his tone or intonation in such a way that suggests that he is supporting whoever is ~~supporting~~ opposing Kanu's ideas. I am not saying that this is the general trend, but I have a ~~feeling that~~ sometimes ~~we~~ noticed a tendency for broadcasters and commentators on the radio and on the television respectively ^{Sounding} ~~to sound~~ as if they are not really in it with us, for what we are trying to do for this country. I am not saying that the people we are going to employ should be politically screened, but surely, if we are going to spend the tax payers money in establishing a corporation of this ^{nature} then we at least require that whoever is going to broadcast or make commentaries on our broadcasting system does not at least oppose us. This would ensure that the old Kiswahili saying which states that 'Kikulacho ^{Kina} ~~ni~~ nguoni mwako' does not apply here. I hope that is the right saying. I speak Kiswahili very well, but the only problem is that I sometimes confuse the "Ki" class and the others.

What I am trying to say is this: We must make sure that whereas we do not want to screen or introduce political ideas into our broadcasting, we would, however, like to make sure that it is not used as a weapon against us, ^{and} that it is not used to sabotage some of the things we are doing in this country. ~~And that~~ ^{When} we have a policy; whether it is a party policy, Government policy, social policy, or a general policy of a society; ^{it should be} ~~that this is~~ generally reflected by the attitude, the pronouncement, and, indeed the general behaviour of the broadcasters.

I have ~~xxx~~ already talked about the question of having the knowledge to impart or to educate the people with. I would like to reemphasise this point by saying that it is so important

THE MINISTER FOR WATER DEVELOPMENT (contd.):

that a broadcaster knows his Kenya, his subject; and that he reviews the news that he is going to read. Sometimes I have a feeling that the broadcasters walk into the studio having not seen the news item at all. They blunder through the news item and at the end of it, you do not even understand what they were talking about. In fact, I have one in mind, but I do not want to mention his name. He happens to have been born where I come from. This gentleman seems to have a very fertile mind. He always invents names; their pronounciations, or the names themselves, and comes up with very odd ones. What makes it worse is that these are names of people who are fairly prominent in Kenya. One would at least assume that a broadcaster would know the name of hon. Waruru Kanja. So, if he comes up and mentions him as being Kanja Waruru, then it means that he is either not doing his homework or he is very careless. In any case, the third point would be that he does not care whether the information he is transmitting is entertaining or not.

I would like to see a situation where the general knowledge of the broadcaster is such that he can even ad-lib in case something goes wrong with the writing he is supposed to read. So often, however, we get a situation where the broadcaster not only pronounces the names in his own way, but does not communicate at all. I am not going to speak about whether somebody should speak good English or Kiswahili while broadcasting. What I would, however, insist on is that whether he pronounces it well or not, he should at least be able to communicate. He should be able to say what he wanted to say. Even if he is a Luo who is not able to pronounce words in Kiswahili well, he should still say it in such a way that somebody should understand what he is talking about. I am, however, sure that there are no such people anymore. It is important that his communication should be such that somebody understands what he is saying.

THE MINISTER FOR WATER DEVELOPMENT (contd.):

Finally, I would like to say this: The people who are going to be employed by this body are themselves ^{very} important. They are people who are capable of ruining a whole social system, individuals, and even spoiling Government efforts in every direction. Therefore, they must be people who insist on telling the truth about the events they have themselves seen, watched or have been witnesses ^{to}. They must not be people who invent news. This does not only cover the new Voice of Kenya Corporation ^{or the new} ~~which~~ ^{that} we are going to have. It also covers the printing media. Right now in this country, we have reached a situation where news correspondents are inventing news. They are writing news as they would wish it to be. They report people and not events. They are, in fact, writing about things that they would like to see them happening. Each of the hon. Members in this House can tell a story of when they have been to meeting and said something only to see it in the press the following morning that, if what he said was something good, has been attributed to somebody else; or it has been left out completely; or it is thoroughly distorted; or worse still, in some cases, it has been ~~it~~ given a ~~new~~ new twist.

In some cases, these things happen because of the total ignorance of the correspondent. However, I have a fear, that sometimes these things happen because the correspondent; ^{he is working for} whether ~~it is~~ ^{the} Kenya News Agency, the Nation, the Kenya Times, or The Standard, ^{he} is interested in making quite sure that the speaker, is either misquoted or the event is twisted to have a different meaning than what it really was.

End I.....

THE MINISTER FOR WATER DEVELOPMENT (Contd.):

Mr. Speaker, Sir, I have been told and I have no evidence to prove it, but I suspect it is likely to be true that there are correspondents in this country, whether they are in Kenya News Agency (K.N.A.), The Standard, The Daily Nation, or our own paper - The Kenya Times - who actually demand payment, or if they do not demand, they are so used to being given, say, KSh.100/- here, or KSh.200/- there that they are, in fact, being 'entertained' to use a mild word, in order that they might be able to write about certain personalities or events.

(applause)

Mr. Speaker, Sir, I do not grudge any correspondent the right to be 'entertained', or the right to make money in his profession, if that is the way he wants to live. But, for God's sake, let the people of Kenya know the truth about the events that take place on our daily lives. If anybody is going to write about anything, if he wishes to put anything on top, or if he thinks that hon. Ndolo Ayah needs a little bit of 'boosting' - thank God I do not ^{want} - but, if that is his opinion that he wants to put more into my mouth than I have said, let ^{him} ~~it~~ add after he has reported what I said, but not before, or not ^{instead} ~~in~~ ^{instead} stage. ^{what I said} But what is happening now is that we are having a situation where correspondents are ruining our trust in the written word and also our trust in the broadcasting word because they are beginning to create a situation where we cannot trust them because they are saying things which do not exist, or which have not yet taken place.

I would like to have a feeling, Mr. Speaker, that when we pass this Bill of creating the Kenya Broadcasting Corporation that the Minister is going to ensure that the people who are going to be employed by this Corporation, the Director-General, the members of this board, ~~that~~ the people who are going to broadcast on radio and television, and by extension, the people who are going to use the news from K.N.A. and other sources ~~are~~ going to be primarily interested in their profession, and that they are also going to make us believe that when we open up a newspaper in the morning, we are opening up a newspaper for news, but not for the opinion of the correspondent because this is what is going on at the present time.

Mr. Speaker, Sir, with those few remarks, I beg to second.

(Question proposed)

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso): Mr. Speaker, Sir, thank you very much for giving me this opportunity also that I may air my views on this very important Bill.

Mr. Speaker, Sir, in support of this Bill, ^{I would like to say that} ~~I think~~ it has come at the right moment because Kenya has moved many steps ahead, and it is high time that we placed this particular and a very important service into the hands of ~~our~~ independent people as a Corporation so that they can exercise their judgement without any particular political influence, or 'pushes' here and there of some particular individuals. I am saying so because I have every hope that after this Bill has been passed by this House and made a law, the Kenya Broadcasting Corporation will use its discretion in making sure that the people of this country, no matter how 'big' or 'small', receive equal treatment, and that what the previous hon. Member has just said ceased to be the case. That practice of certain individuals influencing the news reporters even in the broadcasting itself, is something that has really made some of us suffer a lot. For instance you will see that even ^{when} a report in this Chamber is made out, ^{Sometimes} you hear it through the Voice of Kenya (V.o.K.) news, but when you look at the newspapers you do not see a trace of it at all. ^{This makes} ~~They~~ you wonder what had gone wrong. Alternatively, you may read something in the newspapers, but when you try to listen to that very important event from the V.o.K. news, which you are sure did happen because you were there and you saw it, ^{happen} you do not hear a thing about it. ^{and} Then you wonder what is happening.

So, Mr. Speaker, Sir, in trying to really find out what has been happening, we came to discover that this kind of influence of money has come into play. For instance, you will find that some reporters are influenced to report certain individuals or people, and they are really made to be their instruments. Wherever they are, they want to report about them. And regardless of your importance, even in public standing, nobody will mention about you. We do hope that with the new move that the Government has seen ^{to adopt} ~~it~~ fit, ~~that~~ we will change the V.o.K. into the Kenya Broadcasting Corporation, ^{and} the people who will now be manning that new institution will be people of great standing, proper judgement

THE HON. DEPUTY MINISTER FOR LANDS AND HOUSING (Mr. Mutiso) (Contd.):

and who are very impartial in discharging their duties. I am sure they will cater to wananchi of all classes. Kenya is independent for the last 25 years. We do not want to be subjected to a situation where you find some wananchi to feel that they are still waiting for their independence to come. This is because nobody recognises them and nobody reports about even what they do. Therefore, such wananchi, to some of these reporters or broadcasters, they do not exist. We want this situation to be corrected because the ^{stride} ~~strive~~ of development that Kenya has achieved to date, the greater percentage of it goes to the ordinary mwananchi.

In all forms of development, be it, Mr. Speaker, buildings of Nyayo Ward, schools or even dispensaries, call it whatever in the country, it is the ordinary mwananchi who has contributed more to this national development. It is, therefore, a good thing for them to be always reported and events also to be reported in a particular area when they happen and when they take place so that we do not centre this information to only particular areas, ^{or particular} urban centres, throughout the Republic.

End J.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso)(Cont'd.):

Mr. Speaker, Sir, the other point which I would like to bring to the attention of the Minister is about television coverage in this country. Now that we have moved to the stage of having television news being screened every evening and every afternoon, we would like to have television camera operators particularly in all the districts and where necessary even at the divisional headquarters. We would like to have television camera operators in these places so that development activities in these particular areas, are properly covered on television. I am saying this because some areas are never covered by television. For your information, Mr. Speaker, Sir, one of the ^{oldest} districts in this country, is Machakos District, where we have had all the time a television camera which only takes pictures for recording only. If you look at the development that has been taking place in Machakos district, it is enormous, but none of it has ever been covered on television. When we ask the District Information Officer why this is so, he tells us that they do not have the modern cameras or the operators for them. I think the Minister should make sure that all districts in this country are able to move together in development. There should not be certain districts being given preference over others in terms of development. I am saying this because national development is taking place in every district, and therefore, these ^{development} activities must be reported in the national news so that people from those particular districts can see for themselves what is happening in their respective areas.

Mr. Speaker, Sir, another point which I would like to draw to the attention of the Minister is the fact that you find the trained journalists, camera operators and photographers leaving Government service and joining the private sector. I do not know what causes this, but if it is due to the low salaries that they receive, then the Minister should look into this. The Government trains these people only to find them later being "stolen" away by the private sector. When we try to find out why this happens, we are told that it is because they are under-paid and yet the Government takes full responsibility of training them only to find that after they are

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. MUTISO)(Ctd.):

qualified, they are snatched by the private sector. Mr. Speaker, Sir, the Minister should look into this because it is costing the wananchi of this country a lot of money to train these people only to find them joining the private sector.

Mr. Speaker, Sir, we have been asking the Ministry to provide us with divisional information officers, particularly in Yatta and the answer we get is that they do not have enough reporters or camera operators. Yet, we know that these people are being trained year in, year out, but the moment they qualify, they are let free and they just go. This practice must stop and I am therefore asking the Minister to make sure that appropriate action is taken to stop it. If these people are being underpaid, although I know Government salaries cannot be at the same level as salaries ⁱⁿ the private sector, the Ministry should at least improve their terms of service. Alternatively, these employees can be bonded so that after they have been trained by the Ministry, then they have to work in the Ministry for a particular time before they are set free to go wherever they want. This is a point which has been giving us a lot of disservice, and I do hope that something is going to be done about it. As I have already said, just as it has been happening in my own area, development activities in many parts of the ^{Country} ~~countries~~ are not being covered and nobody knows what is happening there. It is true that the people in those areas have done a lot which deserves to be reported in both in the newspapers and on television, so that these people can see for themselves the development which is taking place in their areas.

Mr. Speaker, Sir, while supporting this very important Bill, another point which I would like to touch on is with regard to the practice we have seen in the British Broadcasting Corporation. In my personal view, I would not like to see this kind of practice being undertaken by Kenya Broadcasting Corporation. The British Broadcasting Corporation is so free that they think they have the audacity to say whatever they want to say about other countries. We have heard them accusing Governments of friendly countries to Britain and nothing is done about it just because it is a corporation.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso (Ctd.)):

Mr. Speaker, Sir, we want a fair play to be demonstrated by the Kenya Broadcasting Corporation. We want them to be reporting fairly and where they have to criticise, it must be fair criticism. I am saying this because there are certain very import friendly countries to Kenya who would feel very much hurt by adverse reports by the Kenya Broadcasting Corporation, particularly when this happens and the Kenya Government does nothing about it. I think opposing or even criticising a friendly state, is not goot at all.

Mr. Speaker, Sir, I think we have stated our points very clearly concerning the British Broadcasting Corporation. We have made our position clear as a nation, as a Party and as individuals and even as Ministers of this Government. However, what we are told by the British Government is that the British Broadcasting Corporation is just an independent corporation or very little and that they have nothing/to do with it and that what they would like to say is their own shauri. We would not like to see such a situation here in Kenya. We do not want this corporation to be used as a tool to accuse or to criticise Governments of friendly countries to Kenya. I am saying that because this situation can be used by other external forces to ruin our good relationship.

Mr. Speaker, Sir, I wanted to draw these points to the attention of the Minister for him to make sure that the people he appoints to the Management Board of this very important corporation, are people of integrity; people who are mature in their judgement, so that the vetting of news before it is broadcasted goes through the proper hands to make sure that it is in agreement with the policy of the Kenya Government.

Mr. Speaker, Sir, we are now going to celebrate our 25 years of Independence. I remember when the broadcasting service started in Kenya ^{many years ago} we had very little development in this country, and by now, we should have enough members of staff in this country; comprised of people with vast experience, who would now be able to run the Kenya Broadcasting Corporation with very little difficulties.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso)(Ctd.):

Therefore, I would like to ask the Minister to take the appropriate action, even if it means "shopping" for these people from the private sector where they went, and I think he should be given the freedom to do so. He should bring those people back so that they can come back and serve the Kenya Broadcasting Corporation and ^{make it} have a good foundation as a corporation so that the image of this country which has achieved so much over the years, does not only continue to be maintained, but ^{also} to be improved upon many folds.

END K.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso)(ctd.):

Since I know there are many hon. Members who would like to speak on this very important Bill, I would ~~not~~ like to take much more time; I would like to give a chance to other hon. Members to speak. If we could finish discussing this Bill and the others which have been ~~table~~ tabled this afternoon, the House will have done a very important job. I understand that we will soon be going on Recess and start on the Silver Jubilee celebrations on 5th December. It is my belief that we can finish with these ~~the~~ Bills before we go on Recess.

With those few remarks, I beg to support.

THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika): Thank you, Mr. Speaker, Sir. I want to take this ~~an~~ opportunity, if you will allow me, to thank all the hon. Members who sent me ~~the~~ ^{words} ~~goods~~ and wished me a quick recovery when I had an accident the other day.

(applause)

I am so grateful and wish to assure the hon. Members, through the Chair, that I am getting better, and I am ready to debate.

Mr. Speaker, Sir, I think this is one of the most important items that have ever been brought to this House for ~~us~~ discussion. I say this because there have been numerous complaints in the past about radio and television broadcasting, newspapers and things like that in this country, but I think some of the complaints were not really ^{justified} ~~right~~ at that time. To run an institution such as a broadcasting one through the Government machinery is not very easy. It is now that the Government has taken the right decision to have a parastatal ^{service} body which will be independent to run broadcasting ~~in this country.~~

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THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika)(ctd.):

And before I say anything else, I must thank those people who have been trying to do their best in broadcasting, although their best was not the best that we expected. This is evidenced by the many complaints, especially from Members of Parliament, about broadcasting, reporting and things like that. But since the broadcasting station has been under the Government machinery, the criticisms were actually being directed at the Government.

Although the parastatal body will still be under the umbrella of the Government, it will be more independent. ~~It is~~ ^{very able} ~~this time that we expect~~ I am sure the Minister for Information and broadcasting, who is a good friend of mine, must be very happy to have this department turned into a parastatal body. As far as this new broadcasting corporation is concerned, the first we should think about is the equipment which is going to be used there. The corporation cannot broadcast or televise with no equipment, or with substandard equipment; it has to do it with proper equipment. I understand that just before, or during, the Fourth All Africa Games, certain equipment was bought, which ~~was~~ was very modern, indeed. Their usefulness must be proved by employing people who can man and maintain them properly.

Mr. Speaker, Sir, at ~~no~~ no time have we said that our people are in any way substandard, but there has been laxity. It is true that when you work for a body in which checks and balances take too long, there tends to be laxity in the body. What I mean to say, and what the Minister needs to note very carefully, is that manpower and management of a broadcasting station ^{is} so vital to a country. There have been complaints, even in this country that the British Broadcasting Corporation (B.B.C.), which some people call the biased broadcasting &

THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika)(ctd.):

corporation, has been used ~~to~~ to destroy certain nations. They have been broadcasting things that can mislead the world, And they have get away with so many things in many ways. We are not saying that we ~~are~~ are now going to have the Kenya Broadcasting Corporation in order to malign other people; we are not saying that. What we are saying is that we ~~we~~ should use this corporation very carefully to protect the culture of ~~of~~ our people. We cannot portray Kenya's image by merely having ambassadors and good Members of Parliament. A broadcasting station can do much more than ambassadors and ^{even} the athletes because the broadcasting station will, on a daily basis, portray what we are all the time. That is all the more reason ^{why} we need people who will make the corporation look Kenyan.

Mr. Speaker, Sir, there are parastatal bodies in this country that have let us down so much that when institutions are in the process of being made parastatal bodies, such as this Kenya Broadcasting Corporation, some of our people are wailing. They say, "but other corporations have not succeeded, will this one do?" I want to assure everybody that in my own heart, I think this one is going to succeed. It is going to succeed because it is very much needed in this country. It is one sector of our country that will have the interest of everybody at heart. I say this because nearly everybody now listens ^S to the radio and a majority of our people watch ~~the~~ television.

Mr. Speaker, Sir, some ^{of the} commercial advertisements we have had in the past, although these days they have changed quite a lot, have had foreign connotations. These are the kind of things we ~~we~~ are saying we ~~we~~ should look into - the management of the corporation rather than ^{talk about} what it has been doing or what

THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika)(Ctd.):

it is doing. How are we going to manage the corporation? I hope the Minister will note what the hon. Members are saying. We know why we want the corporation, but what we ~~are~~ are asking is how we are going to manage it. This is the most important factor that we must note all the time.

Mr. Speaker, Sir, foreigners have used the media to penetrate countries - not only Kenya. We have to be very watchful with foreigners. You find foreigners coming in with ideas, maybe a mere commercial advertisement, but normally what ~~is~~ they bring in will malign us - they will never bring in something that is good for our people. That is why I agreed with hon. Ndolo Ayah, when he ^{Recorded} ~~presented~~ the ~~Mr~~ Bill, when he said that we have to be very careful about the type of ~~the~~ people we are going to put in ~~the~~ charge of this corporation. The Voice of Kenya, so far, has done marvellously well, but they did not have the ~~extra~~ ~~extra~~ calibre of staff we expected. If we are going to have a corporation, for it to be successful, we ~~are~~ ^{must} not ~~going~~ to have a director who is below the level of an under secretary or deputy secretary in terms of status. We ~~are~~ ^{must} ~~going~~ to have ^{capable} people who ~~are~~ ^{are} going to project Kenya's image to the world.

END I.

THE ASSISTANT MINISTER LABOUR (Mr. Midika) Ctd:

Mr. Speaker, Sir, this is the time when we should be thinking of somebody of very high calibre and others who have been properly trained. We should straightaway start training the people we will need in the running of certain sections of this Corporation. Other people will start saying that we need expatriates. We have heard about expatriates for a long time. The expatriates who come to Africa, are not the best brains in their own countries. This is because if they were, they will not accept to be posted to Africa. We always get second hand people. We have people in Kenya who are prepared to work and that is why leaders are appealing to our people to be more patriotic. We do not have to teach people to be patriotic but they naturally become patriotic. If you are a proud Kenyan, you will make sure that everything you do projects Kenyans in the right place and at the right time.

Mr. Speaker left the Chair

Mr. Deputy Speaker took the Chair

Mr. Deputy Speaker, Sir, the Minister should watch out in this regard. Some people outside this country might say "Oh, we have been having television network even before Kenya got Independence and we can help them run the station." These people do not give us the best but the worst people in their lot. They will let the rejects come to this country. This is the reason why some of the State Corporations have failed. I will just give one example here. The sugar industry is failing. We do not need expatriates to run the sugar industry in this country. We have, say, a Mr. Patel, running the sugar industry with no qualifications at all if we can compare him with the local people.

The Kenya Broadcasting Corporation is very important and we should not allow a sub-standard expatriate to help in running it. Let me correct that connotation. We have a programme called Urtna where we see what other African countries can produce. If you compare some of the Urtna programmes with such

THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika) Ctd:

foreign programmes as, say, Sanford and Son, you will have no choice but to watch Urtna Programmes because the jokes in Sanford and Son are not ours but foreign to us. Some of us have been brought up in such a way that anything that is Mzungu oriented is wonderful. This Corporation must try and change this type of thinking. It should portray an image that will keep away the thinking that anything foreign from say, Britain, America and so on, is better than what Kenya can produce.

We have Kenyans who can do this job. All we need to do is to look ahead. I would like to ask the Minister to seriously look ahead and get some of the best brains now. Some of these people can be products of the Kenya Institute of Mass Communication. There could be people who might not have a university degree but are intelligent and have the brains that need training in order to run that Corporation. They have the brains but have never had the opportunity like other people. Given the opportunity, these people can perform wonderfully in this country. These are the type of things that we have ignored in the past. We should not employ just because, say, Waruru Kanja is a friend of Midika and Midika's brother must be employed because they have been good friends for a long time. This kind of thing will not run that Corporation. It must have people who can do the job. Those people must be able to deliver goods to the people of this country.

Many of us think that the Corporation will, perhaps, be Government run. This ~~Corporation~~ Corporation must be able to generate its own funds, re-generate and re-invest such funds to make it run better. Once it gets off, it should generate its funds, re-invest such funds, buy equipment and even train people to manufacture parts of the equipment locally. The Kenya Posts and Telecommunications Corporation is today in a position to make telephone sets locally. I am sure that there are equipment at the Voice of Kenya which are similar to those used in post offices. Why do we not get our people to make some of those equipment locally? This is important because we will save money.

THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika) Ctd:

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We should not look at this Corporation in terms of just another parastatal. This is a special parastatal to this country. We have often heard ~~about~~ some people complaining that the Voice of Kenya radio or television did not cover them. This is, perhaps, because we do not have a calibre of people to cover news because they think it is strictly news. For example, I personally do not want newspapers or the Voice of Kenya to build me. This Corporation should build Kenya and not a particular politician. We are building Kenya not, say, Midika, Kanja and so on. That is what has been happening. For example, when there are events taking place in Kenya, and you watch the Voice of Kenya television, invariably, you will find that most of the casts have very little to do with Western Kenya. I am very honest. Everything that is cast, centres around Nairobi. This is wrong. That is not Kenya. Kenya stretches to Busia. If anything happens in Busia, we would like to see it. Kenya goes beyond Kisumu and Kisii. Anything that happens in Kisii should be seen on the screens of televisions in Kenya. This is the type of Corporation we want. We want a Corporation which will not give us boring news. At times, television news are cast three to four times depicting one place when so many events are taking place in Kenya. We wonder what is happening.

Sir, this makes us to think that, perhaps, the Voice of Kenya has become part and parcel of the activities of the Civil Service. This Corporation should make real commercials. It should be geared to that level. Other Corporations should be in a position to take a leaf from the Kenya Broadcasting Corporation when it becomes operational.

Earlier on, I mentioned something about the British Broadcasting Corporation (BBC). We have heard a lot about BBC in this country. It is true that we inherited the broadcasting station from the British people but I am seeing something that is likely to happen. This is that the BBC might try to influence us. This is the reason why I am saying that the Minister must be very careful. Whatever the BBC might influence us on, will not be for the benefit of this

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country. I would like to say that we could use the Kenya Broadcasting Corporation to fight their propaganda. Why should we not do that since it is ours? If the BBC relays wrong ~~prop~~ propaganda about Kenya, we should also use our broadcasting corporation to hit them back. We must do it in such a way that our radio stations can be heard over long distances. For example, everybody knows that if you go beyond Nakuru, you cannot be able to tune your radio to the Voice of Kenya properly. I hope that when this Corporation becomes operational, it ^{will} ~~should~~ be ~~be~~ heard in China, Iran and so on. In this way, we will be able to portray the propaganda that is required.

At the moment, many people say they get Tanzania clearly through their radios. We also know that Kenyan broadcasting is also clear in Tanzania. I am not a technician but I think an explanation must be there but, perhaps, it is because of the lake. I do not know because I am ^{not} ~~an~~ expert in that line. I also know that if a referendum was taken to ask Kenyans how many people listen to the Voice of Kenya radio beyond Nakuru or Tsavo, they will tell you that they do not get it.

END....M



THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika) ctd:

It is so difficult to receive it. So, I hope that ~~even~~ when we try to correct some of the very small complaints that have arisen, ~~the Minister~~ something is going to be done about them. The Minister himself knows this ^{because} he has been trying to make the Mau Mau activities to be ~~known~~ ^{known}. I think the Minister was a member of the Mau Mau movement.

(Laughter)

Some of the Mau Mau activities that the Minister wanted to be seen by the younger generation in this country cannot be seen. Now, he has the opportunity to portray the Mau Mau movement, the Kavirondo Revolt and so forth. When you ask our people about our past activities, they do not know much about it. They know very well what happened in the American War of Independence - they can tell you how Lord North used to kill people; ~~they can tell you~~ ^{and} about things that happened in India; ~~they can tell you~~ ^{and} about the Boer War, the Boer Trek and so forth. If you ask them about the ~~Kari~~ Kavirondo Revolt and the Mau Mau movement in Nyeri led by hon. Waruru Kenja, they will not tell you anything about that. They will even ask you who hon. Waruru Kenja is.

Mr. Deputy Speaker Sir, these are the things that they ~~also~~ should televise. If hon. Waruru Kenja fought in the Mau Mau, we should see pictures portraying him participating in the war. This is the culture that we want to portray. ~~to be seen on television~~

Mr. Deputy Speaker Sir, ~~as~~ I would like to say something about Samburu. We have ~~many~~ ^{many} Assistant Ministers who come from Samburu. I have ~~not~~ not seen them as frequently as I would wish to see them ~~in~~ on television. Samburu is a great ~~district~~ ^{district} and ~~brothers~~ ^{and brothers} to Masai. It is my wish ~~that~~ to reinstate that what we are expecting is not a mere corporation, we are expecting an effective broadcasting and television ~~station~~ station run by a corporation which is run by people who are properly trained, patriotic, true Kenyans and people who will be paid and well looked after properly, so that what we expect out of them comes as expected. I am not ~~sure~~ saying that they will be paragons or angels, but the Minister has a lot to do.

With those few remarks, I ask the Mau Mau Minister to do something ^{about that.}

I beg to support.

THE MEMBER FOR HAMISI (Mr. M'Emetsi): Thank you very much Mr. Deputy Speaker, Sir, for giving me this opportunity to support the Bill before the House.

(Applause)

Mr. Deputy Speaker Sir, this being my maiden speech, I would first of all like to congratulate His Excellency the President for his ten dynamic years of leadership and the 25 years of Independence. Secondly, I would like to thank my constituents for having elected me to this august House. I would also like to thank the hon. Members for the warm welcome they accorded me when I first came to this House.

(Applause)

Mr. Deputy Speaker Sir, the Bill before the House is advocating for *the* *creation of* a broadcasting corporation, which I hope will work for a better p broadcasts in Kenya. I hope that it will ~~expand~~ spread its services in Kenya and consequently help in developing our country. Communication is very valid in a ~~str~~ developing country and we hope the corporation will be able to offer opportunities for *employment* *will be coming* *in the future.* ~~especially~~ especially those who ~~are graduating~~ from our universities. It will be successful if it is allowed to perform its duties and ~~supported~~ fully supported by Government. We hope that *the* *in future* we will have more ~~a~~ broadcasting stations covering all areas of the country. We also hope that this corporation will highlight the District Focus For Rural Development Strategy.

With those few remarks, Mr. Deputy Speaker, Sir, I beg to support.

MR. MANG'OLI: Thank you Mr. Deputy Speaker, Sir, for giving me an opportunity to contribute to this very important Bill before the ~~the~~ House - The Kenya Broadcasting Corporation Bill.

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QUORUM

DR. WAMEYO: On a point of order, Mr. Deputy Speaker, Sir. I am sorry to interrupt the hon. Member, but we have no quorum in the House.

MR. DEPUTY SPEAKER: Yes, that is true. Will you ring the Division Bell, please?

(The Division Bell was rung)

MR. DEPUTY SPEAKER: Okay we have a quorum now; so, Mr. Mang'oli, continue.

MR. MANG'OLI: Thank you, Mr. Deputy Speaker, Sir, and Dr. Wameyo for making sure that we have a quorum in this House so *that* hon. Members can note that we are establishing a very important corporation, which is taking over the running of the Voice of Kenya services.

Now that we are establishing the Kenya Broadcasting Corporation, I would ^{like} the Minister to note ^{that} the hon. Members of this House pay a lot money to announce Harambee meetings. We make Harambee meeting announcements too often. So, the Minister should advise the people who will be running this Corporation to give Members of Parliament concessionary rates on Harambee meetings announcements. The charges paid by the ordinary mwananchi for funeral announcements are also too high. So, I hope the Minister will ensure that ^{such} the charges for ~~funeral announcements~~ are, also, considerably reduced so that the ordinary ~~xxx~~ mwananchi will find it easy to make funeral and even Harambee meetings announcements. If you consider the number of Harambee Meetings announcements each hon. Member makes in a week, you will find that ~~x~~ our salaries and allowances are used up within half a month. Since we are supporting the establishment of the Corporation, we should be given concessionary rates on Harambee Meetings announcements.

Now, I will turn to the Kenya News Agency, which ^{is} under the same Ministry.

MR. MANG'OLI (CTD.):

The Kenya News Agency (K.N.A.) has a tendency of ^{announcing} covering the Harambee contributions of the guests of honour at Harambee funds drives and of another guest, omitting those of many other people, including those of a group, say, from Mombasa. Such a group as this may have raised Shs.100,000/=-, and this contribution ought to be reported so that the people who contributed this money may know that it was given out at the Harambee funds drive. This money should also be accounted for. The K.N.A. has the tendency of leaving out the ^{announcement on} contributions of such people, and then the question of whether the money was actually donated or not arises. I am sure that the Minister in charge of the K.N.A. will investigate this matter and find out what goes wrong where. You will find that the K.N.A. reports that a councillor has donated Shs.200/=- towards a certain Harambee funds drive and leaving out the contribution of a ^{amounting even to} group contribution of Shs.100,000/=-, from Nairobi or Mombasa. I am sure that the Minister will look at this matter very critically. I am also sure that, although the Minister is talking, his technical officers over there are listening and registering my message.

Mr. Deputy Speaker, Sir, I am deeply concerned about the front-page stories in our daily newspapers, especially the Kenya Times. It has been observed many times that His Excellency the President is given a small column on the front page while poachers or the "Ngumba Group" ^{is given} a lot of space. I do not know why this happens. The Minister responsible, maybe together with the Minister for National Guidance and Political Affairs, should check the criteria used by our newsmen in ~~ix~~ writing front-page stories.

I said earlier, as did hon. Onyango-Midika, ^{we hope} that the Kenya Broadcasting Corporation that is going to be established will be run by our Africans because it is now 25 years since we attained Independence. We hope that this Corporation is not going to be influenced by its financiers to appoint their own people who are failures. This is what has happened in the case of the Kenya Times whose Chief Editor was appointed by the principal financier. We became subservient to that person, and we cannot allow this to happen any more. Our brothers and

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sisters should be given the chance of running this Corporation, since they have been running a Government institution with meagre resources. They should be given a free hand now to run this new Corporation. This is very important. I know that in soliciting money to establish this Corporation, some financiers will be interested in running the Corporation. They should not influence the Minister to appoint sub-standard directors on the Corporation's Board of Directors. If they are able directors, why are they not appointed in their own homes? Our brothers should run this Corporation because, after 25 years of Independence, they are able to run it well.

The other point I have concerns cameras. We appreciate that the Minister has found it very difficult to secure money from the Treasury for the purchase of cameras because of the normal Government system we have. However, this Corporation will now be free to solicit money and purchase cameras. I am sure that the Minister will go ahead and supply a camera to Bungoma District on this 25th anniversary of the Independence of this country. This video camera will enable us to cover events in Bungoma. Bungoma District has not featured in the 25th Independence anniversary celebrations nor in demonstrations against dissidents, such as Ngumba and Wamwere. When I ask a Question here about this issue, I am told that such a camera is stationed in the Provincial Headquarters. I am sure that, since the Kenya Broadcasting Corporation can secure money and purchase a such a camera on its own, it will go ahead and purchase enough video camera^s to cover all of Bungoma District. I say so because whatever we do at home, as hon. Members of Parliament, must be recorded.

The area I want to touch^{on} is transport for reporters. I hope that the Kenya Broadcasting Corporation will take over the entire system. We do not want to be told that a K.N.A. reporter did not attend a certain function because he did not have transport. In its budget, the Kenya Broadcasting Corporation should include ex divisional transport. The matter should not be half-packed. All K.N.A. reporters should be divisionally based so that

MR. MANG'OLI (CTD.):

whatever we do is reported well. Kenyans should get the impression that we want everything we do to be reported.

I am sure that most of my dear friends here want to contribute to this particular Bill because it is important. From today onwards, we want the Minister to start looking at the things we have mentioned. The rates we pay for announcements on the radio are covered under Clause 54 of this Bill. The fees we pay for the announcement of our Harambee functions should be looked into so that we, hon. Members of Parliament, may be given certain concessions. I am sure that this point is well covered in the Bill. The hon. Minister should take into consideration the fact that we have a lot of things to do. He should, therefore, make sure that these rates are reduced considerably. As he promised in his answer to my previous Question, he is now free and has all the power required to go and solicit money for the establishment of a booster station in Bungoma so that television ^{viewers} views in Webuye can see clearly who is talking or announcing what ^{and what} where, rather than ^{having to} just imagine who is on the screen. At the moment television pictures in Webuye are not clear and you cannot identify who is on the screen. Since we are giving the Minister a free blanket to borrow money, through this Corporation, he should not waste time. If the financiers have been identified, he should move ahead and get enough money.

All that I am warning against is financiers becoming ^{The} driving force who appoint the personnel to run this Corporation. The Minister has told us in the Bill who the personnel is going to be composed of. They should be people with special qualities. As I talk here now, I believe that the Managing Director of the Kenya Ports Authority is going to be appointed to this Corporation's Board of Directors because of his area of specialisation. In that way, we will make sure that the Corporation works in a way that we understand. We should not pass this Bill here, and then matters begin all over again with a campaign directed against some people. We are not going to allow such a thing to happen here.

MR. MANG'OLI (CTD.):

I am sure that while the hon. Minister is talking over there, his experts are taking note of what I am saying. Webuye wants to have a booster station, which the Minister has promised to give. Since we have agreed that this Bill be passed now, maybe I will sit down after I have finished talking and call for a closure to this debate. In that way, we will be able to pass this Bill today and then the Minister and his experts move to make sure that it is implemented.

Before I forget, let me say that Bungoma does not have even a simple, ~~not-a-video~~, camera for taking pictures at Harambee functions. ^{leave alone a video camera.} I am sure that, using this particular Bill, the Minister will discipline the entire Corporation's system and ensure that all that is done is done for our own good.

With those few remarks, Mr. Deputy Speaker, Sir, I beg to support.

THE ASSISTANT MINISTER, OFFICE OF THE VICE-PRESIDENT AND MINISTRY OF HOME AFFAIRS AND NATIONAL HERITAGE (Mr. Lalampaa): Asante sana, Bw. Naibu Spika, kwa kunipa nafasi hii. Kwanza kabisa, ningependa kumpongeza Waziri kwa jinsi alivyowakilisha Mswada huu hapa Bungeni. Pili, ningependa kuipongeza Serikali pia kwa kukubali Sauti ya Kenya iwe Shirika [la Kenya] [la Utangazaji]. Sababu moja ya kuifanya Sauti ya Kenya kuwa Shirika [la Kenya] [la Utangazaji] ni pesa.

END P

THE ASSISTANT MINISTER, OFFICE OF THE VICE-PRESIDENT AND MINISTRY OF HOME
AFFAIRS AND NATIONAL HERITAGE (Mr. Lalampaa) (ctd.):

Bw. Waibu Spika, utakubaliana nami kwamba ingawa tunaipongeza Sauti ya Kenya kwa kazi inayojaribu kuwafanyia wananchi milioni 22 wa Kenya, Sauti ya Kenya imekuwa na shida katika kuwatangazia, kuwatumbuiza na kuwaelimisha wananchi. Kama Wahe. Wabunge waliotangulia kuzungunza walivyosema, Sauti ya Kenya haisikiki sawa sawa katika sehemu fulani za Kenya. Tunapouliza ni kwa k nini hali kama hiyo huwa ikitokea, tunaambiwa kwamba Sauti ya Kenya haina pesa za kununua mashine zinazohitajika kurusha sauti kufikia kila pembe ya Kenya. Pia, vipindi katika televisheni vimekuwa ~~vinachwa~~ vikikatizwa mara kwa mara, halafu tunaambiwa "Normal Services will resume as soon as possible". Maneno hayo yamekuwa kama kipindi katika televisheni ya Sauti ya Kenya. Tunapouliza ni kwa sababu gani vipindi vya televisheni vinakatizwa mara kwa mara, tunaambiwa kwamba Sauti ya Kenya haina vifaa vinavyohitajika. Ni matumaini yetu kwamba Mswada huu ukipitishwa Shirika la Utangazaji la Kenya lililopendekezwa hapa litaweza kujipatia mapato ya kutosha kununua vifaa vinavyohitajika ili kuwahudumia wananchi. Ingawa tumeambiwa kwamba Sauti ya Kenya haina pesa za kutosha, lakini tumeambiwa kwamba imekuwa ikipatia Hazina Kuu ya Serikali kama KShs.100 milioni kwa mwaka. Tunajua kwamba ingawa pesa hizo zinaingia katika Hazina Kuu ya Serikali, wanapouliza kuzipatiwa kununua vifaa fulani kuna njia ndefu sana ya kufuatwa. Hata pesa hizo zikipatiwa Wizara ya Habari na Utangazaji, zinapeanwa katika makao makuu ya Wizara hiyo na zinagawiwa kila idara ya Wizara hivi kwamba Sauti ya Kenya inapata kiasi kidogo kisichotosheleza mahitaji yao.

Ni matumaini yetu kwamba Shirika la Utangazaji la Kenya lililopendekezwa hapa litakuwa mfano bora kwa mashirika mengine ya umma katika nchi hii. Tunataka shirika hilo lijipatie mapato kama vile ~~Shirika~~ Shirika la Posta na Simu linavyojipatia mapato yake. Kitu ambacho hatutaki kuona au kusikia k ni kwamba Shirika hili, baada ya kupatiwa uwezo na uhuru wa kujisimamia, litajiharibu lenyewe kama mashirika mengine ya umma. Hatutaki shirika hili liwe kama Kenya Meat Commission na mengine ambayo yamejiharibu yenyewe. Ni matumaini yetu, kama wananchi wa Kenya, kwamba Shirika la Utangazaji la Kenya litaweza kujipatia mapato ya kutosha na kuwahudumia

22.11.88.

THE ASSISTANT MINISTER, OFFICE OF THE VICE-PRESIDENT AND MINISTRY OF HOME AFFAIRS AND NATIONAL HERITAGE (Mr. Lalampaa) (ctd.):

wananchi wa Kenya vifaavyo. Tunatarajia kwamba redio itakuwa ikisikika katika pembe zote za nchi hii na kwamba televisheni itaweza kuonekana vizuri tangu kufunguliwa kwa studio hadi kufungwa kwake bile kuambiwa "Normal service will resume as soon as possible".

Bw. Naibu Spika, kuna jambo lingine ambalo sijui Waziri atalifanyia nini. Nimejaribu kuanzalia Mswada huu, lakini nimeona kwamba inazungumzia Idara ya Utangazaji peke yake. Tunajua kwamba kuna Idara ya Habari katika Wizara hii, na sijui ni kwa nini idara hiyo imeachwa nje. Ni wazi kwamba Idara ya Utangazaji hutangaza mambo y inayopata kutoka kwa Idara ya Habari, lakini inaonekana kama Idara ya Habari imesahaulika katika Mswada huu. Ikiwa idara hiyo iko hapa, basi ni vizuri; kama haiko, basi yafaa Waziri alifikirie jambo hilo kwa sababu Idara ya Utangazaji haiwezi kutangaza bila kupata mambo kutoka kwa Idara ya Habari.

Kwa vile Shirika la Utangazaji lililopendekezwa katika Mswada huu litakuwa lenye kujisimamia, ni matumaini yetu kwamba huku likiendelea kutumikiwa na maofisa lililo nao, litakuwa na nafasi bora la kuwaajiri maofisa wengine wenye ujuzi. Tunatarajia kwamba shirika hili litawalipa maofisa wake vizuri ili wasiwe na ~~shida~~ shida yoyote wanapowahudumia wananchi au sababu yoyote ya kutofanya kazi nzuri. Bila shaka, kwa sababu hili litakuwa shirika la umma, malipo ya maofisa wake yatakuwa bora kuliko ya watumishi wa Serikali wa kawaida. Ikiwa unataka kitu kizuri kutoka kwa mfanyakazi wako, basi huna budi kumlipa vizuri ndipo ~~nyye~~ neye afurahie kukutumikia. Hii ni kama biashara kwa sababu itakuwa ni lazima shirika hili litumie pesa ndiposa lipate huduma bora. Kama shirika hili halitawalipa wafanyakazi wake vizuri, basi kuna ~~uwezekano~~ uwezekano wa maofisa wanaotoa huduma za ~~ku~~ kiutaalamu kuondoka.

Bw. Naibu Spika, ninakubaliana na Wahe. ~~Huku~~ Wabunge wenzangu ambao wamesema kwamba hatutahitaji ~~wataalamu~~ wataalamu kutoka nje kilitumikia shirika hili. Ukweli ni kwamba tunao Wanakenya ambao wamehitimu kabisa katika nyanja mbali mbali za utangazaji, na hatutahitaji watu kutoka nje kufanya kazi na shirika hili.

22.11.88.

THE ASSISTANT MINISTER, OFFICE OF THE VICE-PRESIDENT AND MINISTRY OF HOME
AFFAIRS (Mr. Lalampaa)(ctd.):

Kama hatutawaalika wageni kufanya kazi na shirika hili, hiyo itakuwa njia nyingine ya kuongeza nafasi za kazi katika nchi hii. Yafaa tujisimamie wenyewe katika shirika hili kama vile tumejisimamia wenyewe katika mambo mengine. Kwa vile utangazaji ni huduma muhimu katika nchi yoyote, litakuwa jambo la kujivunia kama hatutakuwa na wageni katika Shirika la Utangazaji la Kenya.

END..... Q.

THE ASSISTANT MINISTER, OFFICE OF THE VICE-PRESIDENT AND MINISTER FOR HOME AFFAIRS AND NATIONAL HERITAGE (Mr. Lalampaa) (C td):

Kwa njia hiyo, Wakonya wenyewe wataweza kutumikia nchi yao bila kutarajia kusaidiwa na watu wengine au bila kumlaumu mgeni kwa kusema yeye alifanya vile kwa sababu yeye ni mgeni.

Pia ni matumaini yangu kwamba wafanyakazi wa Kenya Broadcasting Corporation (K.B.C.) watakuwa wazalendo wa kweli. Hata kama kazi ya K.B.C. ni kuelimisha, kufahamisha na kutumbuiza pia wana jukumu kubwa katika kuindeleza nchi yetu. Ni wajibu wao kuona kwamba ni wazalendo wa kweli, wanapenda nchi yao na wanaitumikia nchi yao. Pia hatutaki kusikia kwamba tunawaajiri watu wa kutoka nchi za kigeni katika shirika la K.B.C. Sioni sababu yoyote ya kuwaleta wageni katika K.B.C. baada ya miaka 25 ya Uhuru. Wale watoto ambao walizaliwa wakati wa kupata Uhuru sasa wameoa na wameolewa na kwa hivyo wanaweza kujisimamia wenyewe. Kwa hivyo tunaweza kujisimamia wenyewe katika habari na utangazaji bila kuwategemea wageni.

Jambo lingine ambalo ningependa kugusia ni juu ya mafunzo ya wafanyakazi wa K.B.C. Kwa vile dunia hii inaendelea mbele katika teknolojia na kwa vile ni lazima ~~tutajitaji~~ tutahitaji vifaa vipya na za kisasa, ingefaa shirika hili liwatume wafanyakazi wake kwa mafunzo mahali popote duniani ambako wanaweza kupata mafunzo ya kuwawezesha kufanya kazi yao vizuri. Tukifanya hivyo, hawa watu wetu wataweza kuitumikia nchi yetu na ~~katu~~ hakutakuwa na sababu yoyote ya kuwaajiri watu kutoka nchi za nje.

Kwa hayo machache, naunga mkono.

MR. MALEBE: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this chance to contribute to this Bill. First of all I thank the Government for having introduced this Bill at this stage. In fact, this Bill is long overdue. Our broadcasting services should have been incorporated early enough because the services which have been given in the past have been very much selective. But now we are going to have a broader corporation to look into the observation of the wananchi in general.

Today we have only one channel in the television service and we also have ^{only o}

MR. MALEBE (Ctd.):

channel in the ~~rax~~ radio that is either in the National Service or the General Service. I think this will be the right time to increase the channels particularly in the television. This is because the one channel which is there sometimes ~~it~~ becomes very boring to the listeners. If we have several channels then if you find one channel boring, you can always tune another channel. I think one channel can be used purely for raising revenue for the corporation and the other one for education and so forth. So I hope the new corporation will look at this point.

Sir, you also realise that these days if you want to make any announcement over the radio such as funeral announcement, Harambee meeting and so on when you go to the Voice of Kenya (V.O.K.) they say that there is no air space. In other words you cannot announce your meeting because the air time is full. So I hope that after the ~~new~~ corporation is established, there will be a few channels particularly one which ~~handles~~ purely deals with commercials, Harambee meetings and all the services where the corporation will be able to raise revenue. We should also have another channel for daily broadcasts to our schools which should be a channel just for educational purposes for our schools and another one purely for public information, news or rather for the Government services. This is the right time and I am sure the ~~new~~ corporation will be able to incorporate these things.

The other point which I thought I need to comment on is that ⁱⁿ ~~the~~ the Bill here I find that there is section 4 which deals with the appointment of the Board. Here I would like to request the Minister to consider a Board which is wide spread in all parts of Kenya. You find that apart from the representatives of the Ministries of Finance, Office of the President and Information and Broadcasting we have provision for a minimum of four board directors who could be looked at from the various parts of the country. I would recommend that if necessary each province ^{should} get a representative in the board. I know we need some ~~specialized~~ specialized members of the board ~~in~~ here and there are four which are explained in section 4. These specialized members of the board could also be evenly distributed throughout the country. This is because I am sure we must

MR. MALEBE (Ctd.):

be having a specialist in electronic engineering say in Igembe Constituency or we have ^a specialized person who is capable of arresting ^{lightning} brightening or advising the ~~the~~ corporation ^{about} ~~the~~ arresting of lightning so that our transmission equipment become efficient and be taken somewhere in Siaya. All what I am saying is that we should try as much as possible to distribute the members of the board. They ~~shd~~ should not come from one region.

Another issue that I would like to touch on also is the licensing of the receivers. I realise that if a person wishes to acquire a receiver he pays for a licence there and then. With the present population in Kenya, I think that is a very good method of getting a licence. I am sure the revenue realised from the sale of licences will be enormous. Actually this idea of licensing one on acquisition of the receiver is a very good idea which I would very much like to support. However, I would like to say that we have the duties on ~~the~~ both the radio and the television sets. At the moment duties on television sets are very high because television sets have been confined to the well-to-do people. But I am sure in future this will not be the aim of the corporation because it is being ~~incorporated~~ ^{small} incorporated to be able to serve the ~~the~~ ^{small} mwananchi at the grassroot level. Therefore ~~the~~ ^{liaise} the corporation should be able to ~~liaise~~ ^{liaise} with the Ministry of Finance and try to get the duties at least ~~the~~ ^{sub-} reduced so that the normal person at the ~~location~~ ^{sub-} level is able to acquire a television set. This should be so now that the television is more less visible all over the country. I am sure last month the Ministry ^{launched} ~~a~~ new television ^{mast} ~~on~~ Nyambene Hills and I am told by colleagues from as far as Marsabit and as far as Meru ^{that they are watch} ~~can be able to see~~ television. In fact, it is so clear in my own village but we do not have many people owning television sets. This is why I am ~~asking~~ ^{and means} asking that we try and find ways to reduce duties on these machines and also try to encourage our own local entrepreneurs to make cheap television sets and also make cheap radios so that it will be possible for the normal mwananchi to acquire ^a ~~a~~ radio. At the moment the smallest radio costs something like shs. 400.

END R....

MR. MALEBE (Ctd.):

We would like the Corporation to encourage the manufacture of ~~cheaper~~ cheaper radios here. I am sure that if we get the essential parts of a radio, and the services of our four universities, and polytechnics, we will be able get students who will be able to design cheaper radios and also pocket radios.

I would also like to mention something on these radios. There are some of them which you cannot listen to. I heard one hon. Member complain that ~~xxx~~ once you go beyond Voi, you cannot listen to a r~~adi~~o and one can only receive the Tanzania Radio Station. This also happens ~~also~~ in my constituency where you can only ~~sz~~ listen to a very big powerful radios which only receive news and the rest of the broadcast is interrupted by ~~-----~~ broadcasting from other countries like Somalia. I think we should encourage manufacturing of our own radios which would be cheap for the local mwananchi to afford. This ~~xx~~ would be a very good encouragement from the corporation.

I would also ~~x~~ request the Kenya Broadcasting Corporation, when it is formed, to ~~publish~~ establish trade centres at divisional level. Each division in the country should be able to have an office of the Kenya Broadcasting Corporation (KBC) as a liaison. In my constituency, some people live very far from the divisional headquarters and because there are no services in the division to send messages to the Voice of Kenya (VOK), they are not able to air their wedding ceremonies, Harambee meetings, ^{announcements} and the like. So, if we bring the services to the people, by having representations of the KBC at divisional levels, then every mwananchi will be able to walk to their offices and dictate the announcement he would like to air. By doing so, the corporation will be generating a lot of revenue, ~~and~~ I ~~xx~~ am sure this will be the immediate task of the coming corporation. Also, ~~the~~ education such as the adult

MR. MALEBE (Ctd.):

education, will be enhanced ~~the~~ through the use of radio and television.

Mr. Deputy Speaker, Sir, the other point I would like to make is ~~there~~ with regards to the quality of programmes in the television. This is a point that has been raised by many hon. Members here and I am sure the KBC will rectify the issue of programme breakdowns. I understand that the present VOK has got very old transmission equipment. When I was doing physics during my school days, I heard there were things like ~~diodes~~ diodes and triodes or the valves. If you are using an old equipment, then the valve will not give the right voltage and that is why the televisions flicker and ~~experiencing~~ ^{we experience} frequent breakdowns. We are sure that R.C. the aim of the corporation is to have efficient transmission equipment in their studios and have competent technicians who can rectify the equipment in good time, so that we have clear pictures in our televisions at all times.

I think that this being a ~~very~~ very specialized field, my last point will be on the training of wananchi so that they can be able to maintain their own radio receivers. We should also have more Jua Kali technicians at divisional levels to do the repairs. Today, you find that ~~once~~ once a radio breaks down at a village, a person is forced to travel as far as Nairobi ^{have it repaired.} to repair L.V.C. it or to the district headquarters. The corporation should work hand in hand with the Ministry of Technical Training and Applied Technology so that we can create employment at village levels where we can have technicians and artisans repairing mini-television sets.

Thank you for giving me that chance. With those few remarks, I beg to support.

MR. P.K. KINYANJUI: Thank you very much, Mr. Deputy Speaker, for giving me this opportunity to ~~make~~ contribute on this very important Bill. I would hate to remind the Minister the primary objectives of the proposed corporation, ^{namely,} to educate, entertain and to inform. The ^{officers in the} new corporation should have these three objectives clearly in their mind from the beginning. It is very important that this new corporation is treated as a small baby which should be fed properly right from the beginning. If things go wrong at the beginning, it ~~will~~ will be very difficult to put them right in the middle.

To inform the Kenyan public properly, we need accurate reporting. Today, from time to time, we are suffering because the ~~the~~ type of reporting we get, not only from the VOK but also from the local newspapers, is sometimes very inaccurate. I am referring to occasions such as public functions which are covered by the VOK. You find people sitting together, for example, those at the Front Bench, and the television camera—

THE ASSISTANT MINISTER FOR SUPPLIES AND MARKETING

(Mr. Chesire): On a point of order, Mr. Deputy Speaker, Sir. Is it correct for the hon. Member speaking to refer to the hon. Members at the Front Bench as "Those people sitting on the Front Bench"?

MR. P.K. KINYANJUI: Mr. Deputy Speaker, Sir, the Front Bench is composed of hon. Members ~~who~~ who are the same as other hon. Members of this House. I was referring to an ^{occasion} ~~occasion~~ whereby a television cameraman ^{is} covering a particular function. You will see that he ~~moves~~ moves his camera from one end and when he reaches to a certain person— I am now referring to a public function outside this House and that is why I am using the word 'fellow'. When he catches a fellow he thinks that ~~he~~ should not be reported, he cuts him off from his coverage. This is why you

MR. P.K.KINYANJUI (Ctd.):

notice that in a certain function for example, Mr. X who was sitting next to you appears on television but you do not appear there. This happens quite often and I hope the new Corporation as it is going to be an independent one, will not report in a ^{biased} ~~bias~~ manner, as one hon. Member said

END S....

DDN

MR. P.K. KINYANJUI (ctd.):

They should report accurately. Even if for example-an hon. Member happens to be ugly they should show his ugly face to the public. The point I am trying to drive home is that there should be accurate reporting by television and radio.

Mr. Deputy Speaker, Sir, the new corporation should have dedicated staff. In connection with that I would like to ask the Minister to pay special attention to the caliber of staff who will start manning the new corporation. The present Voice of Kenya (V.O.K.) is not composed of angels. Some of its staff are suitable while others are not. So the unsuitable ones should not be taken in by the new corporation. We would want this corporation to start making profits right from the word go. They will not be able to do so if they are ladden by staff who will not perform their duties well. It is, therefore, very important that the Minister and the new board selects the new staff very carefully to ensure that the new corporation is properly staffed.

Several hon. Members have talked about the equipment used at the V.O.K. I am sure that the Minister knows that the equipment we now have in the V.O.K. is very old and does not function as well as it should. If a person tried to listen to the General Service of the V.O.K. from Mombasa he would very lucky indeed to be able to get programmes from that station. I have tried that in vain many times. It is, in fact, even very difficult sometimes to get programmes from the V.O.K. from areas that are very close to Nairobi. Whenever we raise complaints we are usually told that it is because the equipment is old. Mr. Minister please---

AN HON MEMBER: Address the Chair Sir!

MR. P.K. KINYANJUI: I am sorry, Mr. Deputy Speaker, Sir, for that mistake. I am requesting the Minister to make sure that the new corporation starts its work with new equipment. It is a new corporation and thus needs new equipment to deliver goods to the people. So if the

MR. P.K. KINYANJUI (ctd.):

the Minister was to request for funds ^{through} ~~from~~ this House, I am sure that very many hon. Members would approve whatever amount of money he requested.

Mr. Deputy Speaker, Sir, on the ~~main~~ question of programmes I would like to say this. If programmes are to be educative and entertaining to the Kenyans, then they must be very good. The new corporation has a chance now of improving on the weaknesses which we have observed in the V.O.K. Kenya is progressing and is on the run. This is because we want to improve in every sphere. In the case of the new corporation, we need diversified programmes. We at the present time have no choice when we switch on our television sets. We have to watch whatever is shown on the screens as we do not have alternative channels. Could the new corporation introduce at least two, three or more channels so that if there is a programme on ^{one} channel and I do not like it I can change to another channel? We may say that this might be costly, but I think the new corporation has an opportunity of making a lot of money. Just imagine all the announcements that hon. Members in this House submit to the V.O.K. and pay for them! Just imagine the death ~~an~~ announcements that are usually submitted to the V.O.K.! Sometimes these are so many that the V.O.K. cannot accommodate them. The new corporation should go all out in planning properly to ensure that the corporation makes profits. This is because the demand ^s for both television and radio broadcasting services ^{are} ~~is~~ enormous, and they thus should be exploited. If this was done then the corporation no doubt would make profits.

This Bill covers a very wide field. I note that in one section on page 312 it is stated that the Director-General may establish various sections within the corporation. It is stated that he may appoint a director of radio engineering, a director of television engineering, a director of television programmes and a director of

MR. P.K. KINYANJUI (ctd.):

radio programmes. I would like to suggest that radio and television engineering should have only one head who would be answerable to the Director-General. There must be one engineer who is conversant with both radio and television technology at that high level, who could manage these two fields. When there is a complaint, then there would be no cases of passing the buck onto the other person saying: "It is the radio engineer or it is the television engineer who is wrong". Let us have only one head who would be in charge of both the radio and television engineering departments. Similarly, let us have one ^{head} in charge of both radio and television programmes. That is only a suggestion that I am making and I hope that the new corporation members ^{will} ~~would~~ take note of it.

Mr. Deputy Speaker, Sir, I would like to emphasise that the new corporation has been set up not with the idea of making profits basically but with the intention of serving people. ^{As} ~~let~~ such the emphasise must be on service. In this connection, I would like ~~to~~ to ask the new corporation staff to pay very special attention to the accounting function. Many ~~xx~~ corporations succeed or fail depending on how ~~xx~~ they keep their accounts books. This is a corporation that would be collecting a lot of money and ~~that~~ this money must be properly accounted for. This will only happen if the accounting department is properly set up with qualified people. In fact, we fortunately do not have to go to London ^{or the United States of America} to recruit accountants because we have them in the country. We should make use of them. The only problem that ~~xxx~~ might crop up is this. Accountants are very costly today. A good accountant would cost not less than \$s.20,000/= per month. In fact this figure is on the lower side. If the corporation has to do well, they must pay their personnel proper salaries. If they do not pay their engineers and accountants well, they will end up recruiting consultants from overseas who may not be better than our own people.

END T.

P.K.

MR. P.K. KINYANJUI (Contd.):

So, I feel that the Corporation should start on the right footing, and establish the various departments with qualified staff. The Corporation should remember that they are serving several "publics." The Kenyan public is divided into several "publics," and in providing the services the Corporation should pay attention to serving each of these "publics."

Mr. Deputy Speaker, Sir, I congratulate the Minister and the Government for coming up with this Bill, which I personally support strongly, and I do hope that the Minister will set up one Corporation that will be a profit-making and not a loss-making organisation. We know the mistakes which have been made by loss-making Corporations, and the new Kenya Broadcasting Corporation (K.B.C.) should avoid such mistakes.

With those few words, Mr. Deputy Speaker, Sir, I beg to support.

MR. MWAMZANDI: Thank you very much, Mr. Deputy Speaker, Sir.

I do support this Bill very much for the following reasons. The Ministry of Information and Broadcasting has up to now failed to serve wananchi with regards to communicating what is happening in the whole of the Republic. I say it has failed because where I come from - Msambweni - we hardly have communication services through the Voice of Kenya (V.o.K.) radio. It has become so bad that some people in the border areas do not know what is happening in other parts of the Republic. They normally receive news from Radio Tanzania - for these days many people even switch on British Broadcasting Corporation (B.B.C.), Radio Germany, and so on. So, I say that the V.o.K. has totally failed us, and it is better better. if we can have a Corporation like this one so that it can make the radio services

Mr. Deputy Speaker, Sir, we used to have the Kenya Broadcasting Corporation (K.B.C.) during the colonial days, but many of us did not own a radio set. There were no radio sets whatsoever. But then a time came when we were told that the V.o.K. was going to be made better. We used to hear of Ngong' Station installation, but instead of it being better it became even worse. That was after the attainment of our Independence.

Mr. Deputy Speaker, Sir, how did we come to such a situation? We came

because the people vested with the responsibility of

MR. MWAMZANDI (Contd.):

what
acquiring and installing those machines went for/is normally termed '10 per cent' deals, or whatever corruption, and sometimes they did not import such machines. Therefore, this Corporation must see to it that whatever is ordered will be quite in order. We do not want people to be so corrupt that instead of ordering for good things for the Republic, they accept '10 per cent' deals, and hence order for defective things. We want the radio and television broadcasts to be heard and seen everywhere in the Republic. We do not want people to switch on to foreign stations.

Mr. Deputy Speaker, Sir, I have read the Board of Governors section where it says that there will be seven members of the Board, but —

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): On a point of order, Mr. Deputy Speaker, Sir. Did I hear the hon. Member correctly when he said that we are given '10 per cent' bribe when purchasing the equipment?

MR. MWAMZANDI: I just gave a suggestion, Mr. Deputy Speaker, Sir. The suggestion was that I hoped that the Corporation would work properly in that they would order proper equipment rather than be swindled. They might be forced to accept '10 per cent' bribe. It is a normal saying in some areas.

(laughter)

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): On a point of order, Mr. Deputy Speaker, Sir. I will not accept that insinuation against my Ministry. We do not accept '10 per cent' bribes. There used to be a 'Mr. 10 Per Cent' at one time, ^{so} I hear. But, personally, I am sure there is not ^{any} officer in my Ministry who will accept ^{any} '10 per cent' bribe. I am the one responsible for running the Ministry. There will be no 'kick-backs'.

(applause)

MR. MWAMZANDI: Mr. Deputy Speaker, Sir, I thank the Minister for ^{assuring} telling us that they will not accept '10 per cent' bribes. But I also thank him for enlightening me that there used to be a 'Mr. 10 Per Cent'. Anyway, I do not know him, but it is up to the Minister himself to tell the House who he was. However, I have said that people should not accept this sort of thing.

Mr. Deputy Speaker, Sir, ^{next} I was talking about the Board of Directors.

THE ASSISTANT MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kachila): On a point of order, Mr. Deputy Speaker, Sir. Can the hon. Member substantiate whether the '10 per cent' bribe is still there, and who receives it? Where?

MR. DEPUTY SPEAKER: ^{Oxley!} I think the Minister has adequately responded to that. I will allow hon. Mwanzandi to continue.

MR. MWANZANDI: Thank you, Mr. Deputy Speaker, Sir, Hon. Kachila is still new in the House. He will catch up some time on what a point of order is.

Mr. Deputy Speaker, Sir, I was talking about the Board of Directors. There will be seven members of the Board of Directors, and the Bill has already categorised those who qualify to be members of the Board of Directors. In my opinion, all those people who are categorised in Clause 4(1)(f) should not be directors but rather employees of the Corporation. In that case, therefore, we should have seven provincial representatives; one for Coast, Nairobi, and all the other provinces, so that they can advise the Board about the reception of news, and how people talk about the Corporation in various provinces.

Therefore, I would like to suggest that ~~the Minister~~ ^{deletes} all those requirements, and instead we have provincial representation. There is no reason why a member of the Board of Directors should be a director of an existing Board. These are normally political appointments. There is no need to state that one should be qualified in the installation of such and such a machine. How can such a person be a member of the Board of Directors? He should be an employee of the Corporation. Instead, therefore, I would request the Minister to amend that section so that we can have provincial representatives on this Board so that people can talk well of the Corporation in those areas.

Mr. Deputy Speaker, Sir, I hope the Corporation will be economically sound. Also, when this Bill becomes an Act later, we expect that there will not be nepotism and tribalism in the Corporation. Members of staff should be treated equally; one person should not be promoted while leaving the other because he comes from a given area. I say this because some people have been working for a long time and they are not given any promotion at all. So, I hope that the Corporation will see to it that people are promoted according to their own merits, but not because of their tribes, places of birth, and so on.

I say this, Mr. Deputy Speaker, Sir, because we have seen newscasters who have been reading news for a long time and they have always remained there when we feel that they should have been promoted.

END J.

MR. MWANZANDI (Cont'd.):

Mr. Deputy Speaker, Sir, there is one very important thing in this Republic. The Voice of Kenya should play the very important role of educating wananchi. Therefore, I suggest that the Ministry of National Guidance and Political Affairs should be given a lot of programmes so that it can educate wananchi on matters of the Party and on matters of Government policy. This would enlighten and educate the public to understand better what Government is doing for them rather than having too many advertisements of medicines like aspro which have been going on for many years, and which do not educate wananchi in any way.

Mr. Deputy Speaker, Sir, it should be known that it has now become very expensive to make a radio announcement. It is so expensive to make a radio announcement that today, the people of Mombasa have left the Nairobi people to continue making funeral announcements. Today in the Coast Province and other areas, people do not make funeral announcements because this has become very expensive to them. If you come from Kwale, you have to book a telephone call to Nairobi if you want to make a funeral announcement, and the charge is very high. I have also seen that people are being asked to produce radio permits for radio sets that they may have owned for more than five years. This is most unnecessary. It should only be necessary to obtain a radio licence when one buys a radio and radio dealers have to make sure that they issue these licences. If today I came to your house, Mr. Deputy Speaker, and asked you to produce your television permit, you may not know where you have kept it. You are being asked to produce a permit for an item which you bought ^{five or} seven years ago. Some of us are careless and do not know where we keep these things. You will find somebody being asked to produce a permit for a very old radio. What is this permit for? If today I was asked to produce a permit for my radio, I would not trace where it is and the same case would perhaps apply to other hon. Members here.

The same case applies to car radios, Mr. Deputy Speaker, Sir.

MR. MWANZANDI (Ctd.):

If you asked somebody where his car radio permit was, you will find that he does not seem to know where it is. He might have bought that car in 1983, but he is still being asked to produce its permit. A radio permit should be made necessary to obtain when one is buying the radio but asking people to produce their radio permits is not necessary. This is because the people do not know where they keep them and I think it is very bad to go ^{on} demanding for these permits in people's houses. I personally do not know where my radio permit is. Therefore, we would like to request the Minister to take into account that one cannot keep a radio permit for five or seven years.

With those few remarks, I beg to support.

THE MINISTER FOR LANDS AND HOUSING (Mr. Bonett): Thank you very much, Mr. Deputy Speaker, Sir. I also rise to thank the Minister for bringing this Bill which I hope will go along way to improve the services of educating the ~~people~~ people of Kenya in general. I believe that this has been said by other hon. Members, but it is common knowledge that the further you move away from Nairobi, the less you can follow the radio broadcast. Nonetheless, Sir, I would like to say that the Voice of Kenya has done a very good job. In fact, the amount of development that has taken place in this country, has been made possible by the various announcements made, especially in the radio.

Having said that, Mr. Speaker, Sir, I would like to say that there is room for improvement, especially with regard to the equipment that the Voice of Kenya is using at the moment. It is a shame, Sir, to switch on Radio Cologne, ^{and} although I do not know where Radio Cologne broadcasts from, you can hear ^{it} clearly everywhere in the country. When you are in Marsabit, you can listen very clearly to ~~their~~ radio Tanzania. I do not know whether ^{are} our booster stations working properly. We have so many booster stations on top of hills in any part of Kenya. I hope the new corporation will help us by looking into this problem with a view to buying new equipment which is suitable for the work.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bonett)(Ctd.):

Mr. Deputy left the Chair

The Temporary Deputy Speaker (Mr. Mwanzandi) took the Chair

Mr. Temporary Deputy Speaker, Sir, it is pointless to pretend that there is no misappropriation of funds or misuse of funds by certain individuals in this country. This is a common knowledge whether we accept it or not. I would like to say something about the membership of the Board, ^{which} ~~This~~ is a political set up. I am saying this because the corporation will ~~be~~ nearly be dealing with politics most of the times, and it is a pity that the composition of the Board as is indicated here, will ^{nearly} be comprised of civil servants. As a matter of fact, there will be three Permanent Secretaries, and seven appointed members, and they go on saying that each of these seven members should be specialised on this or the other, and therefore, they will also be ci_vil servants. However, this corporation should actually be serving the Party and I believe that apart from a few civil servants who will be sitting on the Board by virtue of their work, we should have more than half of the members appointed by the Party. This is very important if we have to really make this corporation a success. In fact, there should ~~be~~ be a provision for one or two members of this House to sit on this very important Board. I am saying this, Sir, because this is a political set up.

Mr. Temporary Deputy Speaker, Sir, s_ince I came to this House in 1963 up to 1974 and later now, I do not remember any time that an elected member has gone out of his way to corrupt any part of this system of our Government. I must say that there has been a glaring example on part of some civil servants who have been misled in this country. On such an important Board, we should have the Kahu Party fully represented. Also, there should be a provision for Members of this House to be watchdogs on this Board which will look after the corporation. Sir, I fear powers being given to individual people. After all, if you go to the Voice of Kenya at ~~a~~ the moment, you will find seven officers all from one district. In fact, some people talk their language in the boardroom.

MR. MWENJE: On a point of Order, Mr. Temporary Deputy Speaker, Sir. The hon. Member has made a very serious allegation. He has said that at the Voice of Kenya, seven of the top officials are from the same district. If this is true, can he elaborate and tell us who these people are and what positions they hold?

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett): Mr. Temporary Deputy Speaker, Sir, I did not say that those people are from the same district, I said they speak the same language.

MR. MWENJE: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Assistant Minister's reply was not satisfactory. ^{Even if or not} ~~Whether~~ they are ^{the same} from the same district, but speaking ~~at~~ ^{different} languages, can we be told who they are and what their positions are so that the situation can be known ~~and~~ and rectified?

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett): Mr. Temporary Deputy Speaker, Sir, I said that there are quite a number of people at the Voice of Kenya who speak the same language, and I think if the hon. Member does his homework, he should realize this from the list of names that appear on the television indicating the people who were involved in the production of each programme.

(applause)

MR. MWENJE: On a point of order, Mr. Temporary Deputy Speaker, Sir. If the allegation is true, can the hon. Member substantiate and, if it is not true, can he ^{withdraw?} ~~substantiate?~~ I think that was a very serious allegation.

THE TEMPORARY DEPUTY SPEAKER (Mr. Mwanzandi): I think the Assistant Minister has made it even worse now. The hon.

THE TEMPORARY DEPUTY SPEAKER (Mr. Mwanzandi)(ctd.):

Member wants to know who these people are - if you can tell him.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING

(Mr. Bonett): Mr. Temporary Deputy Speaker, Sir, there is a Standing Order that states that an hon. Member does not have to substantiate what is obvious. These people I was talking about are Kenyans, but the names of Kenyans are known.

THE TEMPORARY DEPUTY SPEAKER (Mr. Mwanzandi): Order! The Standing Order states that a Member ~~is~~ will be responsible for any allegation he has made in this House. So, you are responsible for that allegation. If you can substantiate it, go ahead, but if you cannot, you should withdraw and apologize.

THE ASSISTANT MINISTER FOR LANDS AND SETTLEMENT

(Mr. Bonett): Mr. Temporary Deputy Speaker, Sir, I would not like to persist on what is obvious, but I have ~~withdrawn~~ ^{withdrawn}.

MR. MAKAU: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for a Government Minister to allude in this House ~~that~~ that the Voice of Kenya ^{Staffing} is based on tribalistic lines? That is exactly what he said. Is he saying that the Voice of Kenya is a tribalistic organization? By talking about a language, you are talking about a tribe.

THE TEMPORARY DEPUTY SPEAKER (Mr. Mwanzandi): Order! The hon. Member has withdrawn because he cannot ~~be~~ substantiate. We will leave the matter there.

(applause)

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bonett): Mr. Temporary Deputy Speaker, Sir, I was saying ---

MR. MWENJE: On a point of order, Mr. Temporary Deputy Speaker, Sir. We agree ^{that} the Assistant Minister has withdrawn the allegation, but he has continued to say that he should not substantiate the obvious. Can he withdraw the allegation unconditionally,

MR. MWENJE (ctd.):

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and not refer to it as obvious?

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett):

Mr. Temporary Deputy Speaker, Sir, I withdraw, and I continue. Some of us believe that our tribe is Kenya and most of us have suffered by giving out what we ^{believe} ~~we believe~~ is right. I would say that I am a Kenyan first and foremost. And, in fact, we would not be in a mess if we accepted that the best Kenyan should have a job irrespective of where he comes from. That is what I am saying now.

Mr. Temporary Deputy Speaker, Sir, if we accept that - not for this Ministry alone, but for every Government organization - we should have the people of this country who are qualified getting the jobs, but not to give jobs because the ~~the~~ top man in the organization comes from a certain district. I maintain that too much ~~power~~ power given to an individual is ~~a~~ very dangerous. I do not know who is going to head the corporation, and I do not want to anticipate. I believe he will be a good ~~a~~ man; ~~he will~~ ~~be~~ honest, and a man who will use his ~~power~~ powers correctly. But on the other hand, we are all human beings, and, as such, we must know that we are capable of erring and making serious mistakes. L.N.P. Therefore, I would like to mention some powers which are going to be given to the Director-General. Clause 11(d) states:-

"approve any individual capital work of of which the estimated cost does not exceed one million shillings or such other sum as the Minister may by order determine;"

Maybe that provision has been put there to take care of emergency cases, but the Board is there. The Board is the one which should go into matters that need money. Individuals can actually ~~do~~ make serious mistakes. In other countries, such as the United States of America, ^{there are} ~~have~~ committees in such ~~a~~ cases. This is the best way ^{of} stamping ~~out~~ ~~out~~ tendencies to corrupt or to punish others

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett)(ctd.):

unduly.

Clause 11(c) states:-

"approve any alteration in salaries, wages or other terms and conditions of service of employees of the Corporation not involving expenditure in excess of the limits determined by the Board within its powers;"

That, also, is very dangerous because if the Director-General does not like the face of a certain fellow, he can actually penalise him. I would like all these things to be left in the hands of the Board because, after all, the Board is capable of looking after the Corporation. Giving powers to one person is extremely dangerous.

Mr. Temporary Deputy Speaker, Sir, I would now like to say a few words about what I feel is terribly important, and that is reporting by newspaper reporters and the reporting of activities of development by in provinces, districts and all over the country by the Kenya News Agency (K.N.A.) reporters. The tendency of reporting more on urban areas, and especially Nairobi, is very unfortunate because more activities take place in the rural areas, and, in fact, the majority of the Members of this House come from rural areas. Therefore, reporting should actually be concentrated in the rural areas. After all, the people of Kenya have accepted the wise guidance of His Excellency the President and they have actually gone out to develop schools, roads and other things in the rural areas through the Harambee effort. The Harambee philosophy does not belong to any hon. Member himself, or to any other individual.

END W

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bonett) Ctd:

When the people in a certain location have accepted that they are going to hold a Harambee, then it ^{belongs} ~~belongs~~ to them and it should be reported. Whether the reporters like the face of a certain Member of Parliament or not, that is immaterial.

Mr. Temporary Deputy Speaker, Sir, I know of a situation where certain Members of Parliament are not covered. Last week, ^{the} ~~one~~ hon. Member ^{for} ~~Bonett~~ spoke here about tea and raised pertinent questions on that subject. To my surprise, nothing was reported in all our local dailies. This was very unfortunate. In fact, those who supported him were reported. One wonders the criteria that is used when reporting hon. Members. I would like to give another example and I do not want to be seen to be parochial but it is a very interesting situation. I know that some powerful people can actually "buy" some reporters who are very cheap. This is because such reporters accept to be directed by the so-called strong hon. Members and by money ^{magnates} ~~magnets~~ and that is why they report these people day in day out. Even if these people have said ~~nothing~~, ^{nothing} contributed or done ~~anything~~ ^{nothing} to the development of this country, they are reported.

K N P. This is very unfortunate. The Kenya News Agency and the Voice of Kenya should report positively. Here, I would like to say that the radio covers events very well but our three local dailies do not do likewise. The Kenya Times newspaper which is under Kanu should not ~~to~~ be seen to be partial. I am a No.1 Kanu member right from my heart. After the Kanu elections in Nakuru District, all the elected officials, including the District Commissioner, posed for a group photograph. This picture was printed in The Kenya Times newspaper. To my surprise, they blotted me out, although I was among the elected officials, and all the others appeared. Why did this happen? Even if they do not like me, I would like to tell them that I was elected Assistant Secretary, Nakuru District Kanu Branch. Blotting me out does not help at all. I would also like to say that I was returned to this Parliament unopposed. I speak with

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett):

power because I was elected unopposed as the Member for Rongai Constituency. Whether anybody ~~like~~ likes it or not, that is how things were.

We would like fairness because what we do in and outside this House is for the glory of Kenyans, the President and for Kanu. We do not ^{do} it for ourselves. I would like to request those who report to do their work fairly. Journalists have a job ~~to do~~ for this country; they must not be parochial, tribalistic and so on but must work for Kenya. We know the reporters who are parochial and tribalistic. We know those who receive money to misreport certain events. We also know that those journalists are capable of selling our secrets to their foreign masters.

I support the introduction of the Kenya Broadcasting Corporation and it is my hope that it is going to serve the nation. I hope that we shall employ new faces. This is because we have many ^{and Form 6 leavers} graduates/who are jobless. We should employ people who have not learned how to steal and to misreport. We should also employ those people who have not learnt how to be tribalistic. This is a very important field and I know that it has a good Minister who actually fought very hard during the eradication of colonialism. It is my hope that he is going to fight for the removal of dirt in this country.

I beg to support.

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah): Thank you, Sir, for giving me the opportunity to speak in support of this Bill. I shall be very brief and I ^{only} ~~shall~~ confine myself to the sections of the Bill that I believe need a little amplification so that when the Minister comes to reply, he can make them a little clearer.

First of all, I wish to congratulate those who have been serving this country at the Voice of Kenya. They have done their best, although there may have been weaknesses here and there. They have done well and they need to be complimented. I also wish to congratulate the hon. Minister for bringing this Bill to this House. This Bill was quite timely.

THE ASSISTANT MINISTER FOR FINANCE (Mr.Keah) Ctd:

I particularly want to support the setting up of the Corporation. When I read the word "Corporation", it gives me a ^{gleam} ~~glare~~ of hope that it is going to work and operate on financially viable and commercial proportions. It is in this respect, that I would like to make a few comments here and there.

The first one is with regard to the establishment of the Board. I support the principle that the Board should be composed of people who are ~~fairly~~ fairly knowledgeable in matters relating to the services and operations of the Corporation. However, I am also in sympathy with what hon. Mwanzandi said. He said that there should be provincial representation on the Board to speak like ombudsmen. - I would suggest very strongly here that when it comes to the appointment of the advisory council - I think this is provided for under Clause 12 - consideration could be given to the appointment of provincial representatives. I very strongly recommend that matter be given serious thought.

In so far as the directors are concerned, I support the fact that technically qualified people should be appointed. Since there are only four of them entrenched in the Act, I would like to see the other three brought in from various walks of life such ^{as} the legal profession and any other professional aspect that can be ^{embedded} ~~embedded~~ here.

I would like to touch on Clause 11(f) which was debated on by the hon. Members who have spoken before me. I will ~~not~~ quote it as follows:

"(11(f) approve any alteration in the establishment of the Corporation other than an alteration involving a major re-organisation or a substantial reduction in the number of employees."

Sir, I have no qualms in that per se but the words "major re-organisation" and "a substantial reduction" have ~~not~~ not been defined in this ^{Bill} ~~Act~~. Perhaps, the hon. Minister - when he comes to reply - could try and give some elaboration as to what is going to constitute a major re-organisation or a substantial reduction i_n this respect. I think that is a slight weakness that can be corrected.

END.....X

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah)(Ctd.):

Mr. Temporary Deputy Speaker, Sir, let me go further in this Bill and now turn to a different clause. I have already commented on Clause 12. I think consideration should be given to making advisory councils have provincial representation. Next, I would like to turn to Clause 37, which talks about Government grants. I obviously agree that the Kenya Broadcasting Corporation (K.B.C.) must be given support by the Government, but I do not want it to be a kind of habit in which the K.B.C. continues to be given grants from year to year. Let me suggest here - and this is only a suggestion - that while appreciating that the K.B.C. will give services to the Government, grants should somehow ^{be} estimated and budgeted ^{for} in line with the services the K.B.C. will ^{render} give to the Government. The danger here is that a Corporation being given subsidies by the Government can always fall back on the Government for more subsidies. I would like to see K.B.C. stand up on its own two feet and make sure that its revenue is matched by its expenses as practically as possible.

Next, I would like to go to Clause 42 where there seems to be an omission of some technical wording. Clause 42 (1) says:-

"Before the commencement of a financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the Corporation for that year."

The terminology "revenue and expenditure" connotes profit and loss or income and expenditure. I would like to get confirmation that these estimates include those of a capital nature as well, and not just income and expenditure. If ~~that~~ ^{that} fact is contained here, I would like the hon. Minister to merely ^{confirm} explain that ^{that} capital expenditure is as well included here. I think there could be an omission in ~~terms~~ of the printing of the bill.

I will now turn to Clause 43, which deals with accounts and audit.

The clause says:-

"The Board shall cause to be kept all proper books and records of account of the income, expenditure and assets of the Corporation."

I am sure that the hon. Minister means that liabilities as well must be taken

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah)(Ctd.):

into account. In the absence, however, of stating this fact in the Bill, I am at a loss. When interpreting this Bill later on, it could be misconstrued that liabilities were omitted. So, from a technical point of view, I would urge that the entire wording "income, expenditure and assets" be excluded because in an accounting language, it is known that when you keep proper books of accounts, you include all these items. When you mention some and exclude others, there is a little bit of doubt. So, you either state all of the items or exclude all of them and merely say:-

"The Board shall cause to be kept all proper books and records of account."

Otherwise, if you mention assets, you should mention liabilities as well.

END Y

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THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah)(ctd.):

Having said that, Sir, I would like to make just a couple of observations. We are beginning the Second Decade of Nyayo Era, and we have had experiences with regard to public corporations which have not adhered to proper accounting and financial procedures in terms of ~~their~~ their operation. Here is one public corporation we are establishing in the Sixth Parliament, and I would like it to be a living testimony of all that is embodied in modern management by objective and all the facets that go with modern technology and management aspects of business. I would like this ~~corporate~~ corporation to show the effect of professionalism in its hiring and firing of personnel. There should be absolute professionalism in terms of the technical and financial ~~and~~ aspects, not to mention the legal aspects, in order to protect the assets and liabilities of wananchi. After all, this corporation will start off with all the assets which, at the moment, belong to the Voice of Kenya. I hope that a proper inventory will be prepared of all these assets. There should be established a fixed assets register; value should also be established as soon as the transfer and all other legal instruments have been set up so that the ~~corp~~ corporation can all along work on proper financial and accounting values in as far as its assets ~~and~~ and liabilities are concerned.

With those few remarks, Mr. ~~Ex~~ Temporary Deputy Speaker, Sir, I beg to support the Bill.

MR. KUBO: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Bill. First of all, I would like to say that our policy has always emphasised free enterprise. In other words, we are not encouraging monopolies in Kenya. So, although we are debating this Bill today, I would, personally, like to see more broadcasting stations and television stations owned by private individuals provided that those individuals are Kenyans. We have heard about a lot of public parastatal bodies exercising monopolies but which have never bothered to keep up with the required standards and which have never bothered to make any profits. Provided some of our parastatal bodies are there being

MR. KUBO (ctd.):

subsidised, they do not care much as to whether they are viable or not. So, we would always want to see competition in whatever we are doing. It is only through competition that our public corporations will be on guard.

Mr. Temporary Deputy Speaker, Sir, Section 38 says:-

"It shall be the duty of the Corporation to conduct its business according to commercial principles".

When the Kenya Broadcasting Corporation comes into operation, it will have to always think along those lines; it must not follow the example of other corporations which are always running at a loss and which are always being subsidised by the Government. This sort of situation should ~~be~~ not be tolerated in this country.

Sir, having gone through the Bill, I want to start by saying something concerning the appointment of the directors of the proposed Kenya ~~Bz~~ Broadcasting Corporation.

ADJOURNMENT

THE TEMPORARY DEPUTY SPEAKER (Mr. Mwanzandi): Order, hon. Kubo. You will continue tomorrow since it is now time for the interruption of business. The House is now adjourned until tomorrow, Wednesday 23rd, at 9.00 a.m.

The House rose at thirty minutes past Six o'clock.

END..... Z.

H A N S A R D

Wednesday, 23rd November, 1988

The House met at Nine o'clock.Mr. Speaker in the Chair

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 403

MR. SPEAKER: Is Mr. Lewa not here?

Question No. 535

MR. SPEAKER: Is Mr. Mate not here?

Question No. 510

MR. CHEPKOK asked the Minister for Tourism and Wildlife:-

(a) whether he is aware that the family of the late Phillip Rutto has not been paid any benefits as per letter, ref. No. EST/24471/114, dated 19th January, 1987; and

(b) what has caused the delay and when they will be paid.

THE ASSISTANT MINISTER FOR TOURISM AND WILDLIFE (Mr. Leakey):

Mr. Speaker, Sir, I beg to reply.

(a) I am aware that the family of the late Phillip Mais Rutto has not been paid any benefits as per letter, ref. No. EST/24471/114, dated 19th January, 1987.

(b) The late Mr. Rutto was on temporary terms of employment at the time of his death, and, as such, he was not entitled to any benefits.

MR. CHEPKOK: Mr. Speaker, Sir, Mr. Rutto died while on duty. Regardless of the fact that he was not on permanent terms of employment, he was going to be employed on permanent terms at the time he died. Why can he not be considered for payment of terminal benefits?

MR. LEAKEY: Mr. Speaker, Sir, the terms of employment in Government Service are very clear, and we have no choice but to follow them. However, Mr. Rutto's family received Shs.53,100/= from the Kenya National Assurance Company which he was entitled to. ^{The Family} It also received his N.S.S.F. benefits. The deceased was a ranger on a World Bank-funded anti-poaching project, and his temporary employment was to last for the duration of the project but, unfortunately, he met his death prematurely.

MR. CHEPKOK: Mr. Speaker, Sir, I am still not satisfied with this answer because Mr. Rutto's family has not even received the money that the Assistant Minister says was paid to it. I still demand to know the reason why the Government will not consider paying benefits to somebody who dies today while on duty. Why does the Government not consider paying benefits to such a person and yet it is not his fault that he dies while on duty?

MR. LEAKEY: Mr. Speaker, Sir, Mr. Rutto died while in employment. He was on temporary terms of employment, but I am not sure that he died in the course of executing his duties. If he had died during his work, I am sure there is something we can do about it.

MR. MANG'OLI: Mr. Speaker, Sir, while appreciating the reply from the Assistant Minister and, in view of the fact that we may still be having temporary employees in the Ministry now, what would the Ministry do if these employees met their deaths by virtue of their employment? Would the Ministry compensate them as a ministerial policy, realising that these people will have served the Government for some time? What is the Ministry's future policy in this matter?

MR. LEAKEY: Mr. Speaker, Sir, I am not in a position to change the terms of service of Government employees. There are laid-down procedures, and we have to follow them.

MR. SPEAKER: Let us go to the next Question, Mr. A.I. Mohamed.

MR. CHEPKOK: On a point of order, Mr. Speaker, Sir. I have a letter showing that Mr. Rutto died while on duty. Could the Assistant Minister tell

MR. CHEPKOK (CTD.):

the House that the moment he sees this letter, after I have given it to him, he will proceed and arrange to pay compensation to Mr. Rutto's family?

MR. LEAKEY: Mr. Speaker, Sir, I cannot promise to proceed on anything on the basis of a letter that I have not seen. However, I am willing to agree to consider looking into the matter once I have seen the letter, depending on its contents.

Question No. 534

MR. A.I. MOHAMED asked the Minister for Tourism and Wildlife:-

(a) whether he is aware that on 13th May, 1983, a lion invaded the manyatta of Abdullahi Ahamed, mauled his daughter, Fatuma Abdullahi, to death and seriously injured four other members of his family, namely Hassan Abdow, Hawa Aden, Nunai Ali Noor and Migali Bishar;

(b) whether he is further aware that Mr. Abdullahi made compensation claim and the same was approved by Wajir District Compensation Committee on 22nd April, 1986; and

(c) why the four injured persons were not paid and when they will be paid.

THE ASSISTANT MINISTER FOR TOURISM AND WILDLIFE (Mr. Leakey):

Mr. Speaker, Sir, I beg to reply.

(a) I am aware that on 13th May, 1983, a lion invaded the manyatta of Abdullahi Ahamed, mauled his daughter to death and injured four other members of his family.

(b) I am also aware that Mr. Abdullahi made a compensation claim for Fatuma Abdullahi, who is deceased, which was approved by Wajir District Compensation Committee on 22nd April, 1986, which my Ministry has duly paid.

(c) Claims for the four injured persons were not passed by Wajir District Compensation Committee since they lacked supporting information to enable the Committee to make an award. As soon as these details are availed and the Committee makes its decision, my Ministry will consider them for payment along with other similar claimants.

MR. A.I. MOHAMED: Mr. Speaker, Sir, while appreciating the reply from the Assistant Minister, when these people were injured by these animals they were collected by police and game rangers from the scene of the accident and taken to hospital and treated there. What sort of information were they lacking which makes the Ministry not to compensate the ~~family~~ ^{families}?

MR. LEAKEY: Mr. Speaker, Sir, as I understand it, the family has already been informed the correct procedure how to pursue their claim. I told the House earlier that I am aware that these people were injured by the wild animal. However there is a procedure, and that procedure has to be followed before the district compensation committee can forward their recommendation ~~to~~ ^{from} my Ministry. I am unable to make any payment without the recommendation ~~from~~ ^{from the district compensation committee}. If the hon. Member can assist the ~~family~~ ^{families}, perhaps we will be willing to do our part as soon as he has completed his part.

MR. ADEM: Thank you, Mr. Speaker, Sir. While appreciating the reply from the Assistant Minister, it appears this incident took place in 1983, and there was ample time for the district compensation committee to have forwarded this matter to the Ministry. Can he explain to the House why action has been lacking for all this time by the district compensation ~~in~~ ^{committee} Vajir District?

MR. LEAKEY: Mr. Speaker, Sir, the district compensation committee referred the matter back to the claimants as soon as it was tabled on the agenda. They explained that the application for compensation was not properly presented. They explained that the claimants had to go before the medical health officials in order to have a proper assessment of their disability, ~~assessed~~. Once that was done and the Ministry ~~helped~~ ^{of Health}, we were able to submit their report to the district compensation committee. Then that committee would be able to do something about it. But until now, the claimants have not gone back to the medical health officers. They have not gone for the assessment of their disability, and so the ball is entirely in their court.

MR. MOKKU: Mr. Speaker, Sir, according to the answer given by the Assistant Minister that the district compensation committee has written back to the ~~family~~ ^{families} ~~to use~~ ^{advising them to follow} the correct procedure on how to forward their claim to the committee, since the time this incident ~~took place~~ ^{took place} and also since the time when the

MR. KOKKU (Contd.):

committee sat is almost five years^{ago} and also since the district compensation committee has not written this letter to ~~this family~~ ^{these families} in order for them to read it and forward the necessary information to the committee, how is the Assistant Minister sure that this letter has reached this family?

MR. LEAKEY: Mr. Speaker, Sir, I said nothing about a letter. I said that they were informed in the presence of the committee. If they have done nothing about it, then they have that problem. If they are willing to do something about it now, I have said that my Ministry is willing to fulfil our part of the arrangement. But the ball is in their court.

MR. PALANA: Mr. Speaker, Sir, this is a nation-wide problem, and I feel that there is a problem with the Ministry of Tourism and Wildlife. When we take into account the money we get from the Ministry of Tourism and Wildlife, and then these minor accidents which are caused by wildlife and so on, ^{are not compensated} the Assistant Minister will agree with me that compensation claims, leave alone this one, have been piling up in their office unpaid. These claims are not only from Wajir District but from all over the country since 1983, 1984, 1985 and so on. These claims have been passed by the district compensation committee and the Ministry is just sitting on them. Can the Assistant Minister tell the House when he will pay these claims? They have already been processed and passed. When does he expect to get money to pay these claims? This is a nation-wide problem. It is not only in Wajir District.

MR. LEAKEY: Mr. Speaker, Sir, I have already said when these claims will be paid. They will be paid when the claimants fulfil the required procedure and not before. I take exception to the hon. Member's remarks that my officers are 'hiding'. Can he substantiate the allegation?

MR. SPEAKER: Next Question, Mr. Mang'oli.

MR. MANG'OLI: Mr. Speaker, Sir, I was standing to ask a supplementary question, but it happens that my Question has been called. Besides, I would like to say that before I ask this Question I had already discussed it with the Minister, and he assured me that he will react on it. Maybe if he wants to reply ^{to}

MR. MANG'OLI (Contd.):

it now, he can go ahead and do so. So, can I ask Question No.467.

HON. MEMBERS: No! No! No!

THE MINISTER FOR PUBLIC WORKS (Mr. arap Koech): Mr. Speaker, Sir, ~~I do not know~~. The hon. Member seems not to have asked this Question. So, I was wondering whether he is withdrawing it, or he wants me to reply to it? _____

MR. WASIKE-NDOMBI: On a point of order, Mr. Speaker, Sir. Is the hon. Mang'oli in order to tell the House what has transpired between him and the Minister when this Question is now the property of the House ^{and} The Minister can just give ^{us} a formal answer?

MR. MANG'OLI: On a point of order, Mr. Speaker, Sir. I do not know how hon. Wasike-Ndombi comes in here. This is my Question, and I can —

MR. WASIKE-NDOMBI: On a point of order, Mr. Speaker, Sir.

MR. SPEAKER: Order! Order! Order! The Question as it stands now is the property of this august House.

MR. MANG'OLI: In view of Mr. Speaker's ruling, I beg to ask Question No.467.

Question No.467

MR. MANG'OLI asked the Minister for Public Works:-

- (a) if he is aware that there are no bridges on Wabukhonyi-Miserwa road and Nabuyole-Furoi road; and
- (b) if he could consider building those bridges as a matter of urgency.

THE MINISTER FOR PUBLIC WORKS (Mr. arap Koech): Mr. Speaker, Sir, I beg to reply.

- (a) I am aware that there are no bridges on the two roads in question.
- (b) I have no immediate plans to construct bridges on these two roads owing to ~~the~~ financial constraints.

MR. MWAMZANDI: Mr. Speaker, Sir, arising from the Minister's reply, it looks as if the assurances of the Minister to the hon. Member were fetching nothing in favour of the constituency. Will the Minister tell the House ^{as} ~~as~~ the

MR. MWANZANDI (Contd.):

hon. Member was fearing to ask the Question, but we are now helping him, when is he prepared to help these people since he cannot help them now due to this year's financial constraints?

MR. arap KOECH: Mr. Speaker, Sir, I am^a very optimistic man, and we shall try any way possible to make sure that when we get the funds we shall assist the people of this area so that they can be able to cross over to the other side of the river.

MR. WASIKE-NDOMBI: Mr. Speaker, Sir, since the Minister has said that he cannot help because of financial constraints, how much are the two bridges likely to cost so as to convince this House that there is not enough money to construct the two bridges at the moment?

MR. arap KOECH: Mr. Speaker, Sir, we have so many requests for bridges and we have already done the designs and costing of some of them. On some of the bridges, we have not even completed the designs, and it so happens that the two bridges in question have not yet been designed.

MR. P.K. KIBYANJUI: Mr. Speaker, Sir, the consolation was what the Minister had promised that a part of the job would be done when the funds are available. I wonder if the Minister, together with other Ministers, would change this approach and tell us that they would make a provision in the next budget? The next budget is not further than five months from now. Would the Minister promise the House that he would make funds available for the construction of these bridges when he prepares the next budget?

MR. arap KOECH: Mr. Speaker, Sir, while I agree with the hon. Minister that we should make a provision, it is true that we have made provisions for many bridges and roads. But I believe the hon. Member will agree with me that we cannot have provisions for everything.

End B.

MR. SPEAKER: Let us now move on to Mr. Mureithi's Question.

Question No. 520

MR. MUREITHI asked the Minister for Public Works:-

- (a) whether he is aware that the Nyeri-Nyahururu road was extensively damaged during this year's rains and that it has a lot of ~~potholes~~ ^{potholes}, and
- (b) if so, what urgent measure he is taking to have the road re-sealed.

J.K.

THE MINISTER FOR PUBLIC WORKS (Mr./arap Koech): Mr. Speaker, Sir, I beg to reply.

(a) the answer is, yes; I am aware that the road from Nyeri to Nyahururu has developed some potholes.

(b) My Ministry has already made all the required arrangements to repair and reseal this road during this financial year and the implementation process has already started.

MR. MUREITHI: Mr. Speaker, Sir, I would like to thank the Minister for assuring this House that the road will be re-sealed within this financial year. However, Sir, would the Minister tell this House what ^{is} the implementation process which he says has already started.

MR. J.K. arap KOECH: Mr. Speaker, Sir, the road from Nyeri to Nyahururu was part of a contract which was awarded to a contractor doing the Gilgil/Nyahururu Road. This contractor is now still busy with the construction of the Gilgil/Nyahururu road and as soon as he completes this work, he will straightaway go to start work on the Nyeri/Nyahururu Road. In the mean time, Sir, my Engineer in Nyeri is already doing some re-sealing/work ^{and patching} on some of the very bad sections of this road.

MR. MUREITHI: Mr. Speaker, Sir, just a week ago, I noticed that the Ministry is putting some soil and mixing it with marrum in the potholes along the road from the Nyeri side. Is this part of the re-sealing process, or what is it? I am asking this because putting soil and marrum on a tarmacked road makes it even worse. I am unable to understand whether this is part of the re-sealing process.

MR. J.K. arap KOECH: Mr. Speaker, Sir, I have just said that as soon as the contractor completes work on the Gilgil/Nyahururu Road, he is going to start on the Nyeri/Nyahururu ^{Road} straightaway. In the meantime, we are doing some patching and re-sealing work on the Nyeri/Nyahururu Road. Perhaps what the hon. Member has seen taking place on this road is mere patching in order to allow vehicles to continue using the road without suffering from ^{bumps} ~~bumps~~ and potholes. As soon as we complete work on the Gilgil/Nyahururu Road, ~~then~~ we shall start re-sealing the road. So, what is going on at the moment is not part of the re-sealing work.

MR. SPEAKER: Next Question, Mr. Jaldessa.

Question No. 527

MR. SPEAKER: Mr. Jaldessa is not here? Dr. Wameyo's Question:

Question No. 463

DR. WAMEYO asked the Minister for Industry:-

- (a) what was the estimated cost of the Multi-million giant Kisumu Molasses complex when it was initiated in 1977,
- (b) how much money had been spent when work on the complex stopped, and
- (c) how much extra money is required to complete the project now that it has been revived.

THE MINISTER FOR INDUSTRY (Mr. Otieno): Mr. Speaker, Sir, I beg to reply.

(a) The Kisumu Molasses Complex was initially estimated to cost K.Shs.577 million as per 1977 prices.

(b) Shillings 1,081 million had already been spent on the project when work stopped in 1982.

(c) The project has not been revived. However, details on whether it can economically be revived or not will be available soon after a proposed study is finalised.

DR. WAMEYO: Mr. Speaker, Sir, ~~use~~ I thank the Minister for that very good answer. However, may I know from him why there is a staggering

difference between the estimated cost and what had actually been spent before even the project was completed?

MR. OTIENO: Mr. Speaker, Sir, it may be necessary for me to give an extended answer to this Question by way of a Ministerial statement at the end of question time.

MR. MANG'OLI: Mr. Speaker, Sir, the Question has already been asked and a very important supplementary question has been asked by Dr. Wameyo as to why there has been such a staggering difference between the estimated cost of the whole complex and what was actually spent before the project was completed. The fact is that they overspent by more than double the estimated cost and we would like to know why this happened. Secondly, we would like to know who authorized this over-expenditure.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES

(Mrs. Ogot): On a point of order, Mr. Speaker, Sir. Is it really in order for the hon. Member to pursue the issue when the Minister has assured this House that he is going to issue a Ministerial Statement regarding the whole issue, and now the House is waiting to hear the Statement?

AN HON. MEMBER: He is out of order!

MR. SPEAKER: Order! Order! We are still dealing with Question No.463 and we shall continue asking related supplementary questions awaiting the Ministerial Statement from the Minister.

MR. WASIKE-NDOMBI: Mr. Speaker, Sir, while appreciating the promise by the Minister to issue a Ministerial Statement, but while - - -

MR. MANG'OLI: On a point of order, Mr. Speaker, Sir. I did ask a supplementary question, Sir, but before the Minister could answer me, the hon. gracious lady interrupted. Could the Minister react to my supplementary question before we proceed to hon. Wasike-Ndombi's supplementary question?

MR. SPEAKER: I think you are right, Mr. Mang'oli. Could you kindly repeat your supplementary question for the Minister to hear it again?

(laughter)

MR. MANG'OLI: Thank you, Mr. Speaker, Sir, my question was: why is there such a staggering difference between the estimated cost of the

MR. MANG'OLI (Ctd.):

project and the money that was actually spent before the factory was completed? We would like to know who was responsible for this.

MR. OTIENO: Mr. Speaker, Sir, as you realize, this was a major investment and at that time, there was urgent need in the country to save on fuel cost. The Government was deeply committed to ensure that this project reached ^{completion} ~~suppletion~~. So, escalation in cost is normal in a project like this although in this particular case, the cost figures did go very high. Particular explanation that we received from the managing agents was that prices had gone up due to delays and other reasons which I would attribute to mismanagement. That is how the cost figure escalated to the figure as it came to be in 1982.

MR. WASIKE-NDOMBI: Mr. Speaker, Sir, since the Minister has now assured this House he will be issuing a Ministerial Statement later, I wonder whether hon. Members will be given the opportunity to ask supplementary questions on the Statement. I am saying this because according to the practice of this House, when a Ministerial Statement is issued, no questions are entertained on the Statement. Now, what guarantee do we have that after he issues the Ministerial Statement, we shall be given the opportunity to react to that Statement? Could the Minister therefore assure the House that after he issues the Statement, we shall be able to ask questions?

END C.

JMK

MR. SPEAKER: Mr. Wasike-Ndombi, that is not the practice of this House. In any case, is that really related to the Question we are now dealing with?

MR. WASIKE-NDOMBI: Yes, Mr. Speaker. it is.

MR. SPEAKER: We will wait until the Ministerial Statement has been made. Can you ask a supplementary question which is related to the Question ~~h~~ we have before the House?

MR. WASIKE-NDOMBI: Mr. Speaker, Sir, the Minister is now trying to prevent us from asking further questions just because he is going to issue a Ministerial Statement.

HON. MEMBERS: What is your question?

MR. WASIKE-NDOMBI: Mr. Speaker, Sir, since this is a big project which has now taken over 10 years - and wananchi in Kenya were expecting a boost in employment opportunities - can the Minister tell the House when the project will be revived? Since he has mentioned that there was mismanagement, what is the Government going to do to those people who were responsible for mismanagement of funds?

MR. OTIENO: Mr. Speaker, Sir, the Government is looking for funds to commission a detailed study ~~h~~ that would answer those questions. We are in the process of obtaining funds, and that is why I said that the question of reviving the project will be answered shortly after the study is completed.

MR. JALANG'O: Mr. Speaker, Sir, the Kisumu Molasses Factory was a very noble one right ~~from~~ from the beginning, if not very ~~be~~ noble right up to now. The Madhuvani ~~Group~~ Group of Companies is willing to inject more funds into this project. Can the Minister assure this House that he is going to facilitate measures or procedures to enable the Madhuvani Group of ~~the~~ Companies to inject additional funds so that this project can be rehabilitated?

MR. OTIENO: Sir, I have told the Madhuvani Group of Companies that they could take over the project at any time, so long as they also agree to take over the ~~xxx~~ past debts which the Government guaranteed.

23.11.88.

MR. MIRUKA-OWUOR: In his promised ~~stat~~ Ministerial Statement, will the Minister give details of the break-down of the expenses which were incurred in the construction of the project and also clarify whether the project is already being reconstructed by somebody?

MR. OTIENO: Sir, I will give the break-down of the ~~expe~~ expenses and the loans that were borrowed on the project as well. As regards the person who is posing to be reviving the project, that is an Italian firm of business consultants who wanted the Ministry of Industry to pay them KShs.17 million in order just to study the project. That is the figure that the Government could not just agree to give, and we are now negotiating with other sources of grant funding to finance the study.

MR. WASIKE-NDOMBI: On a point of order, Mr. Speaker, Sir. Is the Minister in order to tell the House that there is going to be conducted a feasibility study when we know that such a study was carried out before the initial launching of the project?

MR. OTIENO: Mr. Speaker, Sir, by the evidence that the construction cost escalated from KShs.577 million to KShs.1,354,000,000/- it is enough to conclude that the original feasibility study was not real. It is, therefore, necessary that a proper rehabilitation study be done before we can raise additional Government funds.

Question No. 403

MR. MWAMZANDI, on behalf of Mr. Lewa, asked the Minister Foreign Affairs and International Co-operation:-

- (a) whether he is aware that Mr. Mwenda Tunja Barisa was knocked down and seriously injured on Malindi-Mombasa road on 6th December, 1979 by vehicle registration No. 29 CD 63 driven by Mr. L. Mambert of the U.S.A. Embassy, Nairobi;
- (b) whether he is further aware that the High Court at Mombasa awarded the complainant, the sum of KShs.90,000/- as compensation in its judgment on 11th ~~Sam~~ September, 1981; and
- (c) if he could confirm ~~wheth~~ whether this money has been paid and, if so, whether he could give the cheque number and when it was sent.

MR. SPEAKER: Anyone here to respond to that Question?

(Question deferred)

Question No. 535

MR. MATE asked the Minister for Health: when Ishiara Hospital Mortuary will start operating.

THE ASSISTANT MINISTER FOR HEALTH (Mr. Ogur): Mr. Speaker, Sir, I beg to reply.

Ishiara Hospital Mortuary is operating. The mortuary has three coolers, two of which broke down recently. Spares for the two broken down coolers will be purchased tomorrow Thursday, 24th November, 1988 in the morning and installation will be carried out immediately after the purchase.

MR. MATE: Sir, while thanking the Assistant Minister for that reply, I would like to point out that two thirds of the mortuary have not been working. I would have liked him to say that only one third of ~~them~~ the mortuary has been working. However, can he confirm to this House that the ~~same~~ spare parts for the broken down coolers will be purchased and installed tomorrow morning? When he says "tomorrow", that could mean a year or two to come.

MR. OGUR: Mr. Speaker, Sir, the basic question is when Ishiara Hospital Mortuary will start operating, and I have already said that it is operating at the moment. As I have indicated, it is only that two coolers out of the three coolers in the mortuary broke down, spares for which will be purchased tomorrow and installation carried out the same day. We cannot purchase the spare parts and store them somewhere; we will purchase them and install them immediately.

MR. MATE: Sir, whereas I have no quarrel with the Assistant Minister, can he actually confirm that all the necessary purchases and installation of spare parts will be done tomorrow?

MR. OGUR: Sir, when I speak here, I speak from the top authority of the Ministry of Health. Everything will be done tomorrow.

Question No. 527

MR. P.G. GODANA, on behalf of Mr. Jaldesa, asked the Minister for Public Works:-

- (a) whether he is aware that the road from Isiolo to Modogashe is in a very poor condition;
- (b) when it was last gravelled and when it will be gravelled again; and
- (c) what the fate of the portion of the road from Isiolo to Kulamawe, which is in Meru District yet it is not in the priority list of the Meru D.D.C. is.

THE MINISTER FOR PUBLIC WORKS (Mr. J.K. arap Koech): Mr. Speaker, Sir, I beg to reply.

(a) The road in question was graded during the months of May and June, 1988. There are, however, a few sections along this road which have deteriorated owing to the recent heavy rains.

(b) The road has never been gravelled in toto. Only selected sections are either graded or gravelled once in a while whenever funds become available. The last of such sections falls between Bujis and Garba Tula, a distance of eleven kilometres, which was gravelled during the 1985/86 Financial Year.

(c) The road between Isiolo and Kulamawe was graded ~~ix~~ during the period May/June this year. The Ministry has no other immediate plans for the improvement of the road.

MR. P.G. GODANA: Mr. Speaker, Sir, the section of the road that falls within Meru District normally has problems because it is not a priority in the Meru District Development Plan. Can the Minister assure the House that proper care of this section of the road will be taken?

MR. R.K. arap KOECH): Sir, to give the hon. Member some very good news, I would like to inform him that the Meru District Development Committee has already approved the section of the road which is bad.

MR. SPEAKER: Let us move on to Questions by Private Notice.

Question No. 527

MR. P.G. GODANA, on behalf of Mr. Jaldesa, asked the Minister for Public Works:-

- (a) whether he is aware that the road from Isiolo to Modogashe is in a very poor condition;
- (b) when it was last gravelled and when it will be gravelled again; and
- (c) what the fate of the portion of the road from Isiolo to Kulamawe, which is in Meru District yet it is not in the priority list of the Meru D.D.C. is.

THE MINISTER FOR PUBLIC WORKS (Mr. J.K. arap Koech): Mr. Speaker, Sir, I beg to reply.

(a) The road in question was graded during the months of May and June, 1988. There are, however, a few sections along this road which have deteriorated owing to the recent heavy rains.

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MR. R.K. arap KÖECH): Sir, to give the hon. Member some very good news, I would like to inform him that the Meru District Development Committee has already approved the section of the road which is bad.

MR. SPEAKER: Let us move on to Questions by Private Notice.

QUESTIONS BY PRIVATE NOTICE

MR. MCHARO: Mr. Speaker, Sir, I beg to ask the Minister Labour the following Question by Private Notice.

- (a) Why was Mr. John Obiero, a former employee at the Taita Sisal Estate in Kwatate, dismissed on 2nd November, 1988, after 22 years of service?
- (b) Why was Mr. Mwandawa Mwachofi, a lorry driver at the ~~same~~ same Estate, dismissed on 12th August, 1988, after 16 years of service?
- (c) Could the Minister order their immediate re-instatement?

END.... D

THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika):

Mr. Speaker, Sir, I beg to reply.

It is true that the two employees were dismissed by the company concerned. It is also true that, thereafter, a meeting was held between the trade union representing these employees, our labour officer & and the company management. It was ~~fx~~ decided that Mr. Obiero, who had worked for the company for a long time, be reinstated, ^{after} instead of being di_smissed, ~~it~~ it was decided to give him a warning ^{for his gross misconduct}.

Mr. Mwachofi, who was a tractor-cum-lorry driver, was also recommended for reinstatement. At that that, ^{he} went on leave. When he ~~h~~ came back, he was told that he could be reinstated, but he would then drive a tractor and not a lorry. But he said that driving a tractor was degrading as far as he was concerned. He was given a chance to think about it, but when he came back again, he refused to drive the tractor. Under those circumstances, ~~we~~ we were unable to order & his reinstatement.

MR. MWAMZANDI: Mr. Speaker, Sir, how does the Assistant Minister feel when Mr. Mwandawa Mwachofi, who was a motor car driver, was asked to drive a tractor without a competent licence? ~~When~~ How does he feel, as an Assistant Minister and a human being, when Mr. Mwachofi refused to drive the tractor? ² The management knew for certain that Mr. Mwachofi would refuse to ~~drive~~ drive the tractor and so he would be dismissed.

MR. MIDIKKA: Mr. Speaker, Sir, ~~if~~ I feel very bad for Mr. Mwachofi to refuse to do some work because his salary was not going to be reduced. He has a family to support.

MR. MWAMZANDI: Mr. Mwachofi was a motor car driver and not a competent tractor driver. He was, therefore, being

MR. MWAMZANDI (ctd.):

demoralised by being told to ~~not~~ drive a tractor without a competent driving licence. He says he feels very bad for Mr. Mwachofi's refusal to ~~not~~ drive a tractor which he is not competent to drive. How ~~does he feel?~~ *is that?*

MR. MUDIKA: Mr. Speaker, Sir, the question begs itself. I feel for his family. I feel bad that a man should refuse to do some work ~~not~~ because his family will suffer. I feel for his family, and that is why ~~not~~ his salary was not reduced. If the man ~~not~~ does not have a licence, then he is not qualified to drive. In fact, he is now telling us something we did not know. Mr. Mwachofi was a tractor-cum-lorry driver and not a car driver. A tractor is a tingatinga and a lorry ni lile gari kubwa sana.

MR. MCHARO: Mr. Speaker, Sir, I thank the Assistant Minister for his reply. But on the question of Mr. Mwachofi, I slightly differ with the Assistant Minister because Mr. Mwachofi was a lorry driver who was asked to drive a tractor and his salary was going to be reduced because ~~the~~ lorry drivers there earn higher salaries than tractor drivers. That was the situation. This is why Mr. Mwachofi resisted driving the tractor. If he is going to drive the tractor, can he ^{given a} be ~~give~~ firm assurance that his salary is not going to be affected?

MR. MUDIKA: That is a better question. Mr. Mwachofi was going to be a tractor driver temporarily because when he was dismissed, his place was taken over by somebody else. The company could not stop its ~~work~~ operations because Mr. Mwachofi was dismissed, ~~no~~. Company life had to go on. But if Mr. Mwachofi had accepted to drive the tractor temporarily, he was going to get his job back, and his salary was not going to be reduced. My feeling is that Mr. Mwachofi should accept this job because if he does not, his ~~family~~ ^{family} is going to suffer. We have thousands of Kenyans who are

MR. MIDIKA (ctd.):

jobless, and it is my advice to Mr. Mwachofi to accept this job.

MR. WASIKE-NDOMBI: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister not misleading the House with his ~~has~~ latest answer by saying that Mr. Mwachofi was going to be a temporary tractor driver when earlier on he had told the House that Mr. Mwachofi was going to be ~~was~~ reinstated? Reinstatement means a resumption of the status quo. So, how was he going to be a temporary tractor driver and yet the Assistant Minister has just said that he was going to be reinstated? Is the Assistant Minister not misleading the House now?

MR. MIDIKA: Mr. Speaker, Sir, hon. Wasike-Ndombi has been in this House for long enough to know the difference between a point of order and a supplementary question. Secondly, I did not say that Mr. Mwachofi was going to be a temporary tractor driver, he was going to do the job temporarily until ~~the~~ ~~was~~ a vacancy existed where he was working before. We have to learn to be very good listeners. As hon. Wasike-Ndombi is a trade union leader, he should be the best listener in this House.

(MR. WAMBUA) to ask the Minister for Water Development:-

(a) Could the Minister rehabilitate Eemwea and Yoani dams in Masii Location, Makutano and Kwakamea dams in Mwala Location and Muthetheni dam in Muthetheni Location?

(b) Could the assure the wananchi in the area that these dams which are currently heavily silted and have overgrown water weeds, will be maintained after their rehabilitation?

(c) Could the Minister also consider putting up more dams in the Constituency?

MR. SPEAKER: Mr. Wambua not in? Let us move on to

Dr. Wameyo's Question.

DR. WAMEYO: Mr. Speaker, Sir, I beg to ask the Minister for Education the following Question by Private Notice.

Why did the Headmasters of Khalaba and Bulimbo Primary Schools in North Wanga Location of Mumias Division, Kakamega District, send away on 21st October, 1988 and 2nd November, 1988 respectively, a large number of pupils from their respective schools?

MR. SPEAKER: There is nobody here from the Ministry of Education? Okay, let us move on to the next Question.

MR. ADEN: Mr. Speaker, Sir, I beg to ask the Minister for Public Works the following Question by Private Notice.

(a) Is the Minister aware that ~~his~~ his recent measure to re-introduce axle load control check on ~~the~~ heavy vehicles has adversely affected transporters who ^{spend} ~~spent~~ a lot of money to acquire the trucks and that the directive does not affect the local assemblers of heavy vehicles ^{or} ~~of~~ their manufacturers overseas?

(b) In order to protect would-be buyers, could he totally ban the importation and assembly of vehicles whose ~~ax~~ axle loads are above the control?

(c) In view of the fact that ^{transporters} ~~transporters~~ are already losing a lot of transit business and that most transporters have boycotted transfreighting bulk and dry cargo, could the Minister rescind his earlier order with immediate effect?

THE MINISTER FOR PUBLIC WORKS (Mr. J.K. arap Koech):
Mr. Speaker, Sir, I beg to reply.

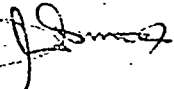
I have already met the Kenya Transport Association Members and we have dealt with this particular problem in detail.

THE MINISTER FOR PUBLIC WORKS (Mr. J.K. arap Koech)(ctd.):

and I want to assure the House that they are quite happy with the proposals we have made. They are going on with their business smoothly. So, what is alleged here is not true.

MR. ADEN: I thank the Minister for his reply, but I would like to ask him what action his Ministry is taking, in conjunction with the Ministry of Commerce, to ensure that the Ministry of Commerce specifies the type of axles that can be used by Kenyan transporters so that those which do not meet the specifications are not allowed to enter the Mombasa Port?

MR. J.K. arap KOECH: Mr. Speaker, Sir, I am ~~sure~~ undertaking a comprehensive study on this issue because we are very serious on the control of axles. When the study is complete, we will be in a position to give the nation a very good answer which, I believe, will be satisfactory both ~~to~~ to the transporters and the nation at large, as far as damage on our roads is concerned.

END E. 

MR. KUBO: Mr. Speaker, Sir, the question here is simply a matter of principle and it should be a collective responsibility on the part of the Government. We know that the position has not changed. In the past, businessmen were not allowed to have vehicles weighing above a certain maximum tonnage. This same Government allowed the manufacture of axles that are above that limit. The question is: Why did the Government allow these axles to be imported and at the same time ban their usage on Kenyan roads? Why did the Government do this when it knew from the ^{beginning} ~~beginning~~ that our roads have specifications which do not allow ^{these heavier} ~~heavy~~ commercial vehicles to be used on them? Why did the Government allow these axles to be imported and assembled locally?

MR. J.K. arap KOECH: Mr. Speaker, Sir, if the hon. Member heard what I said correctly, then his question should not have arisen. I said that I am carrying out a comprehensive study on this matter. When I come up with a proposal which, of course, we have agreed upon in principle with the transporters, the problems of transporters and my Ministry will be solved. The hon. Member is giving us some good suggestions and I am taking note of them.

MR. ADEN: Mr. Speaker, Sir, while I appreciate the reply given by the Minister, I would like to say that the tendency has been that we give a lot of consideration to overseas manufacturers. The local transporter has been allowed to purchase these heavy trucks as they were imported and the discrepancy of the axle load is not his making. The axle load assemblers in Mombasa should be blamed for this. Despite the fact that the Minister has—

(Hon. Bomett and hon. Keah stood to converse at the entrance of the Chamber)

MR. MWAMZANDI: On a point of order, Mr. Speaker, Sir. It appears that hon. Bomett and hon. Keah do not observe the Standing Orders of this House. They were standing here conversing here as if they were addressing a public rally. Were they in order to do so, Sir?

MR. ADEN: Mr. Speaker, Sir, before I was interrupted, I was saying that the Minister had assured us that this was going to be done in stages. From experience, we know it is the driver and the local transporter who are charged for those offences and not the assemblers or the manufacturers. Can the Minister take that into consideration?

MR. J.K. arap KOECH: Mr. Speaker, Sir, I have appointed a very strong ~~commission~~ ^{committee composed} of officers of my Ministry and transporters. I believe that some of the sentiments which are expressed by the hon. Members will be considered by this ^{committee} ~~commission~~. At the moment, it is too early to give a specific statement with regard to the issue of the axle load. I am going to do a comprehensive study on this and we shall consider the action to be taken. The transporters are agreeable; they have no problem.

MR. A. K. KINYANJUI: Mr. Speaker, Sir, in view of the fact that this House has repeatedly said that the roads in the country are specified for a given tonnage and since our roads are deteriorating because of these heavy commercial vehicles, will the Minister assure this House that - in the course of his investigations - he will take into consideration the fact that heavy commercial vehicles are not required here? As one hon. Member said here, will the Minister also assure this House that the Government will ban the importation of the axle load parts which are being assembled in Mombasa?

MR. J.K. arap KOECH: Mr. Speaker, Sir, I think the hon. Members are concerned about the same issue with respect to the damage done to the roads by the heavy commercial vehicles and importation of axle loads. I have noted this and I have also said that I am going to come up with a report which will satisfy this nation as far as the misuse of the roads is concerned. I do believe also that it is going to be satisfactory for the transporters. I know that trying to get a balance between the two is not very simple. We have to have a workable programme on how we are going to effect this requirement. The roads are now aging prematurely because of the heavy commercial traffic. I understand the sentiments of the transporters but we should also consider the fact that we do not have enough resources to build roads which will sustain the amount of heavy

commercial vehicles which are already operating in the country. Everything has a solution. When the two come together, we shall decide how we are going to end this particular problem.

I do not want to pre-empt some of the suggestions we are going to incorporate since we are going on with investigations on this subject.

I hope that we shall be able to get a good solution.

MR. SPEAKER: Next Order.

POINTS OF ORDER

DR. WAMEYO: On a point of order, Mr. Speaker, Sir, I plead that the Chair gives us assistance on the matter I am going to raise. We know that Questions by Private Notice are supposed to be answered by Ministries within 48 hours. Yesterday, I had a Question by Private Notice which was directed to the Minister for Education. I had also put this Question forward on 9th November, 1988. My Question which is appearing on today's Order Paper was also raised on 9th November, 1988 and like the one of yesterday, it has not been answered. The Minister for Education was here but he quietly walked away ~~and~~ after talking to me. I thought that he was going to answer the Question. This situation is embarrassing because parents in Mumias Constituency are being frustrated by teachers charging unnecessary mock fees from Standard II to VII. They are also charging building fund and those ^{pupils} who do not meet the two charges are sent away from school. Parents are getting frustrated because they know the Government directive on this matter.

We do not know whether the Ministry of Education connives with headmasters to send away children who have not paid this money. It is important that they be here to answer Questions by Private Notice within the laid down time.

Thank you.

MR. SPEAKER: I hope that the Ministers concerned have taken note of that and I am sure that they will respond to those Questions sooner or later.

MINISTERIAL STATEMENT

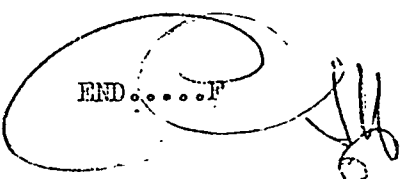
THE MINISTER FOR INDUSTRY (Mr. Anyango): On a point of order, Mr. Speaker, Sir. I promised this House a Ministerial Statement on the Kenya Chemical and Food Corporation Limited, which is otherwise known as the Molasses Project in Kisumu.

In view of the long and involved history of this project, I think it is appropriate that I give some details to clarify some points ^{on the project}. The project was started with the aim of reducing our dependence on imported petroleum and to save enormous foreign exchange that Kenya was paying for this commodity. It was also to produce other products like yeast, citric acid and vinegar.

The idea was conceived by the Madhvani Group of Companies, who presented a feasibility study to the Kenya Government in May 1977. The management of the company was however contracted to Exim Corporation, an overseas company, registered in Panama. Management functions were carried out by Emco (Kenya) Limited which is owned by the Madhvani Group until December 1980, when Exim Corporation appointed two resident directors to manage the company.

Hon. Members should clearly understand that the joint venture gave the management contract to Exim Corporation incorporated in Japan but the actual management functions were being done by Emco (Kenya) Limited.

END.....F



THE MINISTER FOR INDUSTRY (contd.):

The Kenya Chemical and Food Corporation Limited was incorporated on 30th June, 1977. The various legal instruments on the promotion of the project were concluded in July 1977. These were: A Joint venture Agreement, ^{the} Project Implementation and Management Agreement, ^{and the} Technical and Engineering Agreement.

The shareholders of the Kenya Chemical and Food Corporation Limited are; The Kenya Government which has 51 per cent shares; Chemfood Investment Limited ^{which} has 34 per cent; and Advait International Limited ^{which} has 15 per cent shares.

The Process Engineering Company (PEC) of Switzerland are the technical collaborators according to the Joint-Venture Agreement. Exim Corporation were appointed as managers in accordance with the Joint-Venture Agreement. It is worth noting ^{the} that/ various companies, PEC, Advait, Chemfood and Exim Corporation were all incorporated solely for the purpose of this venture. They are all owned by the Mdahvani Group.

The structure was that Exim Corporation, which is an Panamian company, had the management contract. The management functions were to be carried out by Emco, here in Kenya. However, the shareholders were:- The Kenya Government; Chemfood Investment Limited; and Advait International Corporation.

The original investment cost of the project in 1977 was Kshs577 million. This was revised in February 1980 to Kshs835 million, and it rose to Kshs1,354 million in June 1982. At ^{the} ~~this~~ ^{estimates were} time, when the final revised estimates ~~was~~ presented to the Government, already Kshs1081 million had been spent on the project, yet they were still asking for a further Kshs273 million to complete the project.

This increase in cost was said to be due to various

THE MINISTER FOR INDUSTRY (contd.):

reasons such as the depreciation of the Kenya Shillings in relation to foreign currencies, and the delay in implementation of the various components of the project, most of which were to be undertaken by the ~~various~~ different Madhvani companies ^{that} I mentioned. This investment for this company was financed as follows:-

The Kenya Government contributed Ksh132 million of which Ksh102 million was in the form of equity, and Ksh30 million in the form of a loan.

Advait International contributed Ksh30 million equity.

Chemfood Investment Corporation contributed Ksh73 million, of which Ksh68 million was equity and Ksh5 million was in the form of a loan for the equipment.

The Company received an external loan of Ksh780 million. So, in addition to the equity ^{that} I have mentioned, there was an external loan of Ksh780 million which was guaranteed by the Kenya Government. This external loan was from:-

NNP
The Union Bank of Switzerland which gave 132 million Swiss Francs; ~~and~~

NNP
Process Engineering Company, which is an Madhvani Associate Company, ^{which} gave 12 million Swiss Francs; ~~and~~

NNP
U.B.A.F. ^{which} gave a Euro Dollar ^a loan of US \$12 million.

The Government of Kenya is repaying the three loans by instalments at the rate of 12.6 million Swiss Francs or Ksh158.8 million every six months. This repayment started in June, 1986, and it is to be completed in December 1993. As of now, a total of Swiss Francs 63 million, which is the equivalent of five instalments ~~amounting~~ or Ksh793.8 million, at the ^{current} ~~present~~ rate of ~~repayment~~ exchange, has been repayed by the Kenya Government.

THE MINISTER FOR INDUSTRY (contd.):

At the time construction ceased in 1982, various components of the factory had been completed to various levels. The power alcohol part was about 80 per cent complete, whereas the citric acid part was only 20 per cent complete. The factory was designed to produce 20,000 metric tonnes of power alcohol, 7,000 metric tonnes of yeast, 2,000 metric tonnes of vinegar, and 3,000 metric tonnes of citric acid per year.

As can be seen, a lot of money has been spent on the project. At the same time, since the project was started, many changes have taken place including a fall in the price of petroleum. Technology on processes for production of the items the factory was to produce have changed as well as the demand for the same items. For example, as of now, a new ethanol distillery may be available at less than US\$12 million. It is, therefore, imperative that careful analysis be done to ascertain how much it would cost to finish the project and also to project the viability or, otherwise, of the project. While this has not been done, indications are that the project may require around Kshs360 million at present, to complete. It is for this reason that a study will be necessary to enable the Government to decide on the future of the project. The Government is in the process of obtaining the necessary funds for this study.

Mention has been made of a person parading as being in the process of reviving this company. At one time, he employed a few people to slash around the factory. He even went further and got newspapers ^{reporter} to photograph the people who were slashing the grounds, and made them report that he had started to rehabilitate the factory. Nobody has started the rehabilitation of the factory. ~~He~~ This group of consultants are not sugar experts. They are only experts in getting other experts, and they have not yet got an expert with sufficient experience that the Government can

THE MINISTER FOR INDUSTRY (contd.):

approve of. In fact, when I put them to proper questioning, they changed the contractor whom they had lined up to undertake this project.

It became imperative that the Government had to look for other people who would not only give us the funds for the study, but would be more reliable sources for the rehabilitation for this project. The Government commitment to the project is known by the extent to which it made available funds, up to the time of its collapse. Further proof of the Government's commitment was shown by the statement thereafter, by His Excellency the President: *That we since we have already dumped so much money into the project, we must, therefore, find use for the equipment if the project cannot be totally revived.*

The Ministry is committed to seeing a proper end to the Kisumu Mollases Project.

Thank you Mr. Speaker, Sir.

MR. MATE: On a point of order, Mr. Speaker, Sir.

NAP
Mr. Speaker, Sir, my point of order, is in connection with the same Ministry, the Ministry of Industry. It is in connection with the ordinary roofing nails.

HON. MEMBERS: That is not in connection with what the hon. Minister was talking about.

MR. MATE: Mr. Speaker, Sir, if the hon. Members will allow me, then I might speak regarding the Kisumu *Mollases* Project.

What I am saying is that there is a very big an acute shortage of nails all over the country. We would like a Ministerial Statement to enlighten us on what is happening since work on ~~the~~ very ~~many~~ many projects has stopped due to lack of nails. While the hon. Minister is making a Ministerial Statement on the Kisumu Mollases Project, it

MR. MATE (contd.):

would be useful for him to tell the nation what has caused the shortage of nails ^{because} They are not available anywhere and this has caused a lot of suffering within the industries, and has led to very many industries ^{to close} ~~is closing~~ down.

End G.....



DR. MISOI: On a point of order, Mr. Speaker, Sir. My point of order, ^{raised in} relates to Parliamentary Questions. I have in ~~my~~ mind Questions ~~posed~~ ^{posed} by this House yesterday. These Questions are important not only to Members of Parliament, but also to the people affected, ~~by these Questions~~. Yesterday, I had a Question on Makutano-Timboroa Road which was fully answered by the Minister for Public Works. It is interesting ~~to~~ to note that the media, somehow ~~gave~~ ^{gave the} wrong information. With me here I have ~~the~~ "The Standard" newspaper. The paper reported that the Question I had asked was answered by hon. Karauri. This must be a different issue. The "Daily Nation" also ~~mis~~ reports that the same ~~same~~ Question was answered by the Minister, but it does not ~~report~~ ^{say} how the Question arose. How could the Minister answer a Question that ~~has~~ ^{had} not been asked? An ~~any~~ answer must be related to a Question, and the person who asked the Question must be mentioned. I would like to request ~~to~~ that the media, ~~that is~~ the newspapers and the Voice of Kenya — to report Parliamentary Proceedings factually, correctly, in substance and in scope because the public would like to know what we ~~a~~ debate in this House. Thank you very much Mr. Speaker, Sir.

^{arap}
MR. CHEROK: On a point of order, Mr. Speaker, Sir. I rise on a point of order, so seek ~~for~~ your protection. On 1st November, 1988, I asked a Question No. 375 which was directed to the Ministry of Agriculture and was replied to by the Assistant Minister for Agriculture, ~~Mr.~~ ^{hon.} Ngaruro. I informed the Assistant Minister that ~~the~~ Mr. Paul Cherop was born in 1941. He did not agree with me ^{first} regarding ~~this fact~~ ^{that}. I have documents which show that he obtained his Identity Card in 1961 when he was 20 years old. ^{which} This was during the colonial era. He obtained the current Identity Card ~~and it~~ ^{even} shows that he ~~was~~ was born in 1941. ^{See} ~~When~~ I went with Mr. Cherop to Mr. Ngaruro to confirm to him that the man was not 55 years ^{old} when he was retired. So, it is evident that the ~~Ministry~~ ^{gave} Assistant Minister ~~has given~~ misleading information to the House.

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Je.

MR. CHEEKOK (ctd):

Secondly, Mr. Speaker, Sir, I brought a Question here regarding two police constables who assaulted some people at Tambach Hospital and ~~the~~ the Minister of State, Office of the President, Mr. Nabwera misled the House by saying that the constables were taken to court on 16th November, 1988. This was ^{the} wrong information; they were taken to court only yesterday, 22nd November, 1988.

(Laughter)

When we get such wrong information being given to the House by a Minister, what ~~do~~ ^{should} we do ~~to do~~? We need proper answers because some of us ~~do not~~ ^{do} ~~carry out our~~ ^{do enough} research properly before we ask Questions in this House. What we give to the House is authentic. ~~When~~ ^{Whenever} a Minister misleads this hon. House, I think he should resign ~~from his~~ ^{from his} Ministerial post. Thank you Mr. Speaker, Sir.

MR. ADEI: On a point of order, Mr. Speaker, Sir. I rise on a point of order regarding the Ministerial Statement that ~~was~~ was made by the Minister for Industry concerning what we have been ~~calling~~ ^{calling} the "white elephant" in Kisumu - the Molasses complex. Despite the ~~very~~ lengthy statement given by the Minister, and ~~in spite of~~ ^{in spite of} the fact that we have ~~exp~~ sustained a huge amount of investments to get that ~~far~~ that project on the road, this House is not satisfied with the Ministerial Statement because already one ~~of~~ ^{same} of the sugar industries in the ~~zone~~ ^{zone} is manufacturing and producing ethanol and they are supplying it to Kenya Pipeline Limited ~~with an investment of~~ ^{although they have invested} only Shs. 250 million. So far, we have ~~exp~~ invested about Shs. 1,081 million into this ~~the~~ project. The nation has to be told why, even at this stage, ~~the~~ this plant is not producing any single product that it was designed for.

MR. SPEAKER: Next Order.

MOTION

THAT in view of the fact that the Government knows when one is due for retirement ~~leave~~ from the public service and in view of the fact that people who retire take years to get their retirement benefits; this House urges the Government to amend the Pensions Act to provide that a retiring officer received his/her benefits within three months after completion of terminal leave.

(Mr. Mwanzandi on 16.11.88)

(Resumption of Debate interrupted on 16.11.88)

Last time before this

MR. SPEAKER: ~~the~~ debate was interrupted, hon. Mang'oli was contributing: ~~Mr. Mwanzandi on 16.11.88~~

MR. MANG'OLI: Thank you Mr. Speaker, Sir, for giving me this opportunity to continue contributing to this very important Motion before the House which was moved by hon. Mwanzandi. We hope that the Minister will have the same spirit that he has now ~~shown~~ in accepting the Motion when it comes to implementing the suggestions ^{that} we are putting forward. It has been a practice ~~to~~ pass a Motion here ^{but the} suggestions that we put forward ~~and~~ are not implemented. It is important that ~~however~~ since he has accepted the spirit of the Motion, ^{that} he ~~also~~ should also implement the terms to the end. As I said earlier on regarding the insurance pension ⁱⁿ the private sector, I would still like to stress that it is erroneous that the ~~Bank~~ Company Act has not been amended. You will find that an ordinary contributor working in a company contributes money to an insurance company as insurance pension, but when the company he, ~~the~~ works for goes ~~into~~ under receivership, ~~the worker~~ gets only Shs. 4,000. So, the Minister and the Attorney-General should re-examine this situation especially when this anomaly ^{applies} ~~apply~~ to ~~the~~ the general public. The Motion here deals with civil servants only but there are two other areas which are affected. You will find even ~~the~~ a managing director who contributes to the scheme is not ~~assured~~ not secure.

Mr. Speaker Sir, I would like to remind the Minister that ~~when~~ when he responds to this Motion, he should also remind the Attorney-General that there is a serious anomaly under ~~the~~ Company Act.

MR. MANG'OLI (ctd):

The Minister should make sure that this particular ~~part~~ amount of money is stepped up or it is given to the contributor wholesum. There is no reason why a contributor should receive only Shs.4,000.00. The contributors did not contribute to the mismanagement of the affected company because the company might have overborrowed. Why should an ordinary employee suffer? I hope that the Minister for Finance will advise the Attorney-General to amend the Act so that under this spirit, the--

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah): On a point of order, Mr. Speaker, Sir. I did mention to the hon. Member ~~last~~ the other day that pensions relating to companies which fall under the bankruptcy law would be appropriately be dealt with ~~when~~ when reviewing the bankruptcy law. We do have various pieces of law interacting and we cannot really wholesale change the Pensions Act to incorporate a matter relating to bankruptcy proceedings. I would like ~~it~~ that the matter to be clearly understood but, I do appreciate the point hon. Mang'oli is making. He is requesting that we change the Pensions Act so that when a company goes into receivership, then the pensions element is accommodated.

(Applause)

(Mr. Keah stopped speaking for some moments)

I am sorry, Mr. Speaker, Sir, I thought the House was being demolished. I am telling hon. Mang'oli that what falls under bankruptcy law will be dealt with under the bankruptcy law, and ~~if~~ what falls under the pensions will be dealt with separately. These are two pieces of legislations. To combine them together under one Act, I think, would be asking too much from the Attorney-General and the Minister for Finance.

END II.....

MR. SPEAKER: Order! Mr. Keah, that was a point of clarification and not a point of order.

MR. MANG'OLI: Thank you very much, Mr. Speaker, Sir, for helping me. The Ministers and Assistant Ministers are sometimes fond of taking us for a ride especially those of us who are new to this august House. So I hope he has taken note that that was a point of clarification and not a point of order and I am sure that in that spirit he is going to accept this Motion.

With those few remarks, I beg to support.

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

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

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

(Question of the Motion as amended proposed)

QUORUM

DR. WAMEYO: On a point of order, Mr. Speaker, Sir. We are debating a very important issue and also passing a very pertinent amendment, but we do not have a quorum in the House.

MR. SPEAKER: Yes, there is no quorum. Ring the Division Bell.

(The Division Bell was rung)

MR. SPEAKER: We have now a quorum now. You may continue, Mr. Mang'oli.

MR. MANG'OLI: Mr. Speaker, Sir, I had already concluded my remarks.

DR. MISOI: Thank you very much, Mr. Speaker, Sir, for giving me this chance. I rise to support this very important Motion which relates to all of us. Those ~~xxx~~ people who have been employed should get their retirement benefits as soon as they retire. We know that there are many people who have been frustrated while trying to get their retirement benefits after they have retired. After spending the best part of your life working for this country either in private or in public sector and having given good service to this nation you would expect that when the time comes for you to leave that office you would go home, rest quietly and enjoy your pension.

DR. MISOI (Ctd.):

However, we know that those people who have retired spend most of their time commuting between Nairobi and their places of residence looking for their pension. We also know that there are people who really stay for years before they get their pension and, therefore, this Motion will help ^{to} alleviate such problems.

In the past pensions have been processed through the Nairobi office, but it would be ideal to have all the pensions related to people in the countryside handled by the district commissioners of their respective districts. This ~~will~~ ^{reduce} would travelling expenses and other miscellaneous expenses involved when one has to travel to Nairobi for such claims.

It is also important that when considering improving pension schemes for public officers both in the public service and parastatals ^{these things should} be harmonized. This is because those people working in the public service have their pensions contributed mainly by the Government whereas those working ⁱⁿ the Government corporations and parastatals are contributory. That is the employer contributes a certain percentage, let say 15 per cent, and the employee contributes about 7 per cent. But when these ~~is~~ retirement benefits are computed, it appears that those in parastatals get less benefits when they retire and yet they have been working so hard for this nation. This leads to frustration and low morale in doing the job for those who are left in the service. Therefore, they tend to look for other greener pastures, ^{doing odd jobs here and there,} instead of serving the nation. The Minister should harmonize ^{for all public officers} terms and conditions of ~~the~~ service whether in the Government corporations or in the public service so that they have similar benefits or compare favourably in the same ^{way} when they retire. ^{In} That way we will be assured that those we deploy to ^{man} our parastatals will perform their duties diligently and correctly.

The other aspect which should also be looked ^{into} is the Insurance Pension Scheme which various insurance companies offer to private companies as well as parastatals. These schemes ~~are~~ ^{will} are so different that if you go to one parastatal, you find that they have a different scheme for their officers and when you go to yet another ^{will} corporation you realize that they also have a different scheme for their

DR. MISOI (Ctd.):

officers. When you compare the two, you will find that the benefits to these officers are different. Now that we have ^{the Inspector of a} State Corporation which is in charge of all the parastatals ^{it} should look into this aspect and see ^{to it-} that all the pension schemes operated ~~thru~~ through the insurance companies are harmonized and standardized so that they compare favourably. If they ^{do} ~~do~~ this then those who work with corporations will get reasonable returns when they retire. At one time I worked for a corporation, but the retirement benefits I received when I retired were pathetic. Under such conditions you ^{are made to} feel as if you had not done any job at the time of retirement. This is because after retirement, you will start regretting why ~~you~~ perhaps you did not do other jobs and why you spent so much time working for such a corporation and yet the benefits you will get are ~~negligible~~ negligible. I would, therefore, suggest that this pension scheme throughout the country, not only for the parastatals but also for the private companies, ^{should} be upgraded. Whether ^{these benefits} they are computed through the insurance companies or other institutions ~~and~~ they should be ~~and~~ upgraded and the Government should intervene to ensure that our workers whether in private or public institutions ~~do~~ do get pensions which will maintain them, give them ^a reasonable ^{standard of} life ~~and which~~ will ~~give them better~~ living when they do retire.

Mr. Speaker left the Chair

The Temporary Deputy Speaker (Mr. Kabingu-Muregi) took the Chair

END I....

DR. MISOI (CTD):

We do not want our people who have worked very hard to go home and look poor, be beggars, be unable to put up decent houses to live in, be unable to even support their own people after the age of 55 years, or whatever age they retire at. We need to take care of our human resource, not only when they are active and productive, contributing, when they can run, argue, negotiate but, also, when they reached the age of going home to be consultants, & advisers to the young generation, and help our people in the rural areas. We should not let these people rot in poor conditions. That is why I am calling for a review of the whole pension system irrespective of whether some schemes are ^{under a} different Act, as the Minister said. We should look at our people from the same angle. We should not discriminate against them on the grounds that since they have worked for different employers they should, therefore, be covered by different laws. If the laws have been enacted differently and at different times of the year, then they should be looked into and harmonised because this is the only way in which we can take ^{care} of the interests of our people. When I talk of our people, & Parliamentarians are also included; they also need to have a good pension scheme, not poorer than others but acceptable and comparable to those in existence elsewhere.

Mr. Temporary Deputy Speaker, Sir, the other important point, which has, of course, been mentioned, is the delay in preparing all the papers and documents relating to pension schemes. It is not an accident that somebody retires; it is known that he will retire at a certain age. Even if he is retired in public interest for certain reasons, it is also known in advance that he will be retired. So, it is not acceptable to most people, ~~even~~ and even to me, to be told that there have been delays. Why do we have delays in processing pensions? When you retire there are records showing how

DR. MISOI (CTD):

long you have worked. So, it is simple to calculate how much you are going to get, including gratuity. We should not be loved only when we are active; we ought to be ~~loved~~ also loved when we are ^{leaving} ~~living~~ our offices so that ^{one goes} you home a decent man, and ^{one is} you are proud of going home. You can even travel home in a first class train ^{compartment,} instead of travelling home by means which makes ^{wonder} people ^{where} you have been for all these years. There are people who have sold shoes and other things because when they go home they become so poor that they find it difficult to raise the fare to Nairobi. This makes people wonder whether it is really worth working in Nairobi, earning Shs.1,000/- a month, and finally ^{going} go home a poor person. If we are to be proud of our working people and make employment a decent occupation, then we have to provide the best conditions not only during one's working period but ~~we~~ also when ^{one retires} people retire.

With those few remarks, I beg to support this Motion as amended. Thank you, Sir.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES

(Mrs. Ogot): Mr. Temporary Deputy Speaker, Sir, I would like to support this Motion, which is well-timed and also congratulate the officers of the Ministry from where retired civil servants and other pensioners go to get their benefits. I thank them because there are many people from all parts of Kenya who travel all the way to Nairobi to come and claim their dues after they have served the Government and the private sector for very many years. These officers' offices are always crowded with people who come daily to get their retirement benefits, some of whom have not been paid for the last 10 years or so. It is because of the poor arrangements pertaining to this matter that we have this Motion, which requires that when our people retire from service after serving for 20 or 30 years they should be able to get their benefits within a few months.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot)(Ctd):

Mr. Temporary Deputy Speaker, Sir, many of us Members of Parliament are kept busy for whole days by people from our constituencies who come to Nairobi to ask for payment of their retirement benefits; this is more so in the case of those who were working in early early 80's and the late 70's. After assisting these people, the hon. Member has to provide bus fare for those who did not have ^{fare} ~~money~~ ^{travelling} for going back home. This is, therefore, one of the Motions that the whole House supports. For one, its passing and implementation will enable us to do other more pressing jobs, instead of always having to ring ^{up} the Pensions Department, or writing letters asking that our people be assisted to get their benefits. Secondly, it will reward the people who have ~~we~~ served our Government with diligence - those who have ~~used~~ used their time to serve and make Kenya better than they found it.

There are quite a number of pensioners in the countryside who are very poor. Of course, they had calculated how much they would get on retirement and drawn elaborate plans, hoping that when they get this money ~~comes~~ they would either buy themselves a shamba, improve their farming, or go into some investments which can assist them in their later years. However, this has not been the case. Again, when one has ^{had to to Nairobi for periods over} ~~come~~ ^{for} ~~up to~~ five years, the expenditure on transport, and hotel accommodation will have eroded the little money that ~~had~~ accrued towards one's pension. One wonders why proper ~~arrangements~~ arrangements cannot be made as soon as this Motion is passed so that people can enjoy their ^{retirement} ~~retirement~~ life. [I remember at one time during a Parliamentary Group meeting, an appeal was made that retired Members of Parliament be also assisted by being ~~be~~ given either some allowances or pension to help them in their lives because, if you meet some of them today, you will not recognise that they were at one time Members of this august House. That goes also for retired civil

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot) Ctd:

servants, teachers and those who have been working in the private sector and all ^{Spheres} spheres of life. There are times when children of these people cannot continue with secondary school education or training in other areas because their monies are held up in the Pensions Department. As this Motion has been amended, when it is passed, we would like the Ministry of Finance — and we are happy that the Assistant Minister is here to listen to the sentiments of the hon. Members of this House — to implement it. As elected leaders, our people are looking ^{up to} at us to help them alleviate some of the problems that face them in the rural areas. The pension scheme does not affect particularly only affect the rural community, but affects even those ^{who} have retired and remained in towns.

Mr. Temporary Deputy Speaker, Sir, at the moment, the cost of living is very high. I am, therefore, urging the Ministry of Finance to ensure that when this Motion is passed it is implemented speedily. Even as we talk now, and before this Motion is implemented, we are appealing to the Ministry to ensure that more desks are put in ^{the} ^{Department's} pensions/offices so that people who visit those offices everyday can be served quickly and go home. I know cases of old people who now dread that they might even pass away before they get their retirement benefits. All of us here are aware of the hardships that the relatives of pensioners do face when their beloved ones pass away before the retirement benefits are paid.

END J

J. Ogot

THE HON. ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot)
(ctd.):

Mr. Temporary Deputy Speaker, Sir, I know that the Minister was arguing that the other argument which was put forward would not affect this amendment directly. What we are asking him to do is to kindly ensure that his Ministry brings forward for amendment all the present laws that are making it difficult for retired civil servants and many others to get their pensions on time thus denying them the right to enjoy their lives after retirement.

with those few remarks, I beg to strongly support this Motion.

MR. MOKKO: I thank you, Mr. Temporary Deputy Speaker, Sir for allowing me to contribute to this Motion urging the Government to amend the Pensions Act. First I would like to thank the hon. Member who has moved this Motion. As most of the previous speakers ^{have} stated, this Motion is very important because it affects three-quarters of the civil servants. As we all know it takes a very long ^{time} ~~period~~ for most of our retired officers to travel from their homes to Nairobi to try to get their pensions. To make matters worse it takes about four, five or six years for them to get these pensions. It is very unfair for an a Government officer who has worked for 55 years and expects to get ^{his pension} after retirement, to stay for 10 years before he gets it.

MR. QUORUM

DR. WAMEYO: On a point of order, Mr. Temporary Deputy Speaker, Sir. I know that ^{matters} relating to pensions are ~~xx~~ very important; but I am sorry that we do not have a quorum.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): ^{It is true} ~~No~~ we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): We have a quorum now. You may continue, Mr. Nuno.

MR. MOKKO: Mr. Temporary Deputy Speaker, Sir, ^{as} ~~what~~ I was

MR. MCKAY (ctd.):

Saying before I was interrupted by the point of order on lack of quorum ^{is} ~~was~~ that most of the officers working for the Public Service get very many problems in getting their pensions after retirement. This is very discouraging to these officers because they expect to settle down after retirement. It is very ^{tiring} ~~pathetic~~ for an officer who has retired to keep on travelling from his home to Nairobi for five years trying to get his pension. It is, in fact, very difficult for these officers to get even the ^{bus} fare to enable them to make these journeys.

Mr. Temporary Deputy Speaker, Sir, even when they have retired these officers still have to look after their families, feed them and to pay rent for the house. Thus it is very inconvenient for such an officer if he does not get his pension immediately he retires. So it is a good thing that this Motion has been brought to this House, because we can say such a thing is in fact overdue. It is our responsibility to see that this Motion is passed and effected ~~immediately~~ immediately.

I would like to propose that pension departments be opened in every district to reduce unnecessary ~~use of money for~~ ^{expenses} travelling by these retired officers from their homes to Nairobi. In fact if such departments were opened in the districts they would even reduce the workload of the pension officers and at the same time reduce the cost of travelling for these retired officers. Retired officers need to be paid on time so that they can lead good lives after retirement. Some of these officers need the money to buy shambas if they had not bought one and to educate their last children after retirement.

Most companies do not ^{remit} ~~use~~ forward the National ^{Social} Security Fund (N.S.S.F.) contributions of their employees to the fund headquarters. So it becomes very difficult for officers who retire to get any money from the N.S.S.F. because usually there would be very little or no

money for them in the fund. So we must inform these companies that

MR. NOKU (ctd.):

immediately they employ a person they should start sending his contributions to the N.S.S.F. This would reduce the problem of the Ministry of Labour having to run up and down trying to get the records of such an officer ^{after} ~~for~~ retirement. Furthermore, if an employee's contributions are sent ^{regularly} ~~regularly~~, after retirement such an officer would not have to keep on ^{visiting} ~~visiting~~ the N.S.S.F. office and the company that had employed him.

Mr. Temporary Deputy Speaker, Sir, sometimes when retired officers come to the pensions office they are told that their files are missing. As a result you will find that the corridors of that office are always congested with ^{old-}retired officers who ^{are} trying to get their pensions. We must respect these old men because they have served the Public Service for a very long time. So we must pay them on time. I would like to urge the officers working in the pension office to serve these ~~off~~ retired officers as soon as they arrive at their offices instead of letting them ~~a~~ congest ~~as~~ the corridors. It is, in fact, a shame for a retired officer to keep on coming to the office for a period of one or two years without even getting his pension. So I hope that the officers in the ~~pa~~ pensions office will ^{desist} ~~desist~~ from this tendency of telling old pensioners that their files are missing and that they should come back on the following day. How long will these old ~~persist~~ pensioners have to keep on coming back to that office? How long will he have to keep on sleeping in the lodgings when he comes to Nairobi to try and get his pension? ^{from where is} he ~~is~~ going to get the money ^{to meet lodging charges from} ~~for sleeping in the lodges~~? And from where ~~is~~ he going to get the fare to enable him to travel from his home to Nairobi for a period of one or two years? We must rectify such a situation.

An hon. Member commented here that most of the time of the hon. Members is used trying to help these pensioners to get their

MR. NIGGU (ctd.):

pensions. If this Motion ^{is} ~~was~~ passed I am sure that it will alleviate this problem and hon. Members ^{will no longer} ~~would not~~ be using their time taking some of these people to the pensions office to try and help them to get their pensions. So if the Motion ^{is} ~~was~~ passed so that the pensioners ^{will} ~~would~~ be getting their pensions after three months, the hon. Member ^{will} ~~would~~ have more free time to do other important things. I also hope ^{if} ~~that~~ and pray that ^{if} this Motion is passed, then it ^{will} ~~would~~ be immediately implemented by the Ministry concerned.

With these few remarks, I beg to support.

END K.....

MR. WASIKE-NDOMBI: Asante sana Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii ili nami niseme machache kuhusu Hoja hii: Inajulikana wazi kuwa mfanyakazi anapoajiriwa huambiwa kwamba "Utafanya kazi hii hivi na vile na unapofikia umri wa miaka 50 utapeana ilani ya miezi sita kusema ungetaka kustaafu au Serikali itakupa ilani ya miezi sita ili ustaafu". Ningetaka kuhimisa kwamba ~~xxx~~ wakati ilani hiyo ya kustaafu inapopeanwa na Serikali na waajiri wote Kenya ni lazima nakili moja ipelekwe katika Wizara ya Fedha ili pesa za kustaafu ~~xx~~ za huyo mfanyakazi zianze kuhesabiwa ili baada ya muda uliopeanwa katika ilani hiyo kumalizika-

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah): On a point of clarification, Mr. Temporary Deputy Speaker, Sir. Let me make it clear that the Ministry of Finance ~~make~~ prepares a list which is circulated and sent to every Ministry for every employee retiring within 12 months. That is already happening and I mentioned this when I was moving the amendment and I would like the hon. Member to be aware that this is happening as I mentioned the other day. Thank you.

MR. WASIKE-NDOMBI: Asante sana kwa M maelezo hayo, Bw. Naibu Spika wa Muda. Labda wanafanya hivyo lakini utaona kwamba sisi tunalazimika kuwapeleka wafanyakazi katika Wizara ya Fedha, Pensions Section, lakini utagundua kwamba kama kwa mfano, huyo mfanyakazi anatoka katika Wizara ya Kilimo ^{au} Wizara ya Fedha kwa wakati huo haikuwa imepashwa habari kuwa mfanyakazi huyo alikuwa amepewa ilani ya kustaafu. Hii ndiyo sababu yangu ya kusema ni lazima Wizara au kampuni inayohusika iwe ikipeleka nakili ya ilani ambayo imepewa mfanyakazi fulani ya kusema kwamba anastaafu hivi majuzi. ~~Niklazim~~ Kwa kufanya hivyo, malipo ya kustaafu ya huyo mfanyakazi ^{yatakuwa yakitayarishwa} itakuwa ikitayarishwa ili wakati wake ukifika ~~ta atapekef~~ ^{apekee} pesa zake mara moja. Kama sivyo, mfanyakazi kama huyo anastahili kuendelea na kazi akiwa kama kibaruruwa akisubiri

MR. WASIKE-NDOMBI (Ctd.):

pesa zake za kustaafu zitakapokuwa tayari. Nikisema hivyo namaanisha kuwa mfanyakazi kama huyo anaweza kufanya kazi kwa siku mbili au 16 mpaka ~~ku~~ atakapopatiwa pesa hizo ili aende nyumbani kwake Mount Elgon au Lodwar. Mara nyingi mfanyikazi anapostaafu inambidi kurudi mara nyingi kule alipokuwa akifanya kazi kuzitafuta pesa hizo. ~~Sote~~ tunajua kuwa ~~ma~~ gharama ya maisha imepanda.

Kwa hivyo, ningependekeza, ~~kamawika~~ pamoja na vile Hoja hii imependekeza, ^{kwamba} mfanyakazi anapostaafu awe akilipwa baada ya miezi tatu, ^{na} pia ~~akubalishwa~~ ^{akubaliwe} aendelee na kazi mpaka pesa zake za kustaafu ziwe tayari. Waajiri huwa hawaweki pesa hizi katika makadirio yao ya pesa. Mapendekezo haya yameanza kutumika katika Serikali za Miji na tunaona sasa makonseli ambayo hayakuwa yakiendesha kazi zao vizuri sasa yamejua kwamba ~~ma~~ ni lazima waaze kutayarisha pesa hizi baada ya kumpa mfanyikazi ilani ya kustaafu. Pia katika ofisi ya National Social Security Fund (NSSF) nakili ya barua hiyo inapelekwa ili wajue mfanyakazi fulani ako karibu kustaafu.

MR. EKIDOR: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Ni vizuri kwa mhe. Mbunge mwenzangu kupendekeza kwamba mfanyakazi ~~s~~ awe akiendelea na kazi baada ya kustaafu mpaka apate pesa zake za kustaafu? Nani atakayekuwa akimlipa?

MR. WASIKE-NDOMBI: Bw. Naibu Spika wa Muda, ^{nidhamu} ~~ajioni~~ kama hilo ni jambo la nidhamu, ~~ambayo~~ mhe. Mbunge ~~amesema~~, amepoteza wakati wangu bure.

~~THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi):~~

Kwa hayo machache, naunga mkono.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi):

Nidhamu! Wakati wako umeisha. Ndio, Bw. Mwamzandi ~~unaweza~~ kujib

MR. MWAMZANDI: Thank you, Mr. Temporary Deputy Speaker.

Let me first of all thank all the hon. Members who have spoken in favour of this Motion and I am also grateful to the other hon. Members who did not catch your eye but they too seemed to be in favour of this Motion.

This Motion was pointing out to the Government that it took years--- The Ministry has decided to amend it by deliting the word 'year' and inserting 'time' in place thereof but it is still as good. The word 'time' is not specific because it could also mean a century but I hope by ~~xxxx~~ deliting the word 'years' we do not anticipate centuries. If the Assistant Minister has assured the House that he has agreed that an employee may be paid his retirement benefits after three months of his retirement, he has made all the hon. Members believe that after their constituents retire, they will be paid their benefits within three months. The problem here is not with the Ministry of Finance but with the parent Ministry who are very lazy in submitting the information required by the ~~Ministry~~ Principal Pensions Officer to be able to process the benefits an officer should be paid after retirement.

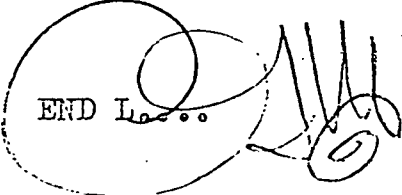
They do not submit this information in time and that is why it takes years or time. The Motion as amended is acceptable. The hon. ^{Gracious} lady confirmed that people come all the way from every corner of the country ^{to Nairobi} to find out what has happened to their pension. Is there any reason for somebody to make all those journeys several ~~xxx~~ times to look for his pension? This is laziness which is brought about by a breakdown in communication somewhere in a certain section. That is why somebody is forced to travel all the way to Nairobi to see whether his pension has been processed.

L.4.....23.11.88

MR. MWAMZANDI (Ctd.):

Another reason why these people are asked to ~~xx~~ come all the way to Nairobi to look for their pension is because of ~~mal~~-practices/such as ~~xx~~ corruption. The intention of some people is to let these people come here so that that person may get something from his pocket. We are discouraging this. The retired officer's cheque should be sent to the district where he comes from and there is no reason why that person should come to Nairobi now and then. When someone retires, he is left with no money.

END L.....



MR. MHAMZANDI (CTD.):

Even when an officer was still on a salary, he could not make ends meet, and sometimes he had to go without his dinner because his salary was not enough. Now he is retired and does not get any salary, and then it takes time before he gets his pension. This has reduced the level of these people's lives. If you stay without money, your life becomes shorter due to pressure from many corners and your heart does not pump blood properly. You may even suffer heart attack when you consider that your children have not eaten and there is no paraffin at all in the house. If a man has been used to getting a salary and then he does not get any money for a long time, this reduces his lifespan. We should be sympathetic to these people and see that they get their money in time.

If we want to help the Government to be regarded in better light by the masses in the countryside, we should be efficient in having retired people paid their terminal benefits. If we do not do this, these people will call the Government many names. They will ask, "What kind of Government is this that does not want to pay me my pension?" just because of a mistake committed by somebody somewhere.

Mr. Temporary Deputy Speaker, Sir, I agree with one hon. Member who said that retired people should be assisted. These people have served the public and now they have reached the "wisdom" age of 55 years. They could be very useful in political appointments. Some of them can help the countryside in many organisations. I am of the opinion that these people need to be assisted. This is why His Excellency the President has already given us an example in this regard. We have old retired hon. Members whom the President thought could still be useful. We have hon. Mahihu and a former district commissioner here. Retired people should be assisted. If they are just left at home, they would just age fast and endanger their lives. The hon. Members of Parliament I have mentioned will continue to earn money because they have been assisted by His Excellency the President. They include two former district commissioners and a former provincial commissioner. This is an

MR. MWAMZANDI (CTD.):

example of how to assist retired people. In this light, constructive former hon. Members who have been defeated could be very helpful, and they should also be similarly assisted. As the Motion stands, people in the countryside are awaiting its fate with the hope that retired people who have not yet received their pension will do so now.

The Ministry of Finance should be strict seeing to it that if a parent Ministry does not send the relevant information so that a retired officer is paid his pension, whoever is responsible for protecting the relevant papers is regarded as being anti-Government. He is anti-Government because he wants everybody in the country to be dissatisfied with the Government. He should be taken as being anti-Government.

With these few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to move.

QUORUM

DR. WAMEYO: On a point of order, Mr. Temporary Deputy Speaker, Sir. We are just about to adjourn the House, but there is no Quorum in the House.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): It is true, there is no Quorum in the House.

Ring the Division Bell.

(The Division Bell was rung)

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): We now have a Quorum in the House.

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

Resolved accordingly:

THAT, in view of the fact that the Government knows when one is due for retirement from the Public Service and in view of the fact that people who retire take time to get their retirement benefits; this House urges the Government to re-examine the procedures so as to ensure that a retiring officer receives his/her benefits within three months after leaving the Service.

MR. PALANA: Mr. Speaker, Sir, I beg to move the following Motions

THAT, while appreciating the Government efforts to stop fatal road accidents, and in view of the fact that very sympathetic cases have arisen where an employee being the sole bread-earner of the family has lost his/her life and thus left the dependants helpless; this House calls upon the Government to ensure that the next-of-kin or the next able relative automatically takes up the office of such a deceased person provided that the successor meets the appropriate qualifications of that office.

This Motion is very clear and straightforward as far as I am concerned. Its motive and spirit are very clean and clear. It is in line with one of our usual philosophies, that is, being mindful of others' welfare in being concerned about the welfare of the relatives of the dead.

Before I go very far, I would like to elaborate the last sentence of the Motion which I feel might be twisted by some people who might not want to support the Motion.

END M 

MR. FALANA (Contd.):

Mr. Temporary Deputy Speaker, Sir, in the last statement, I have said, and I quote:-

"This House calls upon the Government to ensure that the next of kin or the next able relative automatically takes up the office of such a deceased person provided that the successor meets the appropriate qualifications of that office".

I want this part to be very clearly understood. ^{Let me} ~~If I~~ may give an example while

A Superintendent of police has an accident ~~on duty~~. ~~By virtue of his office,~~ he travels somewhere. He meets with an accident somewhere and dies straightaway. This is a very professional and qualified officer. When I say this I do not mean the next of kin to this Superintendent who has just died automatically comes to the police office and takes over the office. It could be his mother, his wife, or any of his children, is the next of kin. I do not mean to say that this one comes in straight and takes up the office as a police Superintendent. However, in this case I mean that there is this continuity of the bread for the family being earned by this Superintendent. But now that he is no more, someone from that same family, the next of kin, he might be somebody who is not professionally qualified to automatically go for the office of the Superintendent. ^{should be taken on.} But with sympathy, or on humanitarian grounds, he can be taken on. For instance, a cleaner or a messenger does not need any qualifications at all. Someone has to be brought in from that family to continue earning bread for the family so that there is that continuity. ~~Someone should be absorbed into that Ministry where that Superintendent has passed away from.~~

Another good example is from this House. Say, an hon. Member of Parliament dies. Death is unavoidable; it will come, and then you go. Now, in this paragraph, I do not mean to say your next of kin who is your old mum or your wife comes in straight here and becomes a Member of Parliament for that area. No! However, by that I mean, the next of kin, somehow, he could be absorbed into this Ministry and that bread for the family continues to be earned.

Mr. Temporary Deputy Speaker, Sir, I appreciate the Government effort. There is the death gratuity and whatever to be paid after someone has died. But this payment is very meagre; it is very small. What is paid after one has

MR. FALANA (Contd.):

died is salary amounting to what the deceased would have earned in five years time. And in most cases, that salary or death gratuity which is paid after the death of someone is already committed. For instance, the deceased might have taken some huge loans and has left the burden to the family. He could have had some credit with some shops and so on, and immediately this five years salary or death gratuity, which is what the Government gives, is paid ^{it is} already committed. That amount goes to repay the loan or credit, and that family is left helpless. We do not have to count on the death gratuity that is paid to the family because it does not last. In most cases, it is already committed.

Human beings, as we are, straightaway, when we hear that one is dead, we think of all sorts of funny things that the dead person owes: "Amebakisha shilingi ngapi?" He already had some credit with me. I had sold him some ngombe which he has not paid for. You turn every piece of paper to check what he owes in order you. Therefore, ~~is~~ that he is not left with a single cent that he owes you, you try to think of everything that he has to repay you. So, in most cases, the death gratuity which is paid to the family of the deceased ~~it is~~ already committed. It goes to repay the credit and loans, and the family is left helpless.

Mr. Temporary Deputy Speaker, Sir, when I say that a replacement should be sought to take up the office of the deceased, it is like milking a cow. Every morning or evening, you get the little milk the cow has to offer. You milk it and you are satisfied ^{with} ~~for~~ your children. When I moved this Motion and said someone must be taken on, it does not have to be specifically for that particular office. But this continuity of bread has to go on. It is like milking a cow for the children of the deceased or the wife. They have always something or bread to earn from day to day. If we say that they will be given the death gratuity which is already committed, I am sure they will not have anything to eat from that.

Mr. Temporary Deputy Speaker, Sir, there are organisations or private individuals - and I am very grateful to them - who already practise what I am saying now. Although this has not been made law, they already practise it out of humanity and sheer sympathy for the deceased family. For instance, you will

MR. FALANA (Contd.):

see that if a person dies in an institution or a private organisation, the management of that organisation will straightaway go to the home of the deceased and look for the next of kin, or any other able family member who can be taken on, and earn that same bread for the family. Leave alone private organisations. Even private individuals employ people out of sheer sympathy. They practice the same idea. It is being practised here in Kenya. If private organisations can do that, or if private individuals can also do it, then I do not see any reason why the Kenya Government is not in a position to do the same.

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Magugu):

On a point of order, Mr. Temporary Deputy Speaker. I will not believe that it is generally accepted that this is happening within the private organisations the hon. Member alleges. If it is happening, can he give examples of one or two of such organisations?

MR. FALANA: Mr. Temporary Deputy Speaker, Sir, I stand by my statement. The hon. Minister knows very well that this is being practised in Kenya, but I said it is not legalised. It is being practised in private organisations and private individuals. It is there, and it is not a matter to be disputed.

Mr. Temporary Deputy Speaker, Sir, when we appreciate people's services when they are still alive —

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Magugu):

On a point of order, Mr. Temporary Deputy Speaker. I will not take that from the hon. Member. Can he substantiate and give one or two examples?

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order, Mr. Falana.

The hon. Minister has requested you to give one or two examples. Can you do so? If you do not have any specific cases, then you should withdraw the remarks.

MR. MANG'OLI: On a point of information, Mr. Temporary Deputy Speaker.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): No, I am dealing with a point of order first.

MR. MANG'OLI: But it is related to that point of order.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): No!

MR. FALANA: Mr. Temporary Deputy Speaker, may I know from the hon. Minister precisely if he wants me to quote individuals who practise that?

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Examples. Whatever examples you have is what you are going to give.

MR. FALANA: Does he want names of individuals?

MR. MANG'OLI: On a point of information, Mr. Temporary Deputy Speaker.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): No, I am dealing with a point of order first. I have to finish with it first.

MR. FALANA: Mr. Temporary Deputy Speaker, I do not quite get the hon. Member. Does he want names of individuals or organisations who have done that?

MR. MANG'OLI: On a point of information, Mr. Temporary Deputy Speaker.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Mr. Mang'oli, I am dealing with a point of order. Would you let me finish with it first?

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Magugu): Mr. Temporary Deputy Speaker, what I said was that the hon. Member was referring to an on-going practice or exercise which is taking place in the country within some organisations. So, I am asking him to give us examples of such organisations.

MR. FALANA: Mr. Temporary Deputy Speaker, Sir, if the hon. Minister wants that, a very good example is this Parliament here. It has that practice. I do not have to go very far.

(applause)

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Okay, continue.

End No

MR. MANG'OLI: On a point of information, Mr. Temporary Deputy Speaker, Sir. For the purpose of this particular Motion, the Minister should appreciate that the fact is already there. I am saying this because I know that the Brooke Bond and the Kenya Railways Corporation do what this Motion is asking the Government to be doing as a matter of policy.

MR. FALANA: Mr. Temporary Deputy Speaker, Sir, I think the hon. Member just wants to waste my time because what he is saying is a fact in Kenya and I think every Tom, Dick and Harry knows that. This is the normal practice which has been taking place in front of his eyes here in this House. In my opinion, it is very wrong to value somebody only when he is alive but when he dies, we just close this file and forget all about this family. If we appreciate the services rendered by individuals both in private and public sectors in this nation, we should not forget all about them once they are dead and ~~buried~~ ^{buried}. In my opinion, I think this would be very wrong. However, there are cases where this has happened. In such cases, you will find that once an employee dies, everything of his "dies with him." By that I mean, the salary, for instance, which the officer used to get, is automatically stopped. When you go to the Pensions Department, if you will find a lot of problems there. We have just been debating the problems affecting this department in this House. You will find that pensions take ages to be paid, and this is a very pathetic situation. At times, such a situation may make the children of the deceased to go to the dust bins to feed from there. Circumstances at times, force the widows of the deceased to go to the streets to earn their living from there. This is a very pathetic situation and I would like the Hon. Members of this House to

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot):

On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it really in order for the hon. Member ^{to allege} that widows of deceased persons turn to the streets to earn their living from there? Can he substantiate that kind of remark?

MR. FALANA: Mr. Temporary Deputy Speaker, Sir, when you have no other means of feeding or dressing yourself, what else can you do?

Today, how many women have taken to the streets?

HON. MEMBERS: You tell us!

MR. FALANA: Mr. Temporary Deputy Speaker, Sir, how many prostitutes have we seen in the streets of Nairobi? This is not anything new.

AN HON. MEMBER: Tell them! There are thousands!

MR. FALANA: Yes, there are thousands and I do not have to call them by their names, and this is the bitter truth. These people are within this society of which we are part and parcel.

MR. MANG'OLI: On a point of information, Mr. Temporary Deputy Speaker, Sir. I would like to give some information to ~~my~~ hon. gracious lady ^{the} hon. Member's and therefore, I am not just taking ~~the~~ time. The hon. gracious lady stood on a point of order challenging what the hon. Member was saying, but I hope that she knows that most of the widows are suffering and if they are not given the chance which this Motion is seeking, ^{they} will turn to the streets. You will even see them waiting outside here and others do have children with them.

MR. FALANA: Mr. Temporary Deputy Speaker, Sir, I thank my hon. colleague for supporting me on this. These are facts which cannot be disputed and if hon. Members want the names of these women, let me tell them that it is rather embarrassing to mention their names here. However, I know that even hon. Members see these things everyday and perhaps some of the hon. Members have even exploited the situation.

Mr. Temporary Deputy Speaker, Sir, I would like the hon. Members to support me in this Motion. I am not advocating for any one particular case because this is a national issue. We all have relatives who happen to be employees either in the private sector or in the public sector. I do not think there is anyone in this House who would say that he or she does not have a relative employed in the public sector or in the private sector. So, if any hon. Member opposes this Motion, he would be opposing a move to assist ^{would be} his relative, and that is his own shauri. However, I want to give hon.

Members the facts of the matter as they stand so that if they want to oppose the Motion, they are free to do so. As far as I am concerned, I think I have

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Members the facts of the matter as they stand so that if they want to oppose the Motion, they are free to do so. As far as I am concerned, I think I have

given the hon. Members the necessary message and they have heard it, and therefore, if they want to oppose it, it is entirely their ^{choice} ~~choice~~ to do so in this House. However, in my opinion, I think it is inhuman for the State to just sit and wait helplessly when a civil servant has died and cannot assist his family. We know that when God wants to call you to heaven, he does not communicate with anyone about this, nor does he give you any warning. You just go. Today you may think that you will go home to your constituency, but you may be going to hell and there is no debate on that. It may be that you have just ^{begun} ~~begun~~ to put up the foundation of a new house, but the Almighty God may call you and you just disappear.

^a ^{on} / This is situation/which I would like hon. Members to have a clear picture. You may think of starting a certain project, but the untimely death comes and takes you away before you complete it. From then onwards, there will be no more income, there will be no more monthly salary, there will be no more business to carry out and so on. This is because you are already dead and nothing continues in the ^{same way} as it had been before and this affects the family of the deceased. The family knows only too well that this is happening because their former bread earner is no more. When they wake up every morning to face these problems, they say, "Oh God, if our father was still alive, we would not be having these problems". However, because the Kenya Government itself is alive, why can it not assist these people? Although the deceased bread earner is gone, the Government can assist his family by employing one member of the family in the place of the deceased person so that he can earn bread for the family. This would in a way assist the family, instead of the Government just sitting and watching the situation.

Mr. Temporary Deputy Speaker, Sir, it would also assist the family of the deceased person if the Kenya Government would make sure that somebody else in the family is employed by Government to take over the bread earning for the family. The Government should ~~be~~ ~~xx~~ feel concerned about this. As I said, this is a very straightforward Motion unless guys here would like to oppose it for the sake of opposing it.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES

(Mr. Mak'Anyengo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member on the Floor really in order to refer to the hon. Members of this House as guys.

MR. TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi):- He is out of order.

MR. PALANA: Mr. Temporary Deputy Speaker, Sir, I would beg hon. Members to support me in this Motion.

With those few remarks, I beg to move.

MR. MANG'OLI: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for allowing me to second this Motion. I am sure the Motion is seeking the assistance of the Government on matters of deceased employees. As has been said here, other employers are already assisting the families of the deceased employees. In fact, the public at large are doing the same. We know that there are hon. Members who have been brought here after their fathers have died. They have been brought to this House under the spirit of sympathy from the people they represent. The people have indicated clearly that they would like the next of kin - - -

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Otwani): On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like to request the hon. Member to qualify the circumstances under which these organizations are now doing what he is saying. Otherwise, he may mislead the House into thinking that there is some legalized practice regarding this matter, whereas we know there is none. Can he therefore qualify those circumstances that he is now quoting?

END O

23.11.88.

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MR. MANG'OLI: Mr. Speaker, Sir, that is why this Motion has been brought here. We know that the Motion is asking the Government to formulate a policy on these basis, and it is wrong for any Minister to think that what this Motion is asking for is not being practised. I have said it before in this House and I do not see why I should be asked to name names. I have even clearly said here that it is out of that spirit of sympathy that some hon. Members are in this House. This Motion is merely asking the House to endorse a policy that has been adopted by the public. I do not know why the Assistant Minister wants me to qualify the---

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Otwani):

On a point of order, Mr. Temporary Deputy Speaker, Sir. I think the hon. Member is misleading the House by saying that some hon. Members of Parliament were elected because their relatives or their fathers died. That is why I am insisting on the qualification of this statement.

MR. WASIKE-NDOMBI: On a point of order, Mr. Temporary Deputy Speaker, Sir. Can hon. Otwani declare---

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order, hon. Wasike-Ndombi. We are dealing with a point of order. However, if I may intervene here, it is true that there are hon. Members who have come here not because their ~~fit~~ fathers died but because--- I do not know the reason, but they are here by their own rights. Mr. Mang'oli, you can continue without implying that some hon. Members came here because their relatives or fathers died. I do not think you can give a qualification to the statement you made to hon. Otwani's satisfaction.

MR. MANG'OLI: Sir, I agree with your ruling on the matter. All I am saying is that the Motion seeks sympathy. That is why the Mover of the Motion is asking the Government to make it a policy that a family of a deceased Kenyan is not left without a bread winner. At the same time, we will be creating employment opportunities because, if it becomes a policy that even dukawallas should take over--- This has been happening to dukawallas as well; ~~they~~ if a dukawalla dies, the ~~had~~ business is taken over by an immediate relative. It is in the same spirit that ~~is~~ this Motion is asking the Government to endorse this ~~pr~~ practice so that if a pers

23.11.88.

MR. MANG'OLI (ctd.):

employed by a Government institution dies, leaving a helpless family, his position is taken over by a member of his family so long as he is qualified to fit in the position.

Indeed, Mr. Temporary Deputy Speaker, Sir, ~~this~~ the spirit of this Motion is in line with the African culture and traditions, particularly with the Bukusus and Luhyas. When one dies, people meet after three days to decide who should take over the responsibility of caring for the bereaved family because there must be a continuity in the family. In the same spirit, we are asking the Government to make it a policy that if the bread winner in a family dies, then his position should be taken over by a next-of-kin. Of course, I am talking in terms of employment.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member has just said that in their culture, when ~~the~~ the head of a family dies, three days after the burial the family sits down and decides who takes over. Can he clarify what is to be taken over?

MR. MANG'OLI: --Mr. Temporary Deputy Speaker, Sir, ~~because~~ since the hon. Gracious Lady is an Assistant Minister in the Ministry of Culture and Social Services, she should know the kind of culture that this country ~~has~~ follows. It is the culture that is advocated by this Motion. In fact, that is why we had the "Nyalgunga case". If ~~was~~ the "Nyalgunga case" did not arise so that our dear late friend was not buried in Nyalgunga, then this particular spirit would have been defeated. All that I am saying is that in the same spirit, we shall be ~~not~~ creating job ~~opportunities~~ opportunities for Kenyans and the Minister should not oppose the Motion. Indeed, by replacing deceased bread ~~winner~~ winners with their living next-of-kin, we shall be promoting the culture of this nation.

Mr. Temporary Deputy Speaker, Sir, when I asked a Question here about employment the other day, I was told that the Ministry of Manpower Development and Employment was conducting research in order to produce a document. This is not a

MR. MANG'OLI (ctd.):

question of doing research any more; we want employment opportunities to be readily offered to ~~our~~ relatives of deceased people. If the Minister wants me to say who are practising such policies, I would like to inform him that even when one of hon. Kamar's coffee pickers dies, he takes the next-of-kin of the deceased and employs him. I do not know what more information the Minister wants, unless he is determined to defeat this Motion and deny the people the chances of being employed. If, by endorsing this Motion, the Minister can be able to employ about 10,000 people every month, then he should be grateful to the hon. Mover of this Motion. For instance, if I died today, one of my close relatives should be employed within Parliament Buildings ~~either~~ as an askari or a cook in the kitchen so that there is continuity. That ~~is~~ is all the Motion is asking for.

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Otwani):

On a point of order, Mr. Temporary Deputy Speaker, Sir. It is in order for the hon. Member speaking to anticipate the response the Motion will get from the Minister?

MR. MANG'OLI: Yes, Sir, I am quite in order because you can, ~~in~~ yourself, see the reaction we are getting from the Ministry. Looking at the points of order being raised, you just conclude that the Minister thinks that the ~~Motion's~~ spirit of the Motion is impracticable. That is why we are saying that the hon. Minister, whom we love so much, should accept the Motion and implement it as it is so as job opportunities can be created and, at the same time, we keep up the cultural spirit. The Ministry of Culture and Social Services should also be happy in that we are ~~in~~ enhancing what they advocate. I would be very surprised to see the hon. Minister for Manpower Development and Employment standing up to oppose this Motion, which is very appealing because it is seeking further creation of job opportunities.

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Magugu): On a point of information, Mr. Temporary Deputy ~~Spek~~ Speaker, Sir. I will definitely stand up and oppose this Motion!

MR. MANG'OLI: Sir, you can now see that what I anticipated is not wrong; it has now been confirmed by the Minister himself. We will wait to hear from the

MR. MANG'OLI(ctd.):

Minister as to how he is going to formulate a policy to cater for those families whose bread winners die ~~whik~~ while still in employment. Of course, nobody asks to die. ~~Some~~ Someone happens to be driving a car, which is involved in an accident, and he dies. Does the Minister want the ~~fa~~ family of such a man just to perish? Do we forget about someone who has died and left his family helpless? If that is the spirit the Minister wants us to take up, then we only have to pray to God to help the families of the deceased.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to second the Motion.

(Question proposed)

END....P

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Magugu): M Thank you, Mr. Temporary Deputy Speaker, Sir.

I want to oppose this Motion, but I am not opposing it for the sake of it ---

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi):

Are you responding?

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Magugu): Yes.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi):

Then you will have time to do that later on.

MR. BIDU: Ahsante, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii ~~hii~~ ili nami niionge mkono Hoja hii.

(applause)

Bw. Naibu Spika wa Muda, ^{sisi} ~~sisi~~ Wafrika tuna taabu, lakini sisi Wakenya tunaishukuru Serikali yetu ya Kenya kwa sababu imefanya iwezavyo kusaidiana na wananchi ili kupanga upunguzaji ~~wazi~~ wa ajali. -- Kwa kawaida, mtu anapokufa, watu wengi hucusanyika kuomboleza kile kifo. Watu hao huchanga pesa, lakini pesa hizo hazitoshi kwa sababu huwa za kufanyia mazishi peke yake. Baada ya kuchanga ^{pesa}, watu hao huondoka na kuwaachia waliofiwa taabu zote. Hii ~~hi~~ ndiyo sababu nasema kwamba Hoja hii ^{imevashikiliwa} ~~imevashikiliwa~~ wakati ufaao - wakati ~~ama~~ ambapo tuko karibu kusherehekea miaka 25 ya Uhuru. Kwa sababu hiyo, najua kuna watu wengi watakapipinga Hoja hii kwa sababu wanazozifahamu wenyewe. Lakini mimi najua kwamba Hoja hii iko wazi kabisa. Nijuavyo ni kwamba mfanyakazi akifa, watu huenda kwake kuomboleza, lakini watu hao wakishaondoka, watu waliofiwa huachiwa taabu nyingi.

Huenda ~~na~~ mtu huyo aliyefariki alikuwa na madeni mengi au aliwaacha watoto waliokuwa bado wako shuleni. Hii

nasema kwamba ingefaa kama Serikali ingelichu-

MR. BIDU (ctd.):

nguza jambo hilo ili kuwe na mtu katika jamii ya mtu aliyekufa atakayepewa kazi ~~ya~~ aliyokuwa akiifanya mtu huyo ~~at~~ ili ^{aisaidie} ~~aiwakilishe~~ jamii ~~ya~~ hiyo. Ni wazi kwamba mtu akifa, baada ya miezi michache, kila mmoja huwa amemsahau, ~~katika~~ lakini taabu zote huwa zakumbukwa na wale walioachwa nyuma. Kwa hivyo, ingefaa kufanywe mpango ili, angalau, mtu mmoja katika jamii ^{apewe kazi} ya yule mtu aliyefariki. ~~apewe kazi ya yule mtu aliyefariki.~~ Nasema hivi kwa sababu kama mtu huyo alikuwa na madeni, huenda mali yake ikanadiwa kwa sababu walioachwa hawakuachwa na mapato yoyote. Mali ya mtu huyo ikinadiwa, walioachwa wanaachiwa taabu nyingi. Lakini kama mmoja wa walioachwa angepatiwa kazi ya yule mtu aliyekufa, angeweza kuisaidisha ile nyumba iliyopatwa na maafa.

Bw. Naibu Spika wa Muda, kama unavyojua, wengi wetu Wafrika hatuandiki wosia. Hii huwa ni taabu kabisa kwa sababu huwa ni shida sana ~~kwa~~ kujua ni mali gani itakayorithiwa na nani. Kwa mfano, mtu aliyekufa huenda ~~ikwa~~ ikawa alikuwa ameanzisha jengo lake au biashara ya aina fulani, na katika kulianzisha jengo hilo au kuianzisha biashara hiyo, alikuwa amekopa pesa. Baada ya mtu ~~kwa~~ huyo kufa, watu huja kwake kuomboleza na hata wengine hutoa rambirambi, lakini hazisaidii kwa sababu hata walioachwa na mtu huyo wakipewa pole, eti mtu wao alikuwa mzuri sana; alikuwa akifanya kazi nzuri na hata mwenye kucheka na watu, hayo yote hayasaidii; mkono mtupu haulambwi. Hayo yote yatakuwa ni maneno ambayo hayataisaidia nyumba yake.

Kwa hivyo, mimi ~~na~~ naiunga Hoja hii mkono. Ni wazi kuwa kwa sababu sisi hatuandiki wosia na hatuna mali yoyote, na tumemaliza miaka 25 ^{janja tuingakulia} ~~teka~~ tupate Uhuru na hatujajisaidia; ingefaa Serikali ione kwamba baada ya kutusaidia katika mipango ya kuzuia ajali, ione kwamba mtu mmoja kutoka wa jamii ya yule aliyekufa anachukuliwa na kupewa kazi ya yule aliyekufa, kama ana elimu sawasawa na yule aliyekufa.

MR. BIDU (ctd.):

Bw. Naibu Spika wa Muda, kifo hakichagui mkubwa wala mdogo, mfalme wala mjakazi; kifo kinamshika mtu yeyote. Kwa hivyo; kwa vile Mawaziri wetu ni watu wenye ~~ku~~ bidii sana, na wakitaka kitu kiwe kinakuwa, ningewaomba waitilie mkazo Hoja hii. Tunajua kwamba wakiikubali, Kenya nzima itakuwa na furaha kwa kujua kwamba sisi leo tumepitisha kitu kitakachowasaidia wananchi. Wananchi wengi wanapata taabu. Kwa mfano, mtu ~~si~~ aliyekuwa mkubwa katika ofisi fulani amekufa; ~~wake~~ badala ya watu wake kuhangaika wakija Nairobi kudai ridhaa, si ingekuwa ~~si~~ afadhali kama mmoja wao angajiriwa pale yule mtu alipokuwa akifanya kazi ili auwakilishe mji? Ikiwa hivyo, mji utakuwa sawasawa; ~~kwa~~ ataulinda mji, awalinde watoto wa mtu huyo wasi-
~~fuluzwe~~
 fuluze kutoka shuleni kwa sababu ya ukosefu wa karo, na kwa ~~wan~~ mambo mengine mengi. Najua Waziri aliinuka hapa, lakini nafikiri hakuwa akijua ni kwa nini Hoja hii imeletwa. ~~Lakini~~ Lakini kulingana na vile nilivyozungumza, nina hakika ataiunga mkono.

(applause)

Bw. Naibu Spika wa Muda, ni jukumu letu sisi viongozi, wanasheria, na sisi tunaogua ~~waku~~ ni kwa nini mtu hupata taabu ~~akifika~~
~~akifika~~ kuyaangalia mambo haya. Hivi ninavyosema, kuna watu waliokuwa katika hali nzuri kwa sababu ~~walikuwa~~
~~walikuwa~~ na mtu wao mkubwa aliyekufa. Lakini kwa vile mtu wao amekufa, wamekuwa masikini; hawana mbele wala nyuma. Kwa hivyo, mimi naomba Hoja hii iungwe mkono, na nina hakika Kenya nzima ~~itawa~~ itaiunga mkono.

Ni maoni yangu kuwa mhe. Falana, aliyeileta Hoja hii, ni mtu aliyezipata shida tunazozizungumzia. Mimi pia, na waheshimwa Wabunge wenzangu, nina hakika, tumeziona shida

MR. BIDU (ctd.):

hizi. Ni lazima kila mhe. Mbunge awe ana mtu wake ammoja aliye-
fiwa; na anategemea ~~ya~~ yeye kama mhe. Mbunge. Sasa; baada ya
miaka mitano; wale ~~waheshimwa Wabunge~~ watu wanaowategemea
watakaoshindwa
waheshimwa Wabunge/~~watakaoshindwa~~ kurudi huku Bunge watafanya nini?
sisi tulio ^{Tunaweza}
Kwa hivyo, tusijigambe eti/~~huku~~ katika Bunge ~~tunafanya~~ kuwasaidia
watu wale. Ingefaa k tuangalie w vile tutakavyofanya ili wale
watu wafanye namna ya kujisaidia ili familia zao ziwe sawasawa.

Ni kweli kuwa yule mtu aliyekufa ^{kuenda} ~~aweza kuwa~~ alikuwa
na elimu zaidi ya yule mwengine anayetaka ^{Kupatiwa} ~~kupitiwa~~ kazi yake.
Lakini kunaweza kuwa na mpango hivi kwamba mtu kama huyo ata-
ajiriwa kazi pale pale hata kama ni kazi ya kufagia ili aisaidie
jamii ya yule aliyekufa. Kwa hivyo; tunasema kuwe na ~~na~~ kusaidia-
na kwa sababu mpango wa sasa ni wa kujisaidia, na, kama ~~na~~ ni
hivyo, ni wazi kwamba ingefaa tuwafanyie watu hawa mpango ili
badala ya ^{wale} waliofiwa kuja Nairobi kuingia mabea na kuzunguka
mitaani wakiomba omba, ~~na~~ wawe wakijisaidia. Ni heri mtu mmoja
katika jamii ya aliyekufa apewe kazi ili aisaidie jamii yake.

Kwa hivyo, Bw. Naibu Spika wa Muda, mimi naiunga
mkono Hoja hii kikamilifu na nafikiri waheshimwa Wabunge wenzangu,
pamoja na Mawaziri, wataiunga mkono ili kujulikane kuwa sisi
katika Kenya twajisaidia wakati wowote tunapotakiwa kujisaidia.

Kwa ~~a~~ hayo machache, naunga mkono.

END Q *[Signature]*

MR. K'OMBUDO: Mr. Temporary Deputy Speaker, Sir, I rise to oppose this Motion. It is very unfortunate that we have to discuss the inheritance of jobs in this House. Jobs are given purely on merit be it in the private sector or public sector. Our people are proud---

MR. MANG'OLI: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to continue standing when I stood to raise my point of order? Secondly, can he give specific examples of the deaths he is talking about? Where do merits apply when, say, a father has died?

AN HON. MEMBER: What is your point of order?

MR. MANG'OLI: My point of order is ~~that can~~ ^{whether} the hon. Member ^{can} elaborate the kind of merits he is talkin_g about?

MR. K'OMBUDO: As you know, Sir, this country is not run on sympathy. We cannot run a country on sympathy. It is not possible. As you know, our people are very proud to earn their jobs on merit which in turn helps them earn their living. Jobs are not created this way. When a person dies and another one ^{takes} over his or her job, a job is not created. This is simply change of persons. I am at a loss when an hon. Member says that this Motion will assist in the creation of jobs.

MR. MANG'OLI: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to say that jobs will not be created in this way? The person we are talking about is dead. If there is no Government policy---

MR. K'OMBUDO: Mr. Temporary Deputy Speaker, Sir, I cannot be interrupted by points of argument.

MR. MANG'OLI: I am trying to---

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order! The hon. Member who is on the Floor is correct. Unless you have a specific point of order to raise, I think you are puttin_g up an arg argument in the form of a point of order and I will not allow that. You should put forward a specific point of order and not a point of argument.

HON. MEMBERS: Yes.

MR. MANG'OLI: Sir, my point of order is that ~~can~~^{whether} the hon. Member be specific and tell us whether a job is created or not when a person dies and another one takes over?

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order! That is a point of argument. You can continue, Mr. K'Ombudo.

MR. K'OMBUDO: As you know, Sir, in economics when you, say, buy a house, a new thing is not created. you are simply exchanging ownership. This is the same thing that applies to jobs. No new element is created when jobs change hands. In Kenya, we want development. Our motto is "Forward ever backward never." We are not going to be backward looking. Kenyans who are educated and fit will get their luck and fill vacancies that have been left by the unfortunate ones who have died.

We have more than enough Kenyans looking for jobs and we are not about to ask the Government to adopt the basis of inheriting jobs because it is illegal.

MR. WASIKE-NDOMBI: On a point of order, Mr. Temporary Deputy Speaker, Sir. With all due respect to the hon. Member for Nyakach who happened to be in the same industry with me at one ^{time} can he deny that I approached him to replace some death cases from Nyakach Constituency when he was the Kisumu Town Clerk? Can he deny ~~that~~ or confirm that? He did that and now he is saying that we should not be backward looking.

MR. K'OMBUDO: That is not true, Sir. I challenge him to name those people. It is not true but could be due to a pigmentation of the mind.

As I said, we should concentrate on implementing projects aimed at creating more jobs. That is the urgent agenda before Kenya. We should create more jobs by establishing more industries and ^{pumping} ~~pouring~~ more money into agriculture. That is the agenda that is before the country. That is the challenge that the Minister for Manpower Development and Employment is facing. I am sure he is undertaking this exercise although I do not know whether Sessional Papers will be brought here on the subject.

The Minister should suggest ways and means of expanding employment markets. He should expand opportunities for our people in tourism and in the private sector. We want to build Kenya and we are not going to do ^{so} by discussing about job inheritance. That will take care of itself.

I do not want to take the valuable time of this House because I have ~~already~~ already made my point. Thank you.

MR. NDUMIA: Asante sana, Bw. Naibu Spika wa Muda. Nimesimama kuipinga Hoja hii kwa sababu tukiikubali, tutakuwa tumeenda kinyume cha yale yote ambayo tumezungunza katika Bunge hili. Tumesema mara kwa mara katika Bunge hili kwamba ni vizuri watu waajiriwe kazi kulingana na ujuzi wao. Kwa njia hii, wataweza kuwa na uwezo k wa kufanya kazi katika nchi hii. Kwa mfano, Katibu wa Kudumu akifariki, itakuwa haki kwa mtoto wake kupatiwa madaraka hayo? Kwa hivyo, itakuwa tutakuwa tukiwaajiri watu kazi kwa njia ya ujamaa. Ikiwa ni tarishi---

MR. MANG'OLI: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Mhe. Mbunge amesema kwamba, kwa mfano, Katibu wa Kudumu akifariki, mtoto wake atapatiwa kazi hiyo. Je, ni haki kwa mhe. Mbunge kusema hivyo juu ya Hoja hii na je, hiyo ndiyo roho anayotaka kuwapa Wabeshimiwa Wabunge?

END.....R



MR. MURUKIA: Bw. Naibu Spika wa Muda, ningemuuliza mhe. Mang'oli aende akasome ili ajue tofauti iliyoko baina ya jambo la nidhamu na jambo la mabishano. Inaonekana kama haijui ile tofauti iliyoko.

MR. MANG'OLI: Jambo la nidhamu Bw. Naibu Spika wa Muda. Mhe. Murukia ana haki kudai kwamba Hoja hii inasema kwamba kwa mfano, Katibu wa Kudumu akifariki ni sharti mtoto wake akichukue kiti chake? Hoja inasema kinaganaga kwamba si hivyo.

MR. MURUKIA: Bw. Naibu Spika wa Muda, sielewi jambo la nidhamu ambalo mhe. Mang'oli anauliza. Kile ninachoona ni kwamba anajaribu kuniharibia wakati wangu wa kuzungumza. Kiini cha Hoja hii ni kumsaidia mrithi wa marehemu ^{wa aliyefariki} ambaye amefariki. Lakini swali kubwa ni hili: Itawezekanaje kumwajiri mrithi kama huyu ikiwa hana ujuzi wa kazi iliyokuwa ikifanywa na yule aliyekufa? Mashirika mengi ya Serikali na hata makampuni yamefilizika kwa sababu ya kuwaajiri watu ambao hawaelewi kazi bali tu wawe wanajulikana na wale wenye madaraka. ~~Kwa hivyo~~

MR. MANG'OLI: Jambo la nidhamu, Bw. Naibu Spika wa Muda.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order! I expect that you are raising a point of order. I kept silent over the last point of order you raised although it was purely a point of argument. I will not allow the continuation of this kind of habit. A point of order must be a point of order really.

MR. MANG'OLI: Jambo la nidhamu langu ni hili: Mhe. Murukia anaweza kutaja majina ya makampuni ambayo yamefilizika kwa sababu ya ujamaa pamoja na majina ya wale waliohusika?

MR. MURUKIA: Bw. Naibu Spika wa Muda, kuna makampuni mengi ambayo yameharibika kwa sababu ya ujamaa. Hakuna haja ya mhe. Mang'oli kuniuliza nithibitishe matamshi yangu kwa sababu ni jambo linayojulikana wazi. Ninaweza kutoa mfano wa mashirika kama Kenya Meat Commission na Uplands Bacon Factory ambayo

MR. MURUKIA (contd.):

yameharibika kwa sababu ya kuwaajiri watu wasio na ujuzi.

MR. MANG'OLI: Jambo la nidhamu, Bw. Naibu Spika wa Muda.
Nimemuuliza mhe. Murukia atueleze -----

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Mhe.
Murukia anaendelea kutupatia mifano ya makampuni ambayo yamefilizika
na ingefaa utulie kidogo.

AN. HON. MEMBER: Jambo la nidhamu, Bw. Naibu Spika, wa Muda.

THE TEMPORARY DEPUTY SPEAKER: (Mr. Kabingu-Muregi): Order!
I am dealing with another point of order.

MR. MURUKIA: Bw. Naibu Spika wa Muda, wale ambao walipewa
jukumu la kuendesha mashirika na makampuni haya waliyaharibu kwa
sababu ya kuto kua na ujuzi wa kutosha... Hakuna tofauti yoyote kati
ya kumwajiri mtu asiye na ujuzi wa kazi na kumwajiri mtu kwa sababu
ni jamaa yako. Ikiwa kuna haja ya kumsaidia ~~z~~ mtu aliyefariki --

MR. MANG'OLI: Jambo la nidhamu, Bw. Naibu Spika wa Muda.
Je, umeridhika na maoni ya mhe. Murukia? Ningependa atuambie
ni akina nani waliokuwa wakifanya kazi na Kenya Meat Commission,
na baada ya kufariki jamaa zao wakaajiriwa huko na kisha wakaiangusha
shirika hilo?

End S.....

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Miregi): Order! I am satisfied with hon. Murukia's response, can he continue with his contribution?

MR. MURUKIA: Bw. Naibu Spika wa Muda, tukiiangalia Hoja hii, ^{utaona,} ~~si~~ kwa ~~mfano~~ ^{Kwamba} kuna watu ambao hawana kazi—

MR. MANG'OLI: Jambo la nidhamu, Bw. Naibu Spika wa Muda.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Miregi): The Chair is satisfied that Mr. Murukia is in order, unless you want to challenge the Chair. I am satisfied that he ~~we~~ has given a satisfactory answer to your point of order. He may now continue with his contribution.

MR. MURUKIA: Asante Bw. Naibu Spika wa Muda kwa kauli yako.

MR. FALANA: On a point of information, Mr. Temporary Deputy Speaker, Sir.

THE TEMPORARY DEPUTY SPEAKER: Ninaweza kukubalia utoe point of information ikiwa ~~si~~ Bw. Murukia atakubalia utoe na ikiwa hataikubali sitakuruhusu utoe.

MR. MURUKIA: Mimi sitaki point of a information yake.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Miregi): Kwa vile haikubali point of information yako, tafadhali keti chini.

MR. MURUKIA: Jambo ambalo nilikuwa nikiuliza ~~wakati huo~~ ni juu ya wale watu ~~zi~~ hawajajiriwa na huenda wakapatwa na ajali na hatimaye kufa. Itakuwaje kwa watu kama hawa? ~~Kvani~~ ^{kwani} tutakuwa tukiwatengeni na watu wengine? Kvani wao si wananchi wa Kenya? Kwa hivyo Hoja hii haionyeshi dalili yoyote wa kuwasaidia watu ~~waz~~ wetu. Ikiwa mtu atafariki, ^{wakati angali} ~~an~~ anategemewa na jamii yake, tunaweza kumchangia pesa kwa njia ya Harambee. ili watoto wake ~~waz~~ waendeleo na masomo yao. Tungali tunafanya hivi hata kwa wakati huu. Mambo haya, yakutaka ~~kuwasaidia~~ kuwasaidia waliokuwa wakimtegemea ofisa aliyekufa, hayafai ^{Kuchanganywa} ~~kuwasaidia~~ na kazi ~~ira~~ ya umma. Katika nchi hii tunataka maendeleo ya kuongeza nafasi nyingi za kazi kama kuanzisha viwanda vingi ~~na~~ kadhalika. Maendeleo kama haya hayawezi yakatokea ikiwa tutafuata matakwa ya Hoja kama hii ambayo yanahitaji mmoja wa warithi wa ofisa aliyekufa ~~zina~~ airithi kazi aliyoiacha. Kwa mfano katika upande wa kilimo, tunataka ~~wazi~~ maofisa wenye ujuzi ambao watatuongoza kutoa mazao ~~zaz~~ zaidi. Tukiiunga (Hoja hii (mtono)

MR. MUMUKIA (CTD):

^{basi}
 tutakawa tukienda kinyume cha ~~msingi~~ mwongozo wa K Bunge hili la kuona kama kila
 ujuzi
 mtu mwenye ~~hali~~, hata akiwa ametoka katika sehemu gani ya nchi hii, ^{anapetwa}
 nafasi ya kuwasaidia watu wetu katika maendeleo.

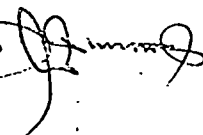
Bw. Nailu ~~Spilka~~ Spilka wa Muda, mionayo ni kwamba Hoja ya Bw. Palana
 itakuwa ikienda kina kinyume ya mwongozo wetu wa maendeleo. Kwa hivyo ninaipinga.
^{wafikiri}
 Hoja hii na ~~nipasavyo ni kwamba~~ Hoja hii ikipitishwa haitutasaidia ipasavyo.
 kupinga.

Kwa hayo machache, ~~ni~~ ninaomba ~~...~~

THE ASSISTANT MINISTER FOR MANPOWER ~~AND EMPLOYMENT~~ DEVELOPMENT AND

EMPLOYMENT (Mr. Otweni): Thank you Mr. Temporary Deputy Speaker, Sir, for
 giving me the ~~best~~ opportunity to oppose ~~it~~ the Motion before the House.

I cannot help opposing the Motion because it is a Motion ~~in~~ which is proposing
 a very dangerous situation. First of all, when the mover talks of a relative
 inheriting a job ~~of~~ from a deceased relative, I wonder whether he asked himself
 if that inheritor may be having his own dependants already who need his attention
 more than those of the deceased. We are not going to have a situation where the
 inheritor, if it were possible, is going to look after the relatives or the
 immediate dependants of the deceased. We are creating a civil situation where
 the jobs are considered on family basis, which is ^{not} the right spirit. We should
 be thinking of the spirit of the job situation. We should be thinking of the
 spirit of the department, the company and so forth. In the spirit of the job
 situation, we are thinking of motivating those on the job because in every
 job situation, there must be somebody expecting a promotion ~~immediately~~
 based on his experience. If we do not create a situation where we motivate
 that is; ^{Promote them}
 the workers, when a situation comes for them to go up, then we are actually
 going to frustrate the workers.

END T... 

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Otwani) (Ctd.):

This is because they will not be spirited enough to contribute fully thinking that ~~wherever~~ once whoever is immediately ahead of him dies, somebody else from nowhere will move in. So we would like to talk about experience and promotion opportunities rather than---

MR. MANG'OLI: On a point of order, Mr. B Temporary Deputy Speaker, Sir.

I think it is not fair for the Assistant Minister to continue misleading the House. When the previous speaker was on the Floor, I rose on a point of order and asked whether he was in order to imply that the Mover of this Motion is asking that the deceased be compensated by his or her next of kin taking his previous position. Now the Assistant Minister is raising the same issue. I am wondering whether he is actually in order to imply that the Mover is asking the Government to appoint ^{the} next of kin of somebody to the post of a permanent secretary if the deceased has been one.

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Otwani):

I am happy that the point of order raised by the hon. Member is actually helping me. This is because if a permanent secretary dies and there is nobody in the family qualified to ^{know} be a permanent secretary, then I do not ^{know} what his relatives would inherit. Actually this is why we are opposing this Motion because these situations are not there.

MR. MANG'OLI: On a point of order, Mr. Temporary Deputy Speaker, Sir.

I think this issue was very well explained by the Mover of this Motion and ^{this} the situation is not the way the Ministers and Assistant Ministers want to ^{explain} put it. In fact, I think they are misleading this House; what we are asking is that somebody within that family ^{should} be given a job so he or she can be supporting the family just as the deceased had been doing. ~~It~~ This type of thing happens and I am sure even in Mr Hon. Otwan's family when somebody is dead they sit and appoint somebody to look after the deceased ^{is} family. Actually the aim of this Motion is asking for ~~sympathy~~ sympathy on humanitarian grounds.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order! I think

Mr. Mang'oli has got a point because the last two lines says 'provided that the successor meets the appropriate qualifications of that office'.

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Otwani)

Sir, I would like the hon. Member to withdraw his implication that situation he is talking about is happening in my family. I am the first employed person in that family and the ^{question} ~~situation~~ ^{inheritance} ~~of inheritance~~ has never arisen anywhere in my experience.

I would like to proceed because I know---

MR. MANG'OLI: On a point of order, Mr. Temporary Deputy Speaker, Sir.

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Otwani): I seek your protection, Mr. Temporary Deputy Speaker, Sir.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order, Mr. Mang'oli.

You are not going to raise any other point of order, I have just clarified the position you are trying to pursue so what is the other point of order? I suggest that you change your attitude towards your points of order because they are becoming too invalid and I will not allow it.

(Applause)

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Otwani): Thank you very much, Mr. Temporary Deputy Speaker, Sir. I would like to restate that every member of the Kenyan community would like to be assured of the right to employment opportunity. In saying that, I would ~~like~~ like the Mover of the Motion to realize that there are ^{very} many aspirants to job situations that are not even married and that do not belong to any families that have had employment situations before. Therefore, in view of that they would like to ~~feel~~ feel that when an opportunity occurs they will get a job. They would not want to be frustrated to ^{the point of imagining that} ~~imagine~~ that they are doomed as far as jobs are concerned because no relative of theirs is ahead holding a position. So the creation of employment should not be guaranteed on ^a family basis. Let us also not create a situation where we could easily endanger the very people who are in job situations especially the elderly ones. We have known ^{Princes} ~~princess~~ for example, ⁱⁿ the former kingdoms of Buganda - We have known ^{Princes} ~~princess~~ actually organising armies to kill their fathers.

(End U.)

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Otwani) (Ctd):

How are ^{we} going to be sure that somebody is not going to drive a relative to a ditch so that he may inherit that job? In any case, it has already been said that successors are not always effective. In fact, we have known of situations where people who succeed others in that way have proved most ineffective.

Mr. Temporary Deputy Speaker, Sir, my last point is ^{to} that I would advise the hon. Mover of this Motion to think in terms of another Motion; a Motion which calls upon Kenyans who are in employment to invest so that even before they die their investments can create more employment opportunities so that ~~when they die~~ they are sure their children and relatives ^{will} have something to do. That is the Motion we would like to see moved in this House next time so that we can support it, and create a situation where the expansion of job opportunities is effected. The supporters of the Motion themselves have already indicated that on humanitarian grounds, and for ^{other} reasons, African Socialism itself - the very base of our society as a social security - has taken care of all these years we are talking about. For that reason I think this Motion has come at the wrong time.

Thank you, Sir.

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Magugu): Thank you, Mr. Temporary Deputy Speaker, Sir. First of all I want to record our appreciation for those who do take up new employees after their relatives have met deaths in one way or another. That is done through sympathy, or through their benevolence, and, as a Government and a Ministry, we do appreciate that. So, we, and the supporters of this Motion, are talking of the same thing here.

The only unfortunate thing is that this Motion has not taken into consideration what the policies of the Government are.

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (CTD):

We have laid down employment policies, and, as such, we cannot kind of lock up certain jobs now held by some individuals until they die. What happens when that person is discharged? Does it mean that he will automatically be replaced by his next of kin? ^{let us} If you take ~~a good example of~~ a simple example of the man who milks your cow. Now, what happens when he dies? Does it mean that automatically somebody from the deceased's family will have to come and fill in his place? Suppose he does not know how to milk cows, you will be stuck and yet the nation needs the milk. What happens ^{if} my driver meets his death through a road accident? We should not forget that the Government is doing everything possible to curb road accidents. What happens if this driver dies and his ^{brother} or next of kin, does not know how to drive? It could even be worse if his brother happens to be a thief, or a murderer. Shall I be forced to ^{take} him on?

Mr. Temporary Deputy Speaker, Sir, it could be unfortunate that this Motion was brought up. In any case the Motion is not practical. The Kenya of today cannot ^{act} along the lines expressed in this Motion. There are institutions which are charged very directly with the responsibilities of recruiting new employees: we have the the Public Service Commission, the Directorate of Personnel Management, and all kinds of institutions including personnel divisions in both the public and the private sectors. Therefore, we cannot just rub them off and say we have introduced a new method of giving out ^{employment} positions.

END V

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (ctd.):

Mr. Temporary Deputy Speaker, Sir, as one Assistant Minister has said, we could land ourselves in difficult situations where people will start looking for ways and means of killing their own brothers or relatives so that they could get into their places of employment. It is unfortunate that the argument advanced by the supporters of the Motion is that we are going to create employment. It is ^{not} true. We do not create employment through the deaths of people. It is very unfortunate to have such kind of sentiments. What the Government is doing is to restructure the whole economy through revamping ~~the~~ whatever means and resources into the economy so that we create employment.

It is true that the Ministry of Manpower Development and Employment is preparing a Report which is due for publication within a short time. This Report outlines the objectives of the Ministry and how the Government and the country can create job opportunities. It is important that we address ourselves to the issues which face the nation. There are ^{posts} ~~places~~ which must be filled or dealt with by professionals. We are soon, and in the near future, going to be dealing with certain matters with the aim of professionalising certain areas. If we were to follow the sentiments expressed in this Motion, it is going to be difficult to do that. ^{would} It ~~is~~ very difficult to replace doctors, police officers, drivers, engineers and teachers, ~~if~~ if this Motion was to be implemented. In fact if this Motion was to be implemented it would result in a situation that exists now without this Motion. In other words, we will only be able to replace one employee out of 10. This is, in any case, being done through organisations and ~~not~~ individual benevolence. It is not correct to do what the Motion requires. It cannot be and we cannot do it. We would be going backwards if we were to follow the sentiments expressed in the Motion. If we did that certain jobs would always be for a particular group of people or for a particular ethnic group and not for any other people

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (ctd.):

who might have the qualification to fill those jobs or positions.

The Motion wants us to take over jobs that were formerly held by our fathers and brothers.

Mr. Temporary Deputy Speaker, Sir, it is unfortunate that the House is debating this ^{unfortunate} Motion which is intending to drive us back to 50 years ago. This is the period when positions were being filled traditionally. During those years for example, if ones father was a paramount chief, then his ^{first son} automatically took over when he died. But today things have changed. A position can be filled by any Kenyan provided he has the qualifications.

MR. MANG'OLI: On a point of order, Mr. Temporary Deputy Speaker, Sir. In your ruling you said that the Motion is not saying that a person should automatically take over ^{the} a position of a deceased person. Now, the way I understand what the Minister is saying is that he is implying that a person automatically takes over the office. This is the reason he is giving for rejecting the Motion. Now, since you Mr. Temporary Deputy Speaker, had already given your ruling, is the Minister in order to still adopt that attitude which is contrary to the Chair's ruling? Is he in order to continue misleading the House that if we passed this Motion we are going back to the chieftaincy reign that was there 50 years ago?

END W.....

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Magugu): Mr. Temporary Deputy Speaker, Sir, I am not continuing with the same attitude ^{but} I am just expressing my view. I started off by saying that unfortunately, the hon. Member who moved this Motion and the seconder have not familiarized themselves with employment policies of the Government. That is why I find it necessary to go back 50 years ago. The Motion---

MR. MANG'OLI: On a point of order, Mr. Temporary Deputy Speaker, Sir.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order! I will not allow you to raise that point of order if ~~at all~~ you are going to repeat the same argument. It should be a completely different point ^{of order and} not in the same ~~xxx~~ version that the Minister is misleading the House by referring to a paramount chief being replaced. I do not want that to be repeated.

MR. MANG'OLI: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister has said that we are not familiar with the employment policies of the Government. ~~xxxxxxx~~ How did he know that we are not familiar with the employment policies of the Government? Can he qualify that statement?

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri): On a point of order, Mr. Temporary Deputy Speaker, Sir. I seek your guidance here. When the hon. Member who has just spoken hears that another hon. Member has said something which is opposed to his views, he rises on a point of order to oppose his views. Is it not the right time that the hon. Member was reminded that in this House hon. Members are entitled to air their views and that another hon. Member cannot rise on a point of order just because the other has a contrary view?

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): I have done my best to guide the hon. Member. He seems to ~~exist~~ insist on ~~oppose~~ opposing other ~~the~~ hon. Members' views and I have even threatened to send him out of the Chamber. He does not seem to heed to it but any continuation of such behaviour will call upon the Chair to take a disciplinary action against him. Please, desist from ^{making} any invalid points of order.

MR. WASIKE-NDOMBI: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Karauri in order to come in and start raising points of order when he escaped answering Questions ^{put} of ^{to} the Ministry of Education this morning?

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order! That is a completely different issue. You should not bring in issues that are not related to the on-going Motion. I think, hon. Members of Parliament, you should leave some of these things to the Chair to guide the House. It is completely out of order to bring in matters ~~which~~ which are not related to the Motion or anything that is being discussed. Do not ~~repeat~~ repeat that again, Mr. Wasike-Ndombi.

On a point of Order,
THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri): / Mr. Temporary Deputy Speaker, Sir, I think the hon. Member should withdraw that remark because I do not think he can prove that I ran away from the House to avoid answering a Question. The fact that I was not in during Question Time does not mean that I ran away so that I ^{could} not answer the Questions.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): I agree with you entirely. Mr. Wasike-Ndombi, you should withdraw that remark because that is imputing improper motive to the hon. Member.

MR. WASIKE-NDOMBI: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is true that this morning - and even Dr. Wameyo complained - the Ministry of Education avoided answering the Questions. Why am I being forced to withdraw?

AN HON. MEMBER: On a point of order, Mr. Temporary Deputy Speaker, Sir.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order. He did not run away from the House. He had very important issues to attend to and I do not require any explanation from hon. Karauri. I would like you to withdraw that remark.

MR. WASIKE-NDOMBI: Mr. Temporary Deputy Speaker, Sir, it is true that the Ministry of Education did not answer its Questions. I cannot withdraw that remark---

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order! In that case, I will send you out of the precincts of the Parliament Buildings for the rest of the day.

(The hon. Wasike-Ndombi walked out of the Chamber)

THE MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT


(Mr. Magugu): Mr. Temporary Deputy Speaker, Sir, we do not ~~only~~ want to formally pass resolutions in this House to force acts of benevolence to be done on behalf of our families, or on our own ~~best~~ behalf. We appreciate those people who are doing that. This Motion is exactly requesting that we must formalize or pass a resolution to the effect that anybody, on account of his relative meeting his death, can take the job of his relative if he meets the requirements of the post. So, I do not think that should be the case and I do not want to take much more time of the House because the whole thing is obviously out of today's Kenya and---

X.4.....23.11.88

ADJOURNMENT

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Hon. Members, ~~It~~ ^{is} it is now time for the interruption of business. The House ^{is} therefore, ~~it~~ adjourned until this afternoon at 2.30 p.m.

The House rose at thirty minutes past Twelve o'clock.

END X... 

H A N S A R D

Wednesday, 23rd November, 1988

The House met at thirty minutes past Two o'clock.Mr. Speaker in the Chair

PRAYERS

ORAL ANSWERS TO QUESTIONS :

Question No. 511

arap
MR. CHEPKOK asked a Minister of State,
Office of the President:-

- (a) whether he is aware that Mr. Francis Chepnege was arrested on 17/2/87 at his home in Tamhach and taken to Iten Police Station; and
- (b) why he was arrested.

THE ASSISTANT MINISTER, ~~OF STATE~~, OFFICE OF THE PRESIDENT (Mr. Kamotho): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Mr. Francis Chepnege was arrested on 17th February, 1987, and not on 12th February, 1987.

(b) He was arrested on an allegation of a murder report which was later discovered to be false. He was subsequently released on 20th February, 1987.

arap
MR. CHEPKOK: Mr. Speaker, Sir, I agree with what the Assistant Minister has said that Mr. Chepnege was arrested for being suspected of having ^{committed} murdered. Mr. Chepnege was restricted in the police cells for two weeks, yet he had not ^{committed} murdered. For two weeks, he was interrogated and beaten by the police to show them where the dead body was. After this period, the person whom he was alleged to have murdered came back from ^a safari, and so Mr. Chepnege was released. What action did the Assistant Minister take ^{after releasing} to compensate Mr. Chepnege, ~~for the suffering he went while in custody?~~

MR. KAMOTHO: Mr. Speaker, Sir, after the allegation was discovered to be false, the man who gave the report, by the name

MR. KAMOTHO (contd.):

of Robert Lotiang' Kipsiogorio was subsequently arrested and charged for giving false information. He was fined Ksh1,000. Therefore, since the person who had given the false information was charged and fined, the matter is now left to the person whom the allegation was made against. He can ^{file} take a civil suit against the person who had made the false allegations against him.

MR. ^{arap} CHEPKOK: Mr. Speaker, Sir, the answer given by the Assistant Minister is correct. However, Mr. Chepnege suffered a lot for two weeks ~~in~~ while in police custody. Is it really fair for the man who had given the false information to have been fined only Ksh1,000/-?

MR. KAMOTHO: Mr. Speaker, Sir, I understand the sentiments of the hon. Member. As I said earlier, however, Government took the necessary action to ensure that this kind of thing is not repeated again. If the hon. Member would like me to give him the case number so that the person concerned can sue the one who made the allegations against him ~~for compensation~~, then I am ready to do so. Otherwise, as far as the Government is concerned, ^{we} ~~they~~ did what was necessary.

MR. KUBO: On a point of order, Mr. Speaker, Sir.

My point of order, is regarding the sentiments of my hon. colleague who is alleging that that fine was too small. Our Standing Orders do not allow us to challenge any decision of any court. It is out of order for us to do so. Therefore, would the hon. Member apologise for having challenged a court's decision?

MR. ^{arap} CHEPKOK: Mr. Speaker, Sir, I know that the man who made the allegations against Mr. Chepnege was fined Ksh1,000

MR. arap CHEPKOK (contd.):

My question however, is whether it is fair for a person being held by the police to be beaten even before they have established whether he committed a crime or not. As a result of the beatings while in the police cells, this man is now disabled. A suspect should be interrogated while in police custody, but not beaten.

MR. KAMOTHO: Mr. Speaker, Sir, we are a democratic country, and there is no separation of powers. I am not competent to make any statement concerning decisions in the courts of law. Therefore, I have given the answer to the satisfaction of every Kenyan.

MR. SPEAKER: Let us move on to the next Question.

Question No. 537

MR. MATE asked the Minister for Health:-

- (a) when Ishiara Hospital X-Ray block will be completed; and
- (b) what has delayed the completion of this building.

THE ASSISTANT MINISTER FOR HEALTH (Mr. Ogur): Mr. Speaker, Sir, I beg to reply.

(a) Ishiara Hospital X-Ray block will be completed in the next financial year, 1989/90.

(b) The delay was caused by the contractor who abandoned the site due to payment problem arising from failure to formalize the contract with the Ministry.

End A.....

MR. MATE: Mr. Speaker, Sir, this particular project is 60 per cent complete, and my people have really suffered because they have to be taken to distant places for X-ray. Who made the mistake formalising the signing of these contract forms? Is it the contractor or the Ministry?

MR. OGUR: Mr. Speaker, Sir, work on this project had progressed very well during the 1985/86 ^{Financial Year} until 28 per cent of it had been completed when the contractor abandoned work due to payment problems. At the end of that financial year the funds allocated to the project by my Ministry were returned to the Treasury. This happened because usually such projects have to be evaluated by both my Ministry and the Ministry of Public Works to our satisfaction. We cannot go on funding a project without seeing to it that the project proceeds on according to its plans. In the course of time—

MR. MATE: On a point of order, Mr. Speaker, Sir, I think the Assistant Minister is not answering my question because I asked him who caused the problem. Is it his Ministry or the contractor because the project was abandoned?

MR. OGUR: Mr. Speaker, Sir, I was trying to explain to the hon. Member so that he understands the relationship between my Ministry and the Ministry of Public Work^s in the project, because this is how we fund any project of that kind. The Ministry of Public Works has to oversee the construction of the project, while we negotiate with the Treasury ^{on} the funding of the project. Before we have agreed on proper construction of a project the financial year ends, and we have to return the money to Treasury. In the process of trying to do all this, there ^{was} a small delay, but we have now agreed that the project is going to be completed in 1989/90 when a new contractor will be engaged by the Ministry from that area.

MR. MATE: Mr. Speaker, Sir, as the Assistant Minister has told the House, this project was started back in 1984 and went on upto 1986. Now, there has been a delay which was not caused by the contractor; the contractor abandoned it because he was not being paid his money. So, can the Assistant Minister explain why ~~this~~ there has been this delay? ^{Was} Whether it ~~is~~ was caused by the Ministry of Works or the Ministry of Health, [?] surely, why should my people suffer through no fault of their own? If somebody somewhere in an office fails, then the proper action should be taken. So, I would like the Assistant Minister to explain why there has been this delay because it was not the mistake of the contractor.

MR. OGUR: Mr. Speaker, Sir, I hope I am not being requested to explain the degree of suffering in this House. I am trying to safeguard the interests of the hon. Member and the area concerned. It has to be ensured that we are funding the correct ~~f~~ project. This is the responsibility of the Ministries of Health and Public Works, and not of the contractor. In ensuring that we ^{were} funding the correct ^{project}, a small delay arose. However, ^{we have} now embarked on it and by the next financial year, 1989/90 we will start ^{funding} it. We have now seen it and agreed with the Ministry of Public Works that it is ^{alright} and that it ^{goes} on until it is completed. So, there will be no more suffering, if there has been any.

Question No. 542

MR. MUREITHI asked the Minister for Energy:

- could*
- (a) whether he ^{could} consider supplying electricity to Thungari Sub-location in Mweiga Location in order to enable the residents to make use of the two boreholes they completed in 1986; and
 - (b) what the estimated cost of this electrification project is and how soon it can be implemented.

THE ASSISTANT MINISTER FOR ENERGY (MR. MATE): Mr. Speaker,

Sir, I beg to reply.

THE ASSISTANT MINISTER FOR ENERGY (Mr. Moturi): Mr. Speaker, Sir, I beg to reply.

(a) The design of electricity supply lines for Kieni West is presently being undertaken. When completed it will include Thungari Sub-location of Mweiga Location. Supply of power to the boreholes will also be included then.

(b) The ~~cost of estimates~~ ^{estimated cost} for this planned electrification will be known after the designs are completed. For the information of the hon. Member, the project will be implemented during the Financial Year 1989/90.

MR. MUREITHI: Mr. Speaker, Sir, I wish to thank the Assistant Minister for promising that this project will be started in 1989/90. However, he ~~is~~ has omitted one paragraph from the written answer I was given. I do not know whether this was deliberate, or not, because I think the paragraph is very rude. I thank him for omitting that paragraph.

Now, I would like to know when the design work will be completed.

MR. MOTURI: Mr. Speaker, Sir, the design will have to be completed during this financial year, ready for the next financial year.

Question No. 544

MR. MWAMZANDI, kwa niaba ya Mr. Bujra, alimwuliza Waziri wa Nishati ni lini itapeleka umeme katika sehemu ya Matondoni, Gadeni na Makowe kama ilivyopendekezwa na D.D.C. ya Lamu mwaka wa 1987.

THE ASSISTANT MINISTER FOR ENERGY (Mr. Moturi): Bw. Spika ninaomba kujibu.

Wizara yangu imeamua kwamba itapeleka nguvu za umeme huko Matondoni, Gadeni na Makowe ikitumia diesel generators zilizoko hapo. Pia itapeleka nguvu za umeme huko

THE ASSISTANT MINISTER FOR ENERGY (Mr. Moturi) (Ctd):

barani Lamu ikitumia submarine cable.

Mradi huu utatekelezwa kutoka Mwaka wa Pesa wa Serikali wa 1989/90, na atatumia kiasi cha ^{Sh. 18 milioni} ~~shilingi milioni 18~~ wakati utatapo-
malizika.

MR. MANG'OLI: Bw. Spika ninamshukuru Waziri Msaidizi kwa jibu hilo ambalo linaonyesha kwamba Serikali ina mpango wa kupeleka nguvu za umeme huko Lamu. Waziri Msaidizi anaweza kulieleza Bunge hili ni lini watapofanya mpango wa kimbele wa kuweka stima yenyewe huko Lamu badala ya stima ya generators, au aeleeze kama mpango huo tayari umefanywa?

MR. MOTURI: Bw. Spika, sikulisikia ^{swali} hilo. Ninamwomba mhe Mbunge alirudie.

MR. MANG'OLI: Bw. Spika, swali langu ni kwamba kwa vile Waziri Msaidizi amesema kwamba wataweka huko Lamu stima ya generators, ni lini watapoweka stima yenyewe?

MR. MOTURI: Bw. Spika, stima ni stima iwe inatoka katika generator au kwa kitu kingine; tunachotaka ni kuwapatia wananchi stima.

MR. MWAMZANDI: Ahsante sana, Bw. Spika. Ingawa tumeahidi-
wa na Wizara hii ya Nishati, hakuna chochote kinachofanyika. Kwa
mfano, walitwambia kwamba wangeanza ^{kuweka} stima huko Msambweni katika
mwezi wa Oktoba ambao tayari imepita, na hakuna lolote lililofanyika.
Sasa, Waziri Msaidizi ana hakika kwamba jambo hili litafanyika, au
ni ule mtindo wa kuwapaka wananchi mafuta kwa kusema kwamba
Wizara itafanya hili na lile na hali hakuna chochote kinachofanyika?

END

MR. KARURI: Mr. Speaker Sir, you know that it is very difficult to answer a Question which is not clearly asked. ~~They~~ We also do not have a grade of a principal teacher. I do not know what the Member is asking about.

(Laughter)

Mr. Speaker Sir, if the Member wants to re-ask the Question, when he has checked his facts, he can do so and we are prepared to answer the Question.

MR. KUBO: On a point of order, Mr. Speaker, Sir. Hon. Mang'oli's Question only lacked the technical wording, but the Assistant Minister should have understood that the Question meant Approved Teachers, because this country has always faced this problem of scarcity of approved teachers. I think the Assistant Minister has understood that the Question was referring to Approved teachers.

MR. KARURI: Mr. Speaker Sir, that point of order is very interesting. Are we to assume the implications of the Question when it has ~~not~~ been written very clearly that it is ^{referring to a} Senior Teacher 1? We will not assume that that is what it meant. ~~We will~~ ^{they are} answer the Questions ~~as they are~~ written and forwarded to us.

Question No. 546

MR. MUKU, asked the Minister for Education:-

- (a) why Messrs. Godana Adde, P/No. 5282 and Elsa Roba P/No. 5277 treated as casuals yet they were employed as cooks attached to the D.E.O. Isiolo, and placed on the payroll from 1966-1970;
- (b) whether he could declare them to be on permanent and pensionable terms since they risk losing their benefits despite their good services; and
- (c) whether he could also place Messrs. Salesa Guyo who has worked since 1981, Godo Godana Jaldesa and Boru Haka who have worked since 1984, on permanent and pensionable terms.

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri): Mr. Speaker, Sir, I beg to reply.

(a) Both Messrs. Godana Adde, P/No.5277 and Ele Roba P/No.5282, who are subordinate staff, Job Group "A" are not treated as casuals as they are serving on temporary terms of employment. Furthermore, they are presently deployed as cooks on temporary terms of employment. Furthermore, they are presently deployed as cooks at Marti Low cost maintained ^{boarding} primary school in Isiolo District and they ~~are~~ enjoy all the benefits applicable to their grades and their terms of ~~xxx~~ employment.

(b) My Ministry will only consider to place Messrs. Godana ~~xxx~~ Adde and Ele Roba on permanent and pensionable terms of service subject to availability of vacancies in ~~the~~ that establishment and adequate funds.

(c) My Ministry will consider to ~~xxx~~ translate the terms of service for Messrs. Salesa Goyo (cook), Foru Hika (cook) and Gedo Godana Jaldesa (cleaner) from temporary to permanent and pensionable terms of service subject to the availability of vacancies in the Ministry's establishment for those positions in their cadre and also subject to availability of funds.

MR. LOKU: Mr. Speaker, Sir, while appreciating the Assistant Minister's reply, is he aware that these officers were employed by his Ministry as early as 1966, that is 22 years ago? Now, a Question has been asked whether they will be placed on permanent and ~~permanent~~ pensionable terms and the reply ~~is~~ being given by the Ministry is that ^{that} ~~it~~ can only be done subject to availability of funds. When will these funds be made available?

MR. KARAUURI: Mr. Speaker, Sir, all these five ~~xxx~~ employees are serving on temporary terms of service and are placed on a proper salary scales and receive annual increments. The Ministry remits mandatory statutory deductions such as the National Social Security Fund contributions to the relevant institutions and also pays the officers hardship allowances and everything ~~xxx~~ that officers of their grade are entitled to. If they have not been promoted all this time, that is a different ~~w~~ question. That is why we are saying that when there are vacancies in that cadre, they will be considered.

MR. JAIDESSA: Mr. Speaker Sir, arising from the Assistant Minister's reply, ~~which says~~ that ~~they~~ the officers will be appointed on permanent and pensionable terms of service when ~~firstly~~ vacancies and funds become available, is he telling the House that since 1966, funds and vacancies have not been available?

MR. KARURI: Yes, Mr. Speaker, Sir.

MR. MOKU: If the answer to hon. Jaidessa's question is, yes, then can the Assistant Minister not order his Ministry officials to place these officers on permanent and ~~permanent~~ pensionable terms ^{of service} now because it has taken ~~that~~ too long for vacancies to arise?

MR. KARURI: These are people who are working for a particular institution, and if ~~the~~ vacancies arise in that institution ~~with~~ ~~vacancies~~ ~~arising~~ ~~there~~, they will be upgraded.

MR. JAIDESSA: On a point of order, Mr. Speaker, Sir. Are you satisfied with the Assistant Minister's ^{reply that} since 1966 vacancies and funds have not been ~~made~~ available?

MR. KARURI: Yes, I think, ^{the hon. Member} Mr. Speaker, I should be satisfied with that answer because ~~these~~ vacancies have not arisen at the place where these people are working. They cannot be promoted simply because if vacancies have arisen somewhere else. The vacancies have to arise in that particular institution where they are working for them to be promoted.

Question No. 576

MR. EKIDOR, asked the Minister for Co-operative Development:-

- (a) whether he is aware that over 60 ~~or~~ tonnes of fish belonging to Turkana Fishermen's Co-operative Society at Kalokol in Turkana District are rotting due to lack of market;
- (b) what action is he taking to look for market both locally and overseas for these products; and
- (c) what further action he is taking to ensure that the said society is relieved of its current financial constraints.

THE ASSISTANT MINISTER FOR CO-OPERATIVE DEVELOPMENT (Mr. Kimondo): Mr. Speaker, Sir, I have been requesting more time to reply to this Question.

AN HON. MEMBER: When will you be ready to answer?

THE ASSISTANT MINISTER FOR CO-OPERATIVE DEVELOPMENT (Mr. Kimondo): Mr. Speaker, Sir, I will be ready to answer that Question by next week.

Question 549

MR. ARIE asked the Minister for Water Development when the water pans in Ijera and Hara Locations will be constructed as recommended by the Garissa D.D.C.

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Mr. Mwita): Mr. Speaker, Sir, I beg to reply.

The water pans in Ijera and Hara Locations will be constructed as recommended by the Garissa D.D.C. as soon as the present dam construction unit, which is in Kilugo Division completes the work being implemented there. However, it is not easy ^{to say} when the unit will move to the locations as ~~imp~~ their implements keep on breaking down from time to time due to old age.

END C.....



MR. A.I. MOHAMED: Mr. Speaker, Sir, while appreciating the answer given by the Assistant Minister, we would like to know when these water pans will be completed because it is taking too long.

MR. MWITA: Mr. Speaker, Sir, I said they will be completed as soon as possible and I do not want to say more than that.

MR. FALANA: On a point of order, Mr. Speaker, Sir. I seek your guidance here, Sir. There are expressions which are used in this Parliament which beat me. These are "when funds become available", "as soon as possible," "when vacancies arise" and so on. I do not think that the Ministers are serious when using such expressions. It is simply a way of evading Questions. These expressions are infinite. Why can they not be specific?

MR. SPEAKER: Order! It is too early for you to complain about those expressions.

(Laughter)

MR. ARTE: Mr. Speaker, Sir, the Assistant Minister has said that the machines are not able to move from ^{Hulugho} Olugo because they are old. This is not true. As far as I am concerned, the machines are not old but are lacking mechanics to carry out repairs. Can the Assistant Minister tell us the number of ~~earth moving~~ ^{earth moving} mechanics the Ministry has to repair those machines?

MR. MWITA: Mr. Speaker, Sir, perhaps, I should go back to the Ministry to find out how many mechanics we have.

MR. A.I. MOHAMED: On a point of order, Mr. Speaker, Sir. I want to know from the ^{Assistant} Minister how long it takes to scoop one pan.

MR. MWITA: Mr. Speaker, Sir, first of all, that is not a point of order. I have been fair in answering the Question which was raised by my hon. friend, Mr. Arte. As soon as the work in ^{Hulugho} Olugo is completed, we will move on.

MR. ARTE: On a point of order, Mr. Speaker, Sir. Tractors have been in ^{Hulugho} Olugo for the last eight months and we want the Assistant Minister to tell us how long it takes to complete one pan. A period of eight months is too long before completing a single pan.

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MR. MWITA: Mr. Speaker, Sir, if the hon. Member wants to know how long it takes to complete one pan, I will have to go back and find out from the experts because I am not an engineer myself.

MR. SPEAKER: Next Question.

Question No. 557

MR. TANUI asked the Minister for Public Works:-

- (a) how many toll stations there are in the country and how much each station collects per year; and
- (b) how much of this money has been utilized and for what purposes.

THE ASSISTANT MINISTER FOR PUBLIC WORKS (Mr. Maiyani): Mr. Speaker, Sir, I beg to reply.

- (a) Presently, there are nine toll stations operating in the country.
- (b) The total collection from all the nine toll station is estimated to be about Shs.130 million during this Financial Year. This is broken down as follows:-

(1) Ruiru	-	Shs.36 million
(2) Gilgil	-	Shs.31 million
(3) Machakos	-	Shs.22 million
(4) Londiani	-	Shs.14 million
(5) Nyali	-	Shs.13.2 million
(6) Mtwapa	-	Shs.13.2 million
(7) Katito	-	Shs.8 million
(8) Busia	-	Shs.3.5 million
(9) Anagoro	-	Shs.2.8 million

Most of the money collected by the toll stations has been used to maintain our roads countrywide. To-date, more than Shs.398 million has been spent to repair and reseal our roads.

MR. TANUI: Mr. Speaker, Sir, I appreciate the reply given by the Assistant Minister. It is clear that these toll stations are generating a very good revenue to our Government. Can the Assistant Minister consider increasing the number of toll stations in the country?

HON. MEMBERS: Oh! No.

MR. SPEAKER: Can you repeat your question, Mr. Tanui?

MR. TANUI: Mr. Speaker, Sir, while appreciating the Assistant Minister's reply, I would like to say that this is a clear indication that the existing nine toll stations have generated over Shs.398 million which has been used for repairing roads in the country. Since these toll stations earn our Government good revenue, can the Assistant Minister consider increasing the number of toll stations in the country?

MR. MAIYANI: Definitely, Mr. Speaker, Sir. I appreciate that part of the question ^{and} I have information concerning this. Currently there are nine toll stations - as I have said - which are operational in the country. Plans have already been made to construct six more toll stations. These stations will be put up at :-

- (1) Ena along Embu/Meru Road which will be done in February, 1989.
- (2) Bahati along Nakuru Road ~~via~~ which will be done in February, 1989.
- (3) Kimilili along Webuye/Kitale Road which will also be constructed in February, 1989.
- (4) Mbale along Kisumu/Kakamega Road which will be done in April, 1989.
- (5) Nanyuki along Kiganjo/Isiolo Road which will be done in August, 1989; and
- (6) Leseru along Eldoret/Turbo Road which will also be done in August, 1989.

About Kshs.132 million is expected to be collected by these toll stations including payment of seasonal passes during this Financial Year. Over Shs.31 million was collected during the first quarter, that is, July, August and September of this Financial Year. Much of the money collected by the toll stations has

MR. MAIYANI (ctd):

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been spent not only to maintain our roads but also to meet operational expenses of these toll stations.

END.....D

MR. MAIYANI (ctd.):

Besides, some of these collections have been spent in constructing accommodation facilities and replacement of depleted motor vehicles required for the smooth running of these toll stations.

Major works carried out and paid for, or to be paid for, include the following. One, the rehabilitation of ~~the~~ Nairobi roads phase 1 that is Nyerere Road, State House Road, Dennis Pritt Road, Ayakule Road, Outer Ring Road, Airport Road, Kenyatta and Haile Selassie Avenues and Uhuru Highway. This will cost Sh.19.9^{million}. The other one is overlaying Nairobi roads phase 11 - Kikuyu and Kamiti Roads. This will cost roughly ~~x~~ Sh.25 million. The third one is overlaying ~~the~~ Athi River and Lang'ata Roads. This will ~~ex~~ cost about Sh.21.9 million. The fourth one is overlaying Mombasa Road - phase 1. This will cost about Sh.12.6 million. The fifth one is overlaying Mombasa Road phase 11. This will cost Sh.38.9 million.

MR. MWAMZANDI: On a point of order, Mr. Speaker, Sir. One of our Standing Orders ~~is~~ states that if a reply is too long, it should be given in writing, and this one is taking too long.

MR. MAIYANI: Mr. Speaker, Sir, I think my answer is satisfactory ~~is~~ and I thank the hon. Member.

(applause)

QUESTIONS BY PRIVATE NOTICE

MR. ADEN: Bw. Spika, naomba kumuuliza Waziri wa Nchi, Ofisi ya Rais Swali Maalum lifuatalo.

(a) Waziri anafahamu kuwa Mkuu wa Polisi aliamuru kupitia kwa tangazo la Legal Notice No. 442 la tarehe 28, Oktoba, 1988 kuwa madereva wa magari ya kubeba mizigo na vifaa vya kigeni wawe na fomu P.27?

(b) Waziri pia anafahamu kuwa dereva anayeendesha gari la mizigo anaweza kusimamishwa pahali popote panapoamuliwa na Mkuu wa Polisi?

(c) Magari haya yatakaa kwenye vituo ^{vya} ukaguzi kwa muda gani kwani huwa yanaenda mbali na kulingana na agizo hili yanaweza kusimamishwa mara kadhaa njiani?

(d) Waziri anaweza kutoa hakikisho kuwa magari haya hayatacheleweshwa njiani?

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT

(Mr. Onyancha): Bw. Spika, kabla sijatoa jibu, ningekuomba unipe mruhusa nisome kifungu kimoja au viwili vya Legal Notice hiyo kwa Kingereza, ili tuelewane. Navyo vinasema hivi:-

2. Any goods imported in transit to a foreign port or place shall, while being carried through Kenya in a vehicle on any road, be accompanied by the original police form P.27, obtained at the port of import by the person in charge of the vehicle from the police officer authorised to issue the form.

3. A vehicle carrying goods through Kenya will be required, under police direction, to stop at such stations designated by the Commissioner, where the person in charge of the vehicle shall present police form No. P.27, for the due completion at these places.

4. On completion of the journey through Kenya, the person in charge of the vehicle shall surrender form P.27 to the police officer authorised to receive the form at the port of import, export.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Onyancha)(ctd):

Bw. Spika, sasa naomba kujibu.

(a) Ni kweli kwamba madereva wa magari ya kubeba mizigo na vifaa ^{vya}bya kigeni wanaulizwa wawe na fomu hiyo - P.27.

(b) Ni kweli pia kwamba magari wanayoyaendesha yanaweza kukaguliwa katika vituo hivyo.

(c) Baada ya mizigo hiyo kukaguliwa, magari hayo huachiliwa na kuendelea na safari zao.

MR. ADEN: Bw. Spika, namshukuru Waziri Msaidizi kwa jibu lake lakini ina vyojulikana ni kwamba kutoka Mombasa mpaka Malaba au Busia, kuna vituo vingi sana vya polisi, na kama kila gari linalobeba mizigo linaweza kutumia saa moja katika kila kituo, labda gari hilo litachukua muda wa masaa 30 kutoka Mombasa kvenda Malaba au Busia. Waziri Msaidizi anakubaliana nami kwamba, kwa vile wenye magari haya wana mapatano na makampuni ya kigeni, wakishindwa kutekeleza wajibu wao kulingana na mapatano yao, wanaweza kukosa biashara ya uchukuzi kutoka kwa ~~hizi~~ makampuni hayo ya kigeni.

MR. ONYANCHA: Bw. Spika, Legal Notice hii ilianzishwa hivi majuzi, na sababu moja iliyotufanya tuitoe ni kwamba baadhi ya mizigo iliyokuwa ikisafirishwa kutoka Mombasa kuelekea nchi za nje ~~ni~~ ilikuwa ikitolewa na kuuzwa ndani ya nchi yetu, Kenya. Kwa kufanya hivyo, watu hao walikuwa wakiharibu sheria zetu za forodha na kuleta madhara mengine. Pili, magari haya, wakati mwingine, yalikuwa yakitumiwa kusafirisha silaha. Serikali ilionelea kwamba ni lazima mambo hayo yachunguzwe vyema ili usalama wetu ulindwe na sheria zetu zitimizwe. Kwa hivyo, ingawa ucheleweshaji mfupi unaweza kutokea, ni ucheleweshaji wa lazima kwani tukiacha hapite hivyo, huenda mambo fulani yataharibika na ni lazima tuhakikishe kwamba usalama wetu

MR. ONYANCHA (ctd.):

~~umwawekwa~~
umwawekwa mbele ya mambo mengine. Ingawa hivyo, askari polisi wetu hufanya wawezavyo kuona kwamba uchunguzi wao w umefanywa haraka iwezekanavyo na kuyaachilia magari hayo.

MR. ADEN: Bw. Spika, namshukuru Waziri Msaidizi kwa jibu lake, lakini swali hili linahusu magari ya kubebea mizigo ya Kenya - the transport industry of Kenya, na tukiwaangamiza watu hawa, tutawaangamiza Wakenya wengi ambao wanapata riziki yao kutokana na magari hayo. Kwa nini Waziri Msaidizi hawezi kufikiria magari haya yawe yakienda kwa milolongo na kusimamiwa na askari polisi kutoka Mombasa hadi mpakani. Hii ikifanyika, magari hayatakuwa yakicheleweshwa sana kama ilivyo ~~ss~~ sasa.

MR. ONYANCHA: Bw. Spika, sijui kama ~~vizazi~~ wazo kama hilo laweza kutimika kwani kila mtu ana sehemu yake ya kufuata sheria zetu. Sheria hizi zimewekwa ili kusaidia nchi yetu iwe na usalama na ~~indolee~~ ^{endelee} kwa kila njia. Kwa maoni yangu, haiwezekani kutumia pesa nyingine nyingi kuweka askari polisi wafuatane na milolongo kama hiyo kwani kila mtu ana kazi yake ya kufanya. Ni wajibu wa dereva ~~kk~~ kupitia vituo hivyo, achunguzwe kidogo halafu aendelee na safari yake. Tukijaribu kuwajiri askari polisi wa kufanya kazi hiyo, itatubidi k tutumie pesa nyingi sana na hali kazi hiyo inatakiwa kufanywa na mwenye mizigo.

END P

MR. P.K. KIBYANJUI: Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Is the Minister aware that there was nobody on duty at Wangige Health Centre on 27th October, 1988, at 11.30 p.m.?

(b) Is he also aware that Mr. George Mbugua Kamau who had been ^{badly} bitten by a dog & waited at the centre from 11.30 p.m. to 12.30 p.m. when he had to be taken to another health centre?

(c) What steps will the Minister take to ensure that those supposed to be on duty, including the watchman, are present at the health centre even at night?

THE ASSISTANT MINISTER FOR HEALTH (Mr. Ogur): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that there was nobody on duty at Wangige Health Centre on 27th October, 1988, at 11.30 p.m.

The normal procedure is that one nurse covers the out-patient department as well as the in-patient during the night. In case of an emergency, the member of staff who may also be in ^{the} in-patient ward is informed to come and attend to the emergency case which may arrive ^{any} at a time at the out-patient department.

(b) According to the duty roster, a Mrs. Mulya was on duty at the health centre, but was attending to an emergency case which arrived a little earlier in the ward when Mr. George Mbugua Kamau was brought in.

(c) Both the Medical Officer of Health, Kiambu District, and the officer in charge of Wangige Health Centre have been instructed to ensure that a proper coverage is provided at the health centre for the both the out-patients and in-patients departments at all times - both day and night.

DR. WAMEYO: On a point of order, Mr. Speaker, Sir. The Assistant Minister has been asked a specific Question in part (b) of the Question which is:

DR. WAMEYO (ctd.):

"Is he also aware that Mr. George Mbugua Kamau who had been badly bitten by a dog waited at the centre from 11.30 p.m. to 12.30 p.m. when he had to be taken to another health centre?"

It was not about whether the officer on duty was attending ^{to} another emergency case, but whether he is aware that this gentleman waited at the health centre for all this period and since there was no treatment he had to be taken to another health centre for treatment. That is the question. The Assistant Minister should be specific in his answer ~~sh~~ about Mr. George Mbugua Kamau.

MR. OGUR: Mr. Speaker, Sir, when patients come from everywhere to a particular out-patient clinic, as in this case, we would not know that they are patients until they arrive. When they arrive, they go to the out-patient department. During such a time when they arrive there the person in charge of the department may already be occupied--

DR. WAMEYO: On a point of order, Mr. Speaker, Sir. It is common knowledge that in the rural areas workers are not reporting on duty on time. During the Kakamega District Development Committee (D.D.C.) meeting I pointed out that they report on duty around 9.00 a.m. and 10.00 a.m. The question to the Assistant Minister is whether he is aware that Mr. George Mbugua Kamau spent all that time at the health centre. He can say either is he not aware or that he is! But the rigmarole that he is giving to this House is no good.

MR. OGUR: Mr. Speaker, Sir, I see that the hon. Member wants ~~to~~ me speak on a specific issue which I am sure he himself was not observing! What I know is this. Normally, patients are brought in by their relatives. When they arrive ~~at the~~ ^{first of all} for treatment they report ~~at~~ the out-patient department table where they are registered. At that time when they arrive the officer in charge may have been called upon to attend to yet another emergency case. At that time the ~~believe~~ ^{can} of the patient may be so worried about their patient that they quickly

MR. OGUR (ctd.):

remove him without notifying the officer in charge.

(several hon. Members stood up in their places)

MR. SPEAKER: Order! Order! Honestly you all definitely know that if a Minister is reacting to a point off order, you surely cannot ^{raise} ~~answer~~ with another point of order before he has disposed off the ~~is~~ first one first.

MR. OGUR: Mr. Speaker, Sir, we are all aware that patients are brought in by parents or relatives without us in the hospital know about it. By the time they arrive at the out-patient department table, the officer in charge may already be occupied in yet another emergency case. There are registers at the out-patient department but if the patients are not registered we would not know their names. In this particular case Mr. George Mbugua Kamau was registered and then quickly removed away by relatives who had brought him to the health centre. This is a normal procedure ^{wheelby} ~~where~~ parents or relatives can decide to ~~follow where they can decide~~ to bring in their patient and then remove him. This could be because they want to take him to a better doctor or a better hospital. This is exactly what happened to Mr. Kamau. He was brought in by relatives and ^{taken} ~~removed~~ away by these same relatives!

(laughter)

(several hon. Members stood up in their places)

MR. SPEAKER: Order! Order, hon. Members! I think Mr. Ogur we need some clarification here. There is some confusion on whether the time was from 11.30 p.m. until the next day at 12.30 ^{p.m.} or whether it was on the same day. I think hon. P.K. Kinyanjui means 12.30 a.m. I think, maybe, that is where this confusion arises from.

MR. P.K. KINYANJUI: Mr. Speaker, Sir, while I am grateful to the Assistant Minister for the effort that he has made to answer this question, I would like to state that it is a very serious thing for the Assistant Minister to try and cover the mistakes by his own

MR. P.K. KENYANJUI (ctd.):

officers. I have a letter here which was written by a Mr. J.K. Kimani who took Mr. Mbugua to the health centre. For the sake of clarity and the facts therein, I would like to read this short letter to the House so that the hon. Members can know what exactly happened.

"Dear Hon. K. Kabibi,
I would be very grateful if you could come to this attention. On 27th October, 1988, I went to Wangige Health Centre to take my brother George Mbugua Kamau who was bitten by a dog. And my surprise is we did not find any doctor or the watchman in this dispensary. We reached there at 11.30 p.m. and started looking for the watchman. When we did not find the watchman we started calling the doctor and nobody came to our attention until 12.30 a.m. So we went back home."

Mr. Speaker, Sir, this is a letter from the person who was there. Can the Assistant Minister produce any evidence to show that anybody from his Ministry was present at the health centre at that time?

(applause)

MR. OGUR: Mr. Speaker, Sir, if this really happened the way the hon. Member is trying to explain to this House, I would like to inform the House that it ^{is} also because of that reason that I have now given the instruction to the Medical Officer of Health, Kiambu District, and the officer in charge of Wangige Health Centre to ensure that proper covering ^{is} provided at the centre for the out-patient and in-patient departments at all times - p.m. and a.m.!

END F.....

MR. J.N. MUNGAI: On a point of order, Mr. Speaker, Sir. ^{This} It is quite clear and we are happy with what the hon. Assistant Minister is saying. But you can see that a committed mwananchi wrote that letter and it is until that letter had been produced ^{that the Assistant Minister} has accepted to say that he has given the instructions. Can he, therefore tell the House clearly whether he is aware that this incident ^{occurred} happened and why he was trying to evade the Q2 Question?

MR. OGUR: Mr. Speaker, Sir, how can an Assistant Minister living in Nairobi be aware of what happened somewhere at 11.30 p.m.? It is not possible for me to be aware of such events taking place at such a time.

MR. KUBO: On a point of order, Mr. Speaker, Sir. Earlier on in response to part (b) of the Question, the Assistant Minister said that he is aware because this gentleman had been entered in the register. But now he is saying that he is not even aware that this man was taken away before he was even registered. Is he not misleading the House? Can he now withdraw and apologise to the House and say that he misled the House?

HON. MEMBERS: He should resign!

MR. OGUR: I have nothing else to add because I can see the trend of events. These people brought in their patient and very quickly before they were attended to decided to move their patient from Wangige and only to bring this kind of Question. I have also responded very well by giving proper instructions that such a thing should never ^{happen} because it is a bad thing ~~to happen~~.

MR. SPEAKER: Next Question, Mr. Ekidor.

MR. J.N. MUNGAI: On a point of order, Mr. Speaker, Sir.

MR. SPEAKER: What is your point of order, Mr. Mungai?

MR. J.N. MUNGAI: On a point of order, Mr. Speaker, Sir. The hon. Assistant Minister says that this mwananchi was taken to this particular health centre but later his relatives took him away and the hon. Questioner says that the mwananchi was taken to the health centre but there was nobody to attend to him. The Assistant Minister goes further into misleading the House by saying that the patient was taken to the health centre ^{and} he was attended ^{to} but then he left before he was treated. Is it really in order for the Assistant Minister to mislead the House when he clearly

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MR. J.N. MUNGAI (Ctd.):

knows that wananchi will read these answers in the newspapers tomorrow morning or will be told ^{through} the radio what happened? Why does he not tell us the truth?

MR. SPEAKER: Order, hon. Members. I think the hon. Assistant Minister has ~~axra~~ already taken action and we ~~x~~ wish him every bit luck in his Ministry.

Next Question.

MR. EKIDOR: Mr. Speaker, Sir, I beg to ask the Minister for Education the following Question by Private Notice.

(a) Is the Minister aware that the buildings of Kataboi Primary School have dangerous cracks which have forced the pupils to learn under trees?

(b) What ~~x~~ urgent steps is he taking to repair these school buildings?

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that some physical facilities of Kataboi Low Cost Maintained Boarding Primary School which was constructed in 1969 with the assistance of ~~xa~~ loan funds obtained from the World Bank have visible cracks which require repairs and renovations, but owing to financial constraints the Ministry cannot undertake ~~xxxx~~ these repairs.

(b) Since the Ministry cannot undertake these repairs, I would like to appeal to my very good friend, hon. Ekidor to mobilise his constituents and raise money through the Harambee spirit. Again, the hon. Member is a member of the district development committee (D.D.C.) in his district, and therefore, he should be able to put this case in his D.D.C. for ^{their} ~~the~~ assistance.

MR. EKIDOR: Mr. Speaker, Sir, can the Assistant Minister tell the House what is the total cost of repairing the school and if the ~~x~~ contractor who was constructing ~~the school~~ ~~be~~ that school and did it poorly has been asked to go back to the site?

MR. KARAUURI: In fact, the repairs required are very minor and the hon. Member should be grateful that the Government has built 25 low cost boarding primary schools in the district. These small cracks should not worry him, in fact, he ^{has} ~~is~~ something himself.

MR. EKIDOR: My supplementary question has not been answered. I asked the ~~Minister~~ Assistant Minister to tell the House what is the total cost of repairing the school and whether ^{the} contractor who built the school poorly has been asked to go back to the site.

MR. KARAUARI: Sir, the cracks on the floors and walls are only in the girls dormitories and the workshop and we consider them as minor cracks. At the moment I do not have the figures for the cost of repairing the school.

MR. EKIDOR: Mr. Speaker, Sir, I wish to request the Chair that this Question be deferred ~~xxxxxx~~ until the Assistant Minister gets all the information. This is because, I do feel that this Question has ^{not} been properly answered.

MR. KARAUARI: That is not a fair suggestion because I have answered the Question properly. The supplementary question he put about how much it would cost to repair the school is in fact, a different question and that is why I do not have the relevant answer.

POINTS OF ORDER

THE ASSISTANT MINISTER FOR AGRICULTURE (Mr. Kariuki): On a point of order, Mr. Speaker, Sir. Last ~~week~~ Wednesday, I was asked by the House to present to this House the names of the companies and the directors and nationalities of all the tea brokers in Kenya. I do apologise to the House that I was not able to do this on Thursday and ~~Y~~ yesterday, but I do beg to do it now.

Like I said, there are two auction houses that deal with Kenya tea, one is in London and the ~~an~~ other one is in Kenya. In London, the following are the tea brokers for Kenya:— Thompson Lloyd & Ewart, ^{and} its directors are T.V. Carter, L.N.J. Leefe and M.G. Batty all British. ^{The other company is} Wilson, Smithett & Co. whose directors are K.N. Loudoun-Shand, D.A.H. Beddard and M.J. Bunston all of British nationality ^{and} ^{the other company is} Haines & Company (London) Ltd. whose directors are N.D. McColl and T.A. Corley who are all of British nationality and the fourth company is Geo. White & Co. whose directors are D.E.H. Panter and J.D.C. Rees and they all of British ~~N~~ nationality

THE ASSISTANT MINISTER FOR AGRICULTURE (Mr. Kariuki) (Ctd.):

In the Mombasa auction house, the ~~directors~~ companies are as follows: Combrok Limited whose directors are D.D.S. ~~YE~~ Venters, D.G. Njoroge, S.J. Mbugua and P.D.M Colmore all Kenyans, the other company is ~~East~~ Tea Brokers East ~~where~~ Africa Ltd. whose directors are C.H.C. De Montfort (British), E. G.M. Emkes (German) and E. Wahome (Kenyan). There is also another company called Africa ~~SEA~~ Tea Brokers Ltd. whose directors are N.J.M. Wilson (British), H.A. Valentine (Kenyan) and T.C. Muchura (Kenyan).

In addition, Mr. Speaker

In addition, Mr. Speaker, Sir, I would ~~like~~ like to make a short statement here about the tea industry in Kenya particularly following the concern that the hon. Members have shown about the state of affairs of the tea industry.

The Ministry has noted ~~has~~ the concern of the farmers particularly those in the districts west of the Rift Valley.

MR. KUBO: On a point of order, Mr. Speaker, Sir. The Assistant Minister is mixing two things; he was giving more details to a supplementary question and now he is giving a Ministerial statement. We know that when a Minister or an Assistant Minister is giving ~~information~~ further information to a supplementary question, hon. Members have the right to ask questions but in a Ministerial statement, we cannot ask questions. So can he confine himself to the supplementary information which he was given?

END G....

MR. SPEAKER: Order! Mr. Kubo, you are not supposed to interject when an Assistant Minister is replying to a point of order. He was on a point of order himself. Can you kindly proceed Mr. Kariuki.

MR. KUBO: On a point of order, Mr. Speaker, Sir. The Assistant Minister had finished replying to that point of order and was now making a Ministerial Statement.

MR. SPEAKER: He had not finished to my satisfaction. Continue Mr. Kariuki.

THE ASSISTANT MINISTER FOR AGRICULTURE (Mr. Kariuki):
Mr. Speaker, Sir, just as I was saying before I was interrupted, the Ministry of Agriculture has noted the concern of the farmers particularly those in the districts west of the Rift Valley, over the ~~xx~~ low second payments made to the farmers of that region in comparison to what is paid to farmers elsewhere in the country. The Ministry also takes very seriously the concern ~~of~~ expressed by the Members of Parliament---

MR. MANG'OLI: On a point of order, Mr. Speaker, Sir.

MR. SPEAKER: Mr. Mang'oli, the Assistant Minister is on a point of order. Will you ^{kindly} allow him to finish.

MR. MANG'OLI: On a point of order, Mr. Speaker, Sir. The Assistant Minister is now trying to ^{for Adjournment} pre-empt a Motion/which has been suggested to be moved tomorrow.

MR. SPEAKER: I am listening very carefully and if he tries to do so, I will definitely rule him out of order.

THE ASSISTANT MINISTER FOR AGRICULTURE (Mr. Kariuki):
Thank you very much, Mr. Speaker, Sir. The Ministry has also taken very seriously the concern expressed by the Members of Parliament on the issue in the National Assembly. Whereas the K.T.D.A. has attempted to explain technically these differences

THE ASSISTANT MINISTER FOR AGRICULTURE (Mr. Kariuki) (Ctd.):

by referring to different qualities of tea from various factories and the open-auction system, it is clear that farmers and, indeed the leaders, are not satisfied with these explanations.

The Ministry has, therefore, launched an investigation which will endeavour^a to explain to the satisfaction of the farmers how these glaring differences in the ~~var~~ various tea zones come about. The Ministry is also gathering all information and facts relating to the methods of tea auctioning to see whether any changes are necessary. The Ministry is also looking deeply into the management of K.T.D.A. It will be recalled that a few days---

MR. SPEAKER: Order! I think you can make the rest of your statement tomorrow.

(laughter)

Order! You will make the rest of your statement tomorrow because there is a motion^{on Adjournment} to that effect coming tomorrow. So you will have time then to make that very important statement.

THE ASSISTANT MINISTER FOR LOCAL GOVERNMENT AND PHYSICAL PLANNING (Mr. Mbori): On a point of order, Mr. Speaker, Sir. Last week when I was giving an answer to Question No.490 which was asked by the Member for Embakasi, hon. Mwenje, I undertook to bring to the House a confirmation that the ^{Nairobi} City Commission had paid a sum of Sh.1.8 million to the Kenya Power and Lighting Company.

The Nairobi City Commission paid Kenya Power and Lighting Company by cheque No.248084 dated 16th September, 1987, for a sum of Sh.2,974,926/75. Out of this sum, Sh.1.8 million was for the re-routing of the high electricity power line passing over Umoja Estate. Thank you.

MR. MWENJE: On a point of order, Mr. Speaker, Sir. I thank the Assistant Minister for giving us that particular cheque number but up to now, the Kenya Power and Lighting Company is ~~am~~ arguing that they have not received it. Would the Assistant Minister possibly follow and see that this cheque has actually reached them? Maybe it was ~~x~~ misappropriated or it went to the wrong hands or they did not realize that the amount was included in the Sh.2.9 million cheque. Would he follow it up and see that this has been properly received and that work for which they were paid for is done?

THE ASSISTANT MINISTER FOR LOCAL GOVERNMENT AND PHYSICAL PLANNING (Mr. Mbori): Mr. Speaker, Sir, that point is noted and I hope the hon. Member will help me to follow that cheque.

BILLS

Second Reading

The Kenya Broadcasting Corporation Bill

(The Minister for Information and Broadcasting on 22.11.88)

(Resumption of debate interrupted on 22.11.88)

MR. KUBO: Thank you ~~x~~ very much, Mr. Speaker, Sir, for giving me an opportunity to continue from where I stopped yesterday.

I was talking about the need for this new Corporation to be commercial minded and in fact, they are supposed to be commercial according to Clause 38. Their operations should be done with profit generation in mind and they should be able to run their affairs without expecting any subsidy from anybody. I am saying that they should always be alert because the tendency of Government corporations has been to lax always and to depend on subsidies. I hope when they start operating, they are going to have that in mind and they are not going to favour some individuals or groups of people so that they only

MR. KUBO (Ctd.):

cover these people and give them some favours in their operations.

With regards to the question of ^{appointment of} directors, I do not have much quarrel with what has been provided ^{However} of I would also agree with some of the sentiments that have been expressed by my colleagues that this is going to be a political organization in a way because it is going to ~~only~~ portray the image of the Government. So, Members of Parliament should also be included as directors and I would also add that the Members of Parliament should also be appointed to many other corporations as board members because some of them have got a lot of experience. They have a lot of knowledge on special skills which are being wasted in this Parliament. There is nothing wrong for elected Members of Parliament to be appointed to these boards.

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah): On a point of order, Mr. Speaker, Sir. Did I hear ~~right~~ the hon. Member saying that hon. Members' skills are being wasted in this Parliament?

MR. KUBO: All I have said, Mr. Speaker, Sir, is that they have a lot of skill which are not being utilized in this Parliament and can be utilized in other Government boards. This is why I am recommending that there should be more use of the hon. Members' skills.

MR. SPEAKER: Do you mean ~~not~~ utilizing them fully?

MR. KUBO: Yes, Mr. Speaker, Sir. They should utilize them fully; that is the point. I have even looked at the proposals and I have seen that the advertising agencies which give a lot of work to the Voice of Kenya, and to the local newspapers, have not been included here. I would urge that the advertising ~~agents~~ ^{agencie} should have their representatives in this board because they are the ones who are going to be giving a lot of business to ~~the~~ this Corporation. If they are going to be included, they are even

MR. KUBO (Ctd.):

going to make the working of this board to be more efficient.

There is a Clause here - Clause 8 ~~111~~ - which I would like to refer to. In my opinion, this provision should not be there at all ⁱⁿ of Clause 8(i) and (f). ^{I do not agree with} The idea of saying 'Special interests or 'special communities'. ~~I do not agree with it.~~

The promotion of vernacular ^{languages} is not working to the best interests of this country. Time has come when we should now have national interests at heart. We should communicate either in English or Kiswahili and if someone cannot understand any of the two languages, there is no room for such a person in today's Kenya.

END H.....

MR. KUBO (Contd.):

This promotion of tribal languages is against our unity. That is my opinion and, therefore, this Corporation should look into that very seriously. When they start their deliberations they should avoid what we are having now. These are the tribal dialects. This is because a Kenyan at present today should be able to understand the news in Kiswahili, and if he cannot understand, then he must work very hard to understand the national language. We should not have pockets of people within our country who cannot express themselves or who do not want to learn the national language.

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Otwani): On a point of information, Mr. Speaker, Sir. I would like to inform the hon. Member that there are very many communities in the villages that have no access to Kiswahili and English. We still have millions of people who cannot understand Kiswahili and English. In fact, the Corporation should consider incorporating such tribal languages.

MR.KUBO: Mr. Speaker, Sir, that is a point of argument. I thought I was being informed about something. But my view is that if we are to be true Kenyans, we must sacrifice some of our vernacular dialects and make sure that we communicate in mass media in languages that are understood by all Kenyans. That is my contribution.

Mr. Speaker left the Chair

The Temporary Deputy Speaker (Mr.Kabingu-Muregi) took the Chair

Mr. Temporary Deputy Speaker, the other point is that, as of now, there are very many areas that do not have any reporters at all. In fact, Taveta Division is one of them, and I believe many other parts of this country do not have reporters. Many areas do not have reporters. Most of the reporters are based in Nairobi. In fact, they just hear hearsay. They would ask somebody like me what people in Taveta are saying, and whatever I tell them they think that is what is happening in Taveta, while, in fact, that may not be the case. So, I would urge this Corporation that when they set up their set up, they should have more reporters, and in some cases, they do not even need reporters. They need to have correspondents. This is somebody who can be giving them information from that particular area. This is what some of the newspapers are

MR. KUBO (Contd.):

doing currently. They have people stationed there who give them information, and they are paid according to the stories which they have covered. So, this can also be done on commission basis by this Corporation when it starts operating instead of having full-time reporters in those areas.

Mr. Temporary Deputy Speaker, another thing is about the terms of service. Hon. Members have said time and again that most of these corporations cannot do the work they are supposed to do because the staff are not of the calibre required. This is because most of the highly qualified technical staff in all fields would not work with the salary scales that are being paid the Government corporations as of now. So, this is an area where the Ministry concerned should make sure that the terms of service that are going to be given to these employees are going to be attractive, otherwise they are going to have a very high turn-over of employees. Somebody will just be employed, ~~he will~~ ^{work} for ~~the~~ ^{a few} days, and then when he finds that his contemporaries of the same profession are being paid better salaries in other areas, ~~then~~ he is likely to move to greener pastures. Therefore, this is something which should be looked into very seriously because without having properly trained staff, and also without retaining the trained skilled staff, then we are likely to end up in not having very high standard of service.

Mr. Temporary Deputy Speaker, Sir, another thing which I have noticed is that there is a clause No.37 which talks of grants from the Government. I do not know why it has been decided that way. ~~But~~ ^{that} my recommendation would be ~~that~~ ^{that} even if there are other donors from other places or foundations which want to give grants to this Corporation, they should have a way whereby they can give grants direct to the Corporation. This means that by limiting it to the Government only, their hands are tied up. They cannot get any finance from anywhere else.

On the question of borrowing, I think, it is quite clear. I am not suggesting that they should go on borrowing all the time. But all I am saying is that it is quite clear on the question of borrowing powers. This is section 39. All I am saying is that they should also be getting grants. For example, if by any chance I become a millionaire - which I am not at the moment - and

MR. KUBO (Contd.):

I want to donate my money to this Corporation, it means that I cannot do it under section No.37. It is only the Government that can give grants. So, this is something that should be amended by the Minister during the Committee Stage so that we can give the Corporation more powers of getting grants.

Mr. Temporary Deputy Speaker, the awkward section which I think must be analysed is section No.47. This one talks about the property of the Corporation not being attachable. This is very dangerous because the Corporation, like anybody else, can have a breach of contract. They can do any wrong under our civil law. So, if we are going to over-protect these people they can be very careless. They can do whatever they want because they know that their properties are not attachable. So, I would even recommend that this section be removed because they can sue and be sued like anybody else. Therefore, if they lose a case in a court of law, it is up to them to pay. If they do not pay, their property must be attachable because there has been a lot of delay in settling cases. I am talking with an interest because I am a lawyer myself, and I know there have been a lot of cases where some of these Government bodies or corporations have refused to pay their debts while the courts have already ruled that they should pay. They do not want to execute the judgement. So, my only recommendation here is that this clause should be removed completely so that officers would be more alert.

On that ^{same} note, Mr. Temporary Deputy Speaker, I can even say that there has been a tendency of most corporations to engage non-indigenous lawyers when it comes to do with their work. Any legal work is normally given to non-indigenous lawyers. Time has now come when indigenous lawyers must be recognised and their services respected. We have lawyers in this country of a very high integrity. But unfortunately, there is a tendency of most of these corporations in engaging the services of foreign lawyers. I think they have no confidence in their own African lawyers. This is a point which should be looked ^{into} ~~at~~ very seriously because if this Corporation also follows that trend, then it goes to mean that they have no confidence in their fellow natives.

Mr. Temporary Deputy Speaker, the other thing that I would like to comment about is that although we are going to do this on a commercial basis, there are things that we should not allow to be advertised. As we have said

it openly that we have seen in other countries they have done away with the ~~ad~~ advertising of smoking and cigarettes. They have done away with anything connected with cigarettes but ~~ex~~ our radio and television are always promoting cigarette smoking. By promoting smoking, it means that they ~~are~~ are encouraging even the younger generation to assume that this is ^a good habit and as such they must become smokers. So, this is something which must be done away with although we want money. We do not have to get money at the expense of our health. This is because it is well-known that it is a health risk to smoke. So, we would not like to have the advertising of smoking cigarettes on television and through radio.

Sir, regarding the question of the radio sets and television sets the Ministry should come openly with a policy about what sets of radio and television that can be imported into the country. This is because right now, all ~~ex~~ that we are required to do is to pay the duty and the ~~sets~~ trader licence. But we have seen a lot of obsolete ~~sets~~ models of radio and television sets which come to this ~~country~~ country. In fact, some of the radio and television sets that are imported into the country are not useful. If they are out of order and you try to get the spares for the them, you cannot get them at all. So, in the end, you will just have to throw them away. This is draining out a lot of our money. So, the ~~Minis~~ Ministry should come up ^{together} with the Ministry of Industry, and make sure that whatever sets of radio and television that are coming into the ~~ex~~ country are the ones that are serviceable and can last. This is because some of them are obsolete models. They cannot be repaired and it is a waste of money.

END.....I

MR. KUBO (ctd.);

Mr. Temporary Deputy Speaker, Sir, another thing is that while we are talking about broadcasting, we are not sure as to who are going to be the producers of the films. What we want to see is more local production of films. You find that in most cases we are shown films made outside this country, particularly when you think about the entertainment films. Indeed, most of the films made locally are irritating. We also hope that the Ministry will take it upon itself to promote the local film industry, which has been dominated by foreigners too much.

Having said that, I would like to take this opportunity and point out the fact that those people who edit reports from the districts are biased. You find that although the respective districts in the country are given adequate coverage by the Kenya News Agency, when those reports come to the editorial circles they get a biased treatment. It has been the case that when we hold functions at the districts and we ask the local reporters whether they filed the stories and sent them for broadcasting they always respond in the affirmative, only for us not to hear or read anything about the functions we hold. So, it is my submission that there should be unbiased reporting in all the districts. I will even go further and say that there have been functions which have been covered by the local reporters, and although those functions are reported, some names are left out; only the names that are favoured by the editors appear in the news.

Mr. Temporary Deputy Speaker, Sir, many hon. Members have said that the farther you go from Nairobi ~~you hear~~ the less you hear the Voice of Kenya radio. This is something that must be taken very seriously by the Ministry. In fact, even television is not received in many parts of the country. So, the Ministry should explain to the House what he intends to do to ensure that television is viewed in all parts of this country. As another hon. Member said earlier on, some of us are forced to tune to foreign radio stations because we cannot get the Voice of Kenya radio clearly.

Finally, Sir, let me also point out that our reporters must be conversant with our geography. I would hasten to say that for anybody to become a journalist,

MR. KUBO (ctd.):

he must pass very well in ~~the~~ Geography. We have had instances where we have held functions in Kwale District, only for them to be reported as having been held in Taita/Taveta District. That is assuming that the whole Coast Province is the same as Taita/Taveta District. That happens because the reporters are never bothered to know the geography of this ~~area~~ country. Therefore, the Ministry ~~should~~ should take these reporters round the ~~country~~ country so that they may be conversant with the geography of the country. I know that there ~~has~~ has been a tendency of some senior people to remain in areas where there are facilities like tarmacked roads, beautiful hotels and electricity; they do not want to go out and see things for themselves.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to support the Bill.

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for ~~giving~~ giving me this chance to also support the Bill before the House. First of all, I want to congratulate the Ministry of Information and Broadcasting for the good job it has been doing in the true Nyayo spirit. Through the Voice of Kenya, the Ministry has tried, with the little money it has, to educate, inform and entertain Kenyans. In the slopes of Mt. Kenya, where I live—

AN HON. MEMBER: ~~Oh, I am sorry to be in the~~ Mt. Elgon!

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa): Oh, I am sorry. In the slopes of Mt. Elgon where I live, I can view my television set clearer than I can view my television set in Nairobi. That shows that the Ministry, through the Voice of Kenya, has done a tremendous job. Residents in Kitale can view their television sets very ~~z~~ clearly.

Sir, the majority of Kenyans depend very much on radio for the information. That means that radio is a very important ~~means~~ means of communication. It is through radio communication that Nyayoism has spread throughout Kenya. The Voice of Kenya has done a tremendous job through playing Nyayo songs over the radio, songs which

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THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa)(ctd.):

educate Kenyans on our cultural values. The Ministry has done a tremendous job in portraying this aspect of our nation, and I must congratulate the Minister for the good work his Ministry has done.

Mr. Temporary Deputy Speaker, Sir, we are aware that finance has ~~be~~ been one of the major constraints of the Ministry of Information and Broadcasting, coupled with the lack of adequate equipment that hon. Members have already talked about. This has prompted the Government to come up with this Bill. The proposed Kenya Broadcasting Corporation is going to be a parastatal body and it ~~is~~ should be graded along with ~~the~~ parastatal organisations such as the Central Bank of Kenya or the Central Bank of Kenya. The personnel we shall get to run the corporation should feel that they are well remunerated. We should be able to get the best professionals we have in this country to run this corporation. One of the reasons ~~is~~ why we want to increase efficiency in matters of communication and entertainment is that we have not had all the best professionals we have in the country utilized fully. However, credit must ~~is~~ go to those officers in the Voice of Kenya who have not been lured to greener pastures. There are officers running our radio and television stations who could have gone to other areas where they could earn a lot of money but, because they have remained loyal and patriotic, they have not gone away and they have continued to do a good job. I would like to see such officers being properly recognised in the new corporation.

END.... J.

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa)(Ctd.):

The appointment of the Director-General should be done very carefully.

I am saying this because the Director-General is the chief executive of the Corporation and we would like him to be the best person that we can find in Kenya. I am glad to say that we have people of this calibre here in Kenya. The Director General will be working along with the Board and he should be a mature person; a person who is well versed in this field; who can a person/institil discipline in the corporation.

Mr. Temporary Deputy Speaker, Sir, we have often talked about financial discipline, management discipline and so on, but sometimes we do not take what we say seriously and as a result, most of our parastatal bodies have suffered in the past. We would like to start on the right footing as far as the Kenya Broadcasting Corporation is concerned. We have had several white elephants in this country ^{because of bad} management boards; but we would like this particular corporation to have the best management. One of the areas which we have to stress in this House, is the area of discipline. We need a board which is well disciplined; we need senior Government officers who are well disciplined and we also need journalists who are highly disciplined. Without proper discipline, Sir, we are going to have journalists misreporting what we say. Without discipline, we are going to have politicians such as Dr. Wekesa influencing the news editor to report what they want reported in the newspapers. However, if we had disciplined journalists; disciplined senior Government officers and so on, this sort of thing would not happen.

It is not a secret, Mr. Temporary Deputy Speaker, that some of our journalists, both in the private sector and in Government service, would come up and say, "We are going to cover this Harambee meeting, but we would like some "chai". This has happened several times, but it is not only the journalists who are involved. I think we as Members of this House also need properly to be/disciplined. I am saying this because if we do not give these people "chai", then it means that the journalists will do their work properly, without having to ask for "chai" next time.

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa)(Ctd.):

Mr. Temporary Deputy Speaker, Sir, discipline will assist our journalists to be good professionals. I know when the journalists go through their courses at school, they learn about professional ethics and therefore, I would like to see the journalists who will run this corporation being mature/^{people} who cannot be corrupted. As I have said before, radio is a very important ^{medium} ~~medium~~ of communication and we would like this service to be improved. We know that the corporation will have the powers to borrow money when we have passed this Bill. We would like this money to be used properly. I think with properly disciplined officers, we can do a lot with the money that we are going to borrow.

Mr. Temporary Deputy Speaker, Sir, the transmitters for the ^{general} ~~national~~ service are weaker than the transmitters for the Kiswahili service. In Kitale, it is useless to ^{turn} ~~switch~~ your radio to the ^{general} ~~national~~ service. In fact, I never bother myself to do so because you cannot get the service. However, we can switch on to Kiswahili service and thank goodness for that because most of us in Trans Nzoia do not speak English. The majority of the people in this area can only understand Kiswahili. However, I would like the ^{general} ~~national~~ service to be improved in that area and elsewhere in Kenya where people do not get this service clearly. I am saying this because the problem does not affect Trans Nzoia alone. Hon. Members in this House have complained about the inefficiency of the reception of the national service in their areas.

As I have said before, Mr. Temporary Deputy Speaker, Sir, our people depend on radio for information. This is because very few people are able to read newspapers, and thanks goodness for that, because there is less distortion of news through the radio, and the credit must go to the Ministry. There is less distortion of news through the radio. If we were left with the newspapers alone for the provision of news, some of us would not be standing here; we would be finished. Therefore, a lot of attention should be given to the transmission of news through the radio and therefore, a lot of

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekoca)(Ctd.):
 money should be set aside to improve the transmission of news. If possible, we should also establish an external service.

Mr. Temporary Deputy Speaker, Sir, if we had an external service, the Ngumba issue, would have been properly dealt with in this country. We must have an external service. I am glad to note that there is a provision in this Bill to establish such a service. If we had our own external service, we would tell ~~the~~ Britain, ~~the~~ Sweden and other European and African countries what our stand is and what is happening in this country. This external service would assist in correcting the situation which is being ^{Exhausted} ~~supported~~ from time to time by some few disgranted elements in this country. The establishment of an external service/^{which} is a common thing in other countries, would ^{Project-} ~~protect~~ the image of Kenyans. It would also project the cultural values of Kenyans and as a result, Kenyans as a people, would be known better. Today, we depend on the few tourists who come to this country to project our image abroad. The projection of the image of Kenya depends on a few athletes but if we had an external/^{radio} service, it would do much more in projecting the political and economical image, the tourist industry and so on, and I would ~~there~~ therefore like a lot of attention to be given to this.

Mr. Temporary Deputy Speaker, Sir, as far as the television coverage is concerned, I would like to see a situation where we have one or two channels being used for education and information while the other channel would be left for entertainment.

END K

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa)(Ctd.):

We want the Corporation to take entertainment more seriously than it has so far been taken. Entertainment is a special area in which we need artists who are really qualified. We cannot just go into the street, pick a man and say that he is a funny man who will make us laugh, nor can we just pick a man in the street and say that he is an actor. Entertaining people is a profession, just as much as being a doctor or a teacher is. This is not a question of taking a civil servant and telling him, "Today, you are an artist." We need to establish, through the Kenya Broadcasting Corporation (K.B.C.), a school where our young Kenyans can go and learn how to become "chameleons" and serious actors, so as to cater for a lot of Kenyans who want to be entertained.

Mr. Temporary Deputy Speaker, Sir, even radio and television announcing is an art. We need announcers who know what they are doing. Many times we have seen people making terrible mistakes on television because they do not have the proper education and enough training. We would like a television announcer, for instance, to be able to speak good Kiswahili or English so that viewers may hear and understand what he is saying. This situation cannot, however, be obtained just by picking people like that. We need to have trained manpower, as we actually do. If we pay good salaries, we should be able to attract some good announcers.

Sports is a special interest to me, and I would like to see more sports programmes on our television. I do not just mean football. Kenyans love football, as do Africans in general and everyone in the world. When we talk about sports, we are not just talking about football. There is swimming, judo, boxing, athletics, tennis, and so on. I would like to see more programmes in the air so that we can educate our people. The idea behind the establishment of this Corporation is to educate, inform and entertain people. We should educate Kenyans on the potential we have as a sporting nation. I would like to see more sporting programmes announced over the radio and on television.

I have already talked about the influence that certain people can have in the running of the Voice of Kenya. We want to have balanced coverage.

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa)(Ctd.):

In saying this, I am only repeating what has been said here many times by my hon. colleagues who spoke before me. News is not just made in Mombasa or Nairobi. There is news in Homa Bay, Moyale, Taita, Trans Nzoia, and so on. Why should we always get news from Nairobi and Mombasa alone? The Kenyans living in Nairobi are the same ones who live in Homa Bay and we all have the same aspirations. The Kenyans in Nyandarua are the same as those here, and they would like to see themselves on television. They would be like to be heard over the radio. ^{Must} ~~Do~~ we have to have chief executives from Nairobi in all press conferences four times in a year? Is there not a good farmer in Kitale who can be interviewed in one of these press conferences? Is there not a good nurse in Nyandarua who has done an exemplary job who can be interviewed? Sometimes, I wonder who chooses some of the people who attend these conferences and decides what news is and what it is not. If it is the chief editor, or the news editor, have we given him full authority to do his job? If we have hired a proper and qualified news editor who knows his job and is of integrity, he is going to cover farmers in Uasin Gishu and report news from Amagoro.

Mr. Temporary Deputy Speaker, Sir, we get tired of seeing the same people making news. All hon. Members of Parliament here are equal. Why should Wekesa be covered day in, day out while you are not covered? You were elected in the same ^{way} I was, and your feelings as a Kenyan are the same as mine, but if you do not get covered in radio broadcasts, in newspapers or anywhere else. Why does this happen? I am not news-worth, but I was elected just as any other hon. Member was. There is as much going on in Trans Nzoia—

MR. MWENJE: On a point of information, Mr. Temporary Deputy Speaker, Sir. Some hon. Members are more equal than others.

(Dr. Wekesa continued standing as Mr. Mwenje was speaking)

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa): I do not agree to that, Mr. Temporary Deputy Speaker, Sir.

MR. MAKAU: On a point of order, Mr. Temporary Deputy Speaker, Sir.

MR. MAKAU (CTD.):

Was it in order for the hon. Assistant Minister to have continued being on his feet when hon. Mwenje was raising a point of information?

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): I think hon. Mwenje was out of order because the sign of acceptance of a point of information by the hon. Member on the Floor is that he sits down. That is how he shows that he has accepted the coming point of information. Before Dr. Wekesa had done that, hon. Mwenje went on to raise his point of information, and this was wrong and out of order.

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa): Thank you, Mr. Temporary Deputy Speaker, Sir. In fact, I was at the point of retreating from the Table when hon. Mwenje spoke ^{and} sat down.

I was saying that all we are asking the new Corporation is to balance news coverage and consider the country as being one so that all events taking place in the country may be covered equitably. This is not too much to ask for.

This Corporation will run these three aspects of our lives, and we would like to see it as a parastatal body that makes profit, running its affairs without having to be subsidised by the Government. The Corporation's Commercial Officer, Engineer or whatever you call him should also be a very dynamic person who knows what business is all about. He should not be a political appointee. He should be appointed because he is a good financial manager.

END L

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa)(contd.):

We have been told about advertisements, and it is from this that we are going to generate most of our funds. I would like the fees on advertisement on beer and cigarettes to be hiked. However, I would not like to see the fees on advertisements on funerals and harambees being raised. I would, in fact, like to see their fees being lowered. As Members of Parliament, when we advertise for a Harambee, we are do it for the wananchi; we do not do it for ourselves. Right now the advertisement for harambees cost Ksh2000/-, which is a lot of money. Most of us are involved in Harambees, and you need to spend a lot of money if you have to pay this sum every time you have a Harambee meeting. I would suggest that since Members of Parliament advertise Harambee meetings on behalf of wananchi for the benefit of the country, the fees charged for advertising Harambee meetings and funerals should be reduced to as little as Ksh50/- or Ksh100/-.

I know that this is a very important Bill, which needs to be discussed by all my colleagues. I would, therefore, like to end by wishing all the best of luck to the new corporation. All I am asking - and I stress - is that we want professionals to run news collection. We want professionals who know what we are doing. We also want those who will be involved in this new proposed corporation to be dedicated Kenyans.

With those few remarks, I beg to support.

MR. LAGAT: Ahsante sana Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii nami niseme machache kuhusu Hoja hii ambayo inazungumuziwa katika Bunge hili.

Hivi sasa tunajadiliana kuhusu Shirika la Utangazaji. Shirika hili ambalo Wizara inajaribu kubuni kwa hivi sasa ni zuri sana kwa sababu litawezesha jitihada za utangazaji kufanywa kwa utaratibu unaofaa. Kama tunavyojua, hapo awali kazi ya

MR. LAGAT (contd.):

utangazaji ilikuwa na shida nyingi kwa sababu amri ilihitajika kutoka kwenye Wizara tofauti tofauti. Kwa hivyo, baada ya kubuni shirika hili, kazi itafanyika haraka zaidi. Shirika kama hili linafaida na vile vile hasara.

Lakini kabla ya kuzungumzia hayo, ningependa kusema machache kuhusu uandishi wa habari. Nimesikia wahe. Wabunge wengi wakilalamika kuhusu uandikishaji wa hotuba zao. Ningemuuliza mhe. Waziri ahakikishe kwamba shirika hili litaloundwa litawafanyia kazi watu wote bila mapendeleo yoyote. Ninamshauri kwamba wakati wowote Mbunge yeyote au mtu mwingine atakapotenda jambo ambalo ni la manufaa kwa nchi hii habari hiyo itangazwe vile habari ya Waziri wa Utangazaji na Habari inavyotangazwa. Mara nyingi tumeona ubaguzi ukitendeka. Kwa mfano wahe. Wabunge wawili wanaweza kwenda katika adhimisho fulani na baadaye ni mmoja wao tu ambaye matamshi yake yatatangazwa. Wakati mwingine hata ikiwa wewe mhe. Mbunge ndiye umemwalika mgeni wa heshima kuja kukusaidia kukusanya pesa matamshi yako au pesa ambazo ulichanga katika mkutano wa Harambee hazitatajwa hata kidogo. Kwa hivyo, ningemwomba mhe. Waziri ambaye ninajua kama mzalendo halisi, ahakikishe kwamba jambo kama hili lisiendelee katika shirika hili jipya.

End M.....

MR. LAGAT (ctd):

Bv. Naibu Spika wa Mada, shirika hili linalokusudiwa kuundwa, lingefaa likiundwa lirekebishe makosa yaliyokuwa yamefanywa hapo mbeleni na Waziri wa Sauti ya Kenya. Kwa mfano, sisi ambeo ni wakazi wa Eldoret hatuasikii matangazo kutoka Nairobi kwa njia nzuri. Tukiwa Eldoret, ~~utapata~~ ^{kwa njia nzuri} tunaweza kupokea matangazo kutoka nchi kama Amerika, Uingereza na ~~kuhali~~ ^{kwa njia nzuri} kuliko yale ya nchi yetu. Kwa hivyo, ningependa kumuuliza Waziri arekebishe matatizo kama haya. Ninagmini kuwa ni matatizo haya hulewa ni na mashine mbovu ambeo ~~na~~ ^{na} maafisa wa Sauti ya Kenya kutunia. Ni heri mashine kama hizi ziondolewe ^{na} boosters zivakwe kila sehemu ya nchi ili tuweze kupokea matangazo ya radio na televisheni kwa njia nzuri. Kwa vile shirika hili ni mpya, ingefaa ~~Waziri~~ ^{Waziri} atunie wakati huu kumama mashine moya zitakazotusaidia kwa usambazaji wa matangazo yetu.

Bv. Naibu Spika wa Mada, utapata ya kuwa, kituo kama kile cha British Broadcasting Corporation husikika vizuri sana ~~pa~~ ^{hapa} kwetu, ~~na~~ ^{lakini} kwa bahati mbaya utapata kuwa watu wengi wanasikiliza habari ya kituo hiki ambacho huchochea fitina mbaya kwa ~~wani~~ ^{nchi} yetu. Ifta mzuri akikaa na mtu mbaya ~~kama~~ ^{mchawi}, wakati mwingine huenda z huyo ~~mtu~~ ^{mzuri} akageuka kuwa mchawi. Ikiwa tutakuwa ~~kuhali~~ ^{tukisikiliza} vituo kama British Broadcasting Corporation kwa sababu kituo chetu hakisikiki kwa njia nzuri, watu wetu watakuwa ^{manuso ya} wakisikiliza uchochezi ~~na~~ ^{na} watu ^{na} huenda wananchi wachache ~~si~~ ^{wakageuka} na kuwa wasaliti. Ingefaa Waziri amume mashine nzuri zinasofanya kazi kwa njia bora na kuweza kusikika kwa sehemu za mbali kama vile Eldoret ~~na~~ ^{na} kwingineko katika Kenya.

Bv. Naibu Spika wa Mada, ningependa kumjulisha Waziri aone ya kuwa channels ~~simekuwa~~ ^{hukutaji} nyingi na kusitwa na channel moja tu. Hata nyumbani kwetu, sisi ~~hukutaji~~ ^{vyakula} vya aina mbali mbali, na hivyo ingefaa hata tuwe na channel nyingi ili tuwe tunabadilisha ~~kwa~~ ^{ku} channels, tukipata kuwa hatupendi kufungulia channel fulani tunabadilisha kwa nyingine. Ingefaa channels ziwepi nyingi ili watazambi wa televisheni wawe ~~wakita~~ ^{wakita} wakita wakitazama ~~habari~~ ^{picha na} matangazo kutoka kile kituo wanachokipenda.

MR. IAGAT (ctd):

Bv. Naibu Spika wa Mada, kuna mambo fulani ambayo ningependa kujulisha Waziri. Ningefurahi ikiwa Waziri atanisikiliza kwa makini. Nina hofu kuwa hanisikilizi kwa vile anazendelea kwa kushauriana na Mawaziri wenzake.

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): I am listening

MR. IAGAT: Asante sana Bv. Waziri kwa kumsikiliza. Sasa tunaenda kuunda shirika la utangazaji litakalojisisimama lenyewe. Shirika hili litahitaji pesa. Kituo kitengazacho habari ya nchi ni muhimu hata kuliko silaha. Ingefaa watu wa wazuri na wenye ujuzi wafanye kazi na shirika hili kwa vile haifai watu watakuokuwa wakifanya makosa kwa katika matangazo yao wawe hapa. Ningependa kujulisha Waziri ambaye ninamjua kuwa mzalendo wa nchi hii ambaye amepigania Uhuru wa nchi hii na hata wakati mwingine amekawa mpigania Uhuru wa Mau Mau kwa achanguze mambo yanayohusu shirika hili mpya na kuona kuwa limefauli.

Bv. Naibu Spika wa Mada, ninajua kuwa tatizo tutakalojiswa nalo ni hili la kutafuta pesa za kishtariha shirika hili. Kuna matangazo z ya biashara ambayo hutengazwa kwa radio na televisheni juu ya bidhaa zinazotengenezwa hapa nchini.

END N...

MR. TARAR (CTD):

Ikiwa makampuni ya Raymond; Rift Valley Textile (Rivatex); Bata Shoe na kampuni ^{nyingine} kule Eldoret, ^{wangetangaza} kutangaza mambo yao; halafu kuwe na mtu mwingine ambaye tunafikiri anaipenda Kenya kwa moyo wake.

QUORUM

DR. WAMEYO: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not want to interrupt the hon. Member, but I am sorry we do not have a quorum in the House.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Okay; ring the Division Bell.

(the Division Bell was rung)

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order. We have a quorum now; so, go on, Mr. Tarar.

MR. TARAR: Basi, Bw. Naibu Spika wa Muda, nilikuwa nikio- ngea juu ya matangazo katika Sauti ya Kenya, na nikasema kwamba pengine watu wa Kenya wangetaka kutangaza bidhaa zao. Nilitaja makampuni ya Raymond, Rivatex, Bata Shoes na hata ~~k~~ kampuni ^{nyingine} kule Eldoret. Kwa kuwa Wizara inataka pesa, kutakuwa na ^{nyongano} mgongano baina ya pesa na matakwa ya nchi. ~~Ki~~ Hii ni kwa sababu mtu aliye na pesa kutoka Merikani anaweza kuja na kulipia muda wote wa matangazo ya biashara katika Shirika la Kenya la Utangazaji. Kwa sababu tunasema tunataka pesa, kampuni ^{ya} la Raymond fikitoa Shs. 100,000/- na mtu fulani ^{atoc} Shs. 1 million, bila shaka Shirika hili litachukua hizo Shs. 1 million. Mtu huyu atatangaza mambo yake ya nje ya Kenya, na Wakenya sasa watakuwa wakisikiliza mambo ya nje ya Kenya. Basi mambo yetu ambayo ^{tungetangaza} tange tangaza ili kuvinua uchumi wa nchi hii yatafifiia. Inafaa Waziri k ahakikishe kwamba jambo kama hilo halitokei.

Tunajua kuwa mtu asiye kuwa na moyo wa uzalendo anaweza kufanya mambo ya ajabu. Tuna watu ambao wanaripoti mambo ya nchi hii, hasa hapa Nairobi, ambao hupeleka mambo ya nchi yetu kule London.

MR. TARAR (CTD):

Tunajua kwamba kuna mambo mengine ambayo hayafai kupelekwa nje ya nchi hii. Hii ni kwa sababu kila nyumba ina shida zake, lakini hakuna mtu anayekubali kutoa shida za nyumba nje ya nyumba yake. Sisi kama Wakenya tunaichukua nchi hii kama nyumba yetu. Lakini utaona kwamba tuna watu wanaotoa mambo ya nchi hii nje kwa sababu ya pesa. Mtu analipwa kiasi kidogo cha pesa na kuropoka maneno ambayo hayawezi kusemwa na mtu anayeipenda nchi yake. Kwa hivyo inafaa Waziri ambaye, kama nilivyosema, alipigania Uhuru wa nchi hii, aangalie na kuona kwamba nchi haiuzwi kwa sababu ya pesa.

Bw. Naibu Spika wa Muda, ninataka kusema kuhusu mahojiano na sijui Waziri atafanya nini juu ya jambo hili. Kwa kuwa tunataka pesa tunaweza kumleta mtu hapa na kumhoji kwa manufaa ya watu wengine walio nje ya nchi hii. Ningemwomba Waziri ahakikishe kwamba jambo kama hili halitokei hapa. Hii ni kwa sababu watu wetu wanategemea yale wanayosikia katika redio. Mtu akikwambia kitu na umwulize alipoipata habari hiyo, atakwambia kwamba jambo hilo lilitangazwa na redio; watu hawasemi kwamba jambo hilo lilisemwa na mtu fulani. Kwa hivyo, kituo chetu cha matangazo ya redio kikitangaza mambo yasiyofaa, watu wataamini kwamba mambo hayo yanatangazwa na Serikali. Kwa hivyo, inafaa Waziri aangalie kusiwe na mgangano baina ya pesa na matakwa ya taifa letu. Tunajua kwamba kukiwa na mvutano baina ya pande mbili, ni lazima upande mmoja ushindwe; haifai sisi tuitatize nchi yetu tukifikiria kuwa tunatafuta pesa.

(The Temporary Deputy Speaker (Mr. Kabingu-Muregi) left the Chair)

(The Temporary Deputy Speaker (Mr. Mwangandi) took the Chair)

Nikiwa karibu kumaliza hotuba yangu ningependa kumwuliza Waziri atueleze Kenya News Agency (K.N.A.) iko upande gani. Nilisoma Mswada huu lakini sikuweza kuona K.N.A. imewekwa upande gani. Tuna wale ^{waandishi} wa habari wa K.N.A. walio kule mashambani, na tuna Broadcasting House iliyo hapa Nairobi. Ikiwa K.N.A. imeingizwa katika Shirika hili la Utangazaji, sijui sasa Waziri atakuwa akifanya nini. Mimi

MR. TARAR (CTD):

naona kama kazi yake imekwisha; na tutakuwa na ~~shirika~~ Shirika hili peke yake. Hii ni ^{kwa} sababu kazi nyingi imetolewa kutoka katika Wizara yake na kupewa Shirika hili. Ingawa Shirika hili litakuwa chini ya Wizara ^{yake} inaonekana kuwa Wizara yake itakuwa na kazi haba sana. Inafaa Waziri aangalie isije ikaonekana kama Wizara hiyo imevunjwa kwa kutokuwa na kazi ya kufanya.

Pia, ningemwomba Waziri achunguze suala la magari kwa sababu ni m lazima Wizara hii iwe na magari ya kutosha. Tunaka habari za Mombasa ziwe zinafika Nairobi kwa haraka. Pia wanaoandika habari kule mashambani wanahitaji magari ya kutosha. Wakati huu tuna gari moja kule Eldoret ambalo linahitajika kuhudumia mawakilisho matatu. Wakati mwingine mimi huwa ^{na} mkutano kule Moibeni; Mbunge mwingine ana mkutano kule Burnt Forest na mwingine ana mkutano kule Turbo na hali gari ni moja tu. Sasa inambidi Mbunge pengine awabebe waandishi wa habari katika gari lake ili yatakayoendelea katika mkutano wake yaweze kutangazwa. Hii ni kwa sababu lile gari moja haliwezi kugawanywa ili liwapeleke watu katika mikutano mitatu. Hilo ni jambo lingine ninalomwomba Waziri achunguze sana kwa ajili ya maendeleo ya nchi hii.

Kwa hayo machache, ninaunga mkono.

MR. MWENJE: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for distinguishing my name from that of hon. Makau.

In supporting this Bill, I wish to say that the Kenya Broadcasting Corporation is not a new name. Before the Voice of Kenya was actually established we used to be served by Kenya Broadcasting Corporation. So, this is not a new name to the Republic; everybody knows about it, and we expect, now that it has come back in the right manner as a Corporation, we will get proper and good service.

END

MR. MWENJE (ctd):

Mr. Temporary Deputy Speaker, Sir, in the course of television casts - and I hope the Minister will take note of this - one is bound to see a caption of a finger pointing to the words "normal service will resume as soon as possible." We see this quite often simply ~~xx~~ because the equipment has broken down. We are fed up with this caption. Sometimes they do not tell viewers what has led to this problem. The nation is entitled to be told what is causing the breakdown of television services now and then. At no time has the television crew informed members of the public why television services cannot continue. They simply apologise and continue and sometimes they just continue without comment. It is our hope that these shortcomings will not be repeated when the Kenya Broadcasting Corporation takes over the running of this station. We hope these kind of interruptions will not be experienced.

We also hope that this Corporation will be able to absorb the personnel who were serving the Voice of Kenya. We hope that the ~~introduction of~~ ~~this~~ establishment of this Corporation will not cause any redundancies. It is also our wish that the Corporation will not repeat the shortcomings of the Voice of Kenya. There are cases of some members of staff who have stagnated in one grade for 14 years without being promoted. Some of these people are announcers. We hope that when they are absorbed by the Corporation, they will be re-graded and promoted in accordance with their performance. Stagnating in one position for 14 years without any promotion, will certainly not be welcome by members of staff. Sir, you do not expect to get excellent service from a person who has stagnated in the same position for 14 years. I hope that when the Corporation takes off, it will be able to run properly and look after its members of staff well. I n this way, the public will get the right service from these ~~xxx~~ people.

It is our hope that this Corporation will not only absorb the present staff at the Voice of Kenya but outsiders as well. When such Corporations

are established, avenues open up for job seekers. With the prevailing situation in this country about lack of jobs, we hope that those who are charged with the establishment of this Corporation will see to it that more job opportunities are created. This is because it will now be run on commercial basis and be able to generate its income and open avenues for employment. I hope that when the Minister comes to reply, he will be able to tell ^{the House} what he expects and how many extra members of staff will be employed in this Corporation. He should also tell us the job opportunities that will be created either directly or indirectly. In this way, the public will know that this Corporation will be of total benefit to ~~the~~ this country.

A number of hon. Members have often complained about the services which are offered by the Voice of Kenya. One day I went to Embu and when I tuned my car radio, I could not get Nairobi. Embu is not very far from Nairobi. It is ~~disturbing~~ disturbing that I could not get Nairobi even within a short distance. I am not saying that this happens in all parts of Embu.

Time has come when good machines should be imported if they are not manufactured locally. We want the whole country to be served properly. For example, when you are in Mombasa and you tune your radio, you will most likely get Tanzania easily than Nairobi. Many hon. Members have said that when you tune your radio, you will easily get BBC, Radio Germany and the unscrupulous Radio South Africa than Nairobi. We should get proper service from these machines so that the whole country can be informed of what is going on.

I am appealing to the Minister to import the right machinery for ^{when it} this Corporation/takes off. A survey should be done to establish the kind of machines we should have so as to serve the country properly. We also do not understand why the General Service of the Voice of Kenya radio does not continue throughout the day. The ~~the~~ National Service gives us services throughout the day. Why is the General Service discontinued on weekdays after about 9.30 a.m.? Kenyans are now getting learned and some of them ^{would like} ~~want~~ to listen to the English Service. We would like the English Service to continue throughout the

day. There is a lot that Kenyans want to know. I hope they will not say that they do not have much to ~~be~~ offer because we know that not everything is covered by the ^{General} National Service, for the short time that it is on ^{the} air. It is necessary for ^{General} the ^{the} National Service to be on air throughout the day. We hope that when this Corporation takes off, this suggestion will be implemented.

I wish to thank the Voice of Kenya for providing educational programmes for schools. I have never understood why they bring educational programmes for Standard III, IV and V in one lesson. These are three different classes and their learning capacity is different. Their positions in school are also different and yet the lessons which ~~are~~ are given are supposed to cover three classes.

END.....P



MR. MWENJE: (ctd.):

It is not good to punish some of these children who are in Standard three by giving them a lesson meant for a Standard five or ^{vice versa} ~~giving a lesson meant~~ meant for Standard three to children of Standard five. It does not make sense at all. So, I hope that when this Corporation is formed, it will look into that and ensure that lessons are broadcasted for to particular classes. Classes should not be mixed for the same lesson. It is not possible to know which ^{children are} ~~child is~~ following the lesson if they do not belong to the same class. In fact, we do not even have ~~six~~ classrooms which can accommodate three or four classes at the same time to listen to the radio. Since most schools have only one radio, this matter should be reorganized so that lessons are given to specific classes at specific times.

In his contribution, a certain hon. Member talked of radio permits. In my opinion, it is necessary to have these permits because if they are removed, it will be easy for people to steal radios. ^{agree on} ~~The~~ I do not ~~think~~ the question of the radio permit being misplaced or lost after many years does not arise because even the hon. Member who raised the point, who is certainly over 40 years old, still retains his birth certificate which is more than 40 years old - that is if he has one, and I hope he does. So, I do not see why the question of misplacing or losing a radio permit should arise. The only thing is that it is not necessary to renew it; one can keep ^{it} properly to avoid it being stolen, but I think it is necessary to have a permit. The Kenya Broadcasting Corporation ~~should~~ should keep a kind of register showing who has a licence for which radio. There should be that kind of system so that when a person who has lost his radio permit is asked to prove that the radio is ~~his~~ his,

MR. MWENJE (ctd.):

he can just check from the records of the Corporation and prove it is his. And if a person ~~is~~ decides to sell his radio, a system should be designed where by ~~upon~~ the person selling the radio writes to the Corporation to inform them of the sale, like we do when selling motor vehicles. Otherwise, the question of not having a radio permit would encourage theft, and one would not have any fear of retaining a radio that is ~~is~~ not his. So, it is necessary to have these permits. But, the permits should not be renewed; they ~~is~~ should be retained as they are, and the records ~~is~~ should be retained by the Corporation so that they are ~~is~~ able to check who is the owner of the radio at a particular time.

Mr. Temporary Deputy Speaker, Sir, when we are shown the problems of South Africa on television - such as the riots and how the ~~is~~ Blacks are being mistreated by the Whites - we are only ~~is~~ shown a bit of the episode - for about a minute or even less. We would like to be shown the episodes for a little bit longer so that we know exactly what is happening - not just in South Africa but also ~~is~~ in other areas. Since ^{Habari - the} ~~is~~ ~~is~~ Kiswahili version of news - is only broadcast once for 30 minutes and News is also broadcast once for ~~is~~ 30 minutes, I do not think it would be asking for too much if I asked for an extension of these news broadcasts for another 30 minutes, making each of them a one-hour session. I think we can afford to watch these news sessions for at least one hour or even a little bit longer. Let us not just be shown a bit of what ~~is~~ happened; we should be ~~is~~ shown these things ~~is~~ for a bit longer periods so that we are more educated on what is happening.

MR. MWENJE (ctd.):

For example if they are reporting on ~~xxxx~~ a Harambee funds drive conducted in hon. Mbela's place, we should be shown not only how much hon. Mbela contributed, but also what a few others did - and I will ask hon. Mbela to excuse me for using his name. They should not just show what Ministers did, just to make sure that they cover the whole news within half an hour. At least these days, we are shown news for a little bit longer period than we used to. I thank the Voice of Kenya because we are now able to see what His Excellency the President does for us in the proper way. The Kenya Broadcasting Corporation (K.B.C.) should make sure that they add a little bit more time for the interesting news items such as the South African case which I referred to. This should be done so that we are educated and we are able to understand what is happening within our country and in the ~~we~~ outside world.

Mr. Temporary Deputy Speaker, Sir, the same thing should be extended to the radio ~~service~~ service. There should be an hourly news in brief so that we are able to follow up what is happening. One may not be ~~x~~ near a ~~radio~~ television set during news time, and so if ~~the~~ the Corporation could start broadcasting news in brief on a hourly basis, this would be appreciated and we will be able to know what is happening in and out of the country.

Mr. Temporary Deputy Speaker, Sir, theft of radios has become an alarming occurrence. I do not know how many hon. Members have realised that if you leave your car along the streets, it is very ~~it~~ likely that when you ~~xxxx~~ come back to your car, you find that your radio has gone, and it is very difficult to get it back; it is difficult to trace these things. But when you go down Kirinyaga Road - the former Grogan Road - follows trying to ~~us~~ sell car radios along the

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MR. MWENJE (ctd.):

road, but you will never know where they got them from. These radios just disappear ~~my~~ mysteriously from the vehicles. On several occasions, I ~~has~~ have complained of my radio ~~to~~ having been stolen. I do not know what measures the Corporation is going to take, when it is formed, to ~~prevent this~~ avoid this kind of theft because it has become quite common; it forces these crooks to break into the cars, quite often through the rear windscreen and, in the process, they mess up the whole vehicle.

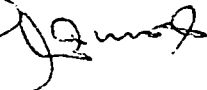
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MR. MWENJE (ctd.):

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END P.



MR. MWEBENJE (ctd.):

I would like to appeal to the police to go to the areas that are most affected by radio thefts. They should arrest those found with radios without licences and ask them to prove their ownership of those radios. It has become a common thing to find a vehicle broken into just because it has a radio or radio cassette. It is not because these thieves want to steal the radio so that they can listen to the news but because they are doing business.

So, Mr. Temporary Deputy Speaker, Sir, I hope that this issue will be taken seriously by the police. I hope that they will ^{apprehend} ~~catch~~ these radio thieves because the rate at which they are stealing these radios is alarming. They have become uncontrollable & especially here in the City of Nairobi. If the police could curb these thefts then we would be able to leave our vehicles parked without fear of their being broken into.

As one hon. Member remarked in here, I think there is something wrong with our journalism in this country. This is because it is not constructive. I would like to appeal to those concerned to stop this destructive & journalism. It is strange to see that most of our journalists take pleasure in reporting deaths and road accidents. In other words they ^{take} ~~take~~ pleasure in detrimental journalism. But when an hon. Member holds a very successful Harambee it is never reported. ^{when} ~~that~~ one does a good deed it is not reported by our journalists. I was surprised that ^{after holding a successful} ~~the week before last~~ ^{a week ago} ~~I had had~~ a Harambee meeting which collected shs. 647,000/= with my proud contribution of shs. 48,000/=, ^{this} ~~was~~ not reported at all. I went through the papers and radio-

AN HON. MEMBER: How could you go through the radio!

(laughter)

MR. MWEBENJE: Mr. Temporary Deputy Speaker, Sir, by listening to the one in my car and the other one at home! None of them mentioned ~~about~~ this Harambee. What surprises me more is that when ^{I appear} ~~in a court of~~

MR. MWENJE (ctd.):

on a minor allegation of assault it makes the headlines! I wonder whether this is constructive journalism.

THE ASSISTANT MINISTER, IN CHARGE OF THE OFFICE OF THE VICE-PRESIDENT AND MINISTER FOR HOME AFFAIRS AND NATIONAL HERITAGE (Mr. Lalampaa):
Because you took the law into your own hands!

(Mr. Mwenje hit an hon. Member with a piece of paper he was holding)

MR. J.N. MUNGAI: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order - I do not know whether you saw it Sir - for the hon. Member to hit another hon. Member in the Front Bench with a piece of paper ~~or~~ instead of addressing the Chair?

(laughter)

MR. MWENJE: Mr. Temporary Deputy Speaker, Sir, the hon. Member is out of order in that he did not see anything! So all we are saying is that this country needs constructive journalism. We would want to be reported when we do a development project. They ^{should} ~~must~~ report objectively. It is unfortunate to find some of our newspapers - I say some of them - refusing to report constructively and objectively. They should report objectively. They should also inform the country of what the leaders are doing. In other words they should echo what the leaders of this country are telling the members of the public. That is their duty. I am surprised that a few of them have decided to report destructively. I would like to strongly appeal in particular to the Kenya Times, which is owned by our ruling Party, that even if any other paper decides not to report constructively, they should know we expect them to ^{file} ~~make~~ constructive reports. We expect them to be more objective to report constructively and they should completely stop being biased.

This is a true ~~thing~~ ^{thing}. For example, yesterday an hon. Member pointed out that when they ^{file} ~~make~~ their reports and decide to add a photograph there they decide to leave ^{out} the photograph of one person at times.

In this House you will find that they are only interested

MR. MWENJE (ctd.):

in reporting certain personalities. This biased reporting and journalism should come to an end. They should know that if this country succeeds or fails they are also in this country. They will be affected by whatever happens in this country. There is no way whereby if anything goes wrong, they will be able to go ^{to} another country. They should not be happy when something goes wrong happens here. I would like to inform these journalists and their seniors that all of us in this country have a duty to build this country. The only way of doing that is ^{to have} them reporting objectively and constructively and by getting rid of their biases which can usually be seen in their reports.

Mr. Temporary Deputy Speaker, Sir, we hope that the Kenya Broadcasting Corporation (K.B.C.) - even when the newspapers decide to go their own way in making reports - which we are trying to ~~use~~ form will not be carried just like some newspapers have decided to be carried away. We hope that the K.B.C. will be fair, ^{and that it will} report correctly and will inform the nation of what is happening and what is going on in the country and in the world as a whole. We hope that those who will be charged with the duty of running this corporation, will not give the opportunity to have cause ^{US} to come back to this House and complain that it is not doing its work effectively.

As we support this Bill, we hope that when it comes to the formation of the Board of Directors, the board will be chosen from a wide range of people. That way, these directors will be able to cater for all the corners of our Republic as they will be in a position to give service to all the people of this country. They will also be able to exchange ideas for a better service. If this happened we would be able to get rid of the incorrect journalism that does not assist us in any way in the development of this country.

END R.....

MR. MWENJE (ctd.):

We should all feel duty bound and assist His Excellency the President ⁱⁿ ~~with~~ his heavy duties in building this young nation of ours. The journalists should also join ^{us} in building this nation by reporting what the ~~k~~ leaders in this country are doing so that we can build this country together.

For those of us ~~who~~ who have gone overseas may have seen that television is normally watched during the day and for quite long hours. I feel that to avoid this business of putting most programmes together within a very short ^{time} there is now need for our television shows to start earlier ^{than} ~~what~~ they are doing at the moment. At the moment, the television shows start at six o'clock and sometimes at five o'clock but I think, if possible, they should now include the whole afternoon. The television service should also be extended to school education programmes. I know that there are some areas which do not have electricity and it may be difficult for television to be able to provide school education service. But now that the technology has gone higher, we are able to obtain television sets which do not use electricity and which are able to use ~~zixsx~~ car batteries and so forth. Therefore, I wish to appeal to the Kenya Broadcasting Corporation (K.B.C.), when it is formed, to look into ^{the} possibilities of showing school education programmes so that those upcountry children who have possibly never seen a ~~television~~ television set in their homes will be able to watch it ⁱⁿ their schools. This is because, you will find that children in the city or the towns have better advantages than those in the rural areas because they have access to television sets. Quite often you will find that there is ^a ~~quiz~~ quiz programme between schools in the television which is actually very educative to the children. So we should extend this facility through the television service just as we do through the radio ^{so} that even the upcountry children will be able to get this education.

I would also appeal to the K.B.C., after its formation, to realize that occasionally we have been let down by the Voice of Kenya (V.O.K.). ^{There} ~~it~~ would be ~~of~~ no use of ^{having} K.B.C. if it will repeat the same mistakes being made by the V.O.K. Now that K.B.C. will be an income generating organisation, autonomous in its operations, and since they will be able to make their own decisions, we will not be

MR. MWENJE (Ctd.):

able to understand why these services are not improved. We ^{will} also not understand why they should not keep the standard^s expected of ~~us~~ them; we will not understand if they continue with this biased journalism^{and} if they continue with this destructive journalism. We hope that they will have learnt from the previous mistakes and that it will now be a positive corporation. We also hope they have learnt a lesson from certain corporations which have failed to give the services like the Kenya Meat Commission and several others which have collapsed. In fact, we have ~~been~~ been called upon occasionally to ~~be~~ dissolve some of those failing corporations. We hope that ^{there} ~~we~~ shall ^{never come a} ~~not have time~~ ^{when} whereby we shall be called upon to dissolve the K.B.C. because of their failure to give service, failure to earn income and because of their failure to give ^{the} proper expected service in this country. I am glad that the officers of the current V.O.K. are here and I hope that they have learnt from the past mistakes ~~then~~ that when the ... K.B.C. comes into being they will be able to give the expected service to the required standard^s of journalism and education in this country as expected by this House and as expected by the whole country.

Otherwise, I wish to congratulate the Minister for bringing up this long overdue Bill and we hope that ~~it~~ it will now meet the objective that it is actually being formed for.

With those many remarks, I beg to support.

THE ASSISTANT MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES (Mr. Kombo):

Thank you ~~very~~ very much, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this very important Bill. I wish to thank the Minister for bringing this Bill to the House which, as my predecessor has just said, ^{is} ~~has~~ been long overdue.

I believe that the ^{reason} ~~purpose~~ why the Minister brought this Bill is because we need efficiency; efficiency in the utilization of time, machines and in the utilization of manpower. Once we have efficiency all round, no doubt the new corporation that will come up will be a blessing to Kenya. At the moment the V.O.K. has served us well. I know that there have been problems here and there, but I

THE ASSISTANT MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES (Mr. Kombo) (Ctd.):

trust that within the available funds and ~~within the available~~ constraints, V.O.K. has done its part. I say so despite the fact that in my constituency, South Mugirango, we do not get total reception. But that ^{Problem of the} is not ~~the~~ making of V.O.K. ~~V.O.K.~~ Voice of Kenya has tried its best to do ^{its} their part, ^{where} where they have failed they have accepted their failures and I trust that we should not ^{place} ~~put~~ too much blame on V.O.K. when indeed they have also tried.

Why is the new corporation being set? I have just said that it is due to efficiency. How will efficiency come? It will come when we have efficient staff: Staff that is interested in this nation, staff that loves Kenya, that knows that they are working beyond the normal time not to be rewarded in cash but to be rewarded in kind so to ^{say} go. Staff that is committed to the philosophy of peace, love and unity and staff that is committed to ^{our} ~~our~~ country Kenya. At the moment many ~~and~~ districts do not have equipments such as colour ~~the~~ television equipments. We have those in the provinces and so when we see bad pictures on the screens of our televisions we should not expect more than what the machines can produce. I believe that where there are those colour cameras, we ~~receive~~ ^{and for} receive good pictures, ~~so~~ that I wish to thank the staff of V.O.K. who are doing a commendable job.

END S....

THE ASSISTANT MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES

(Mr. Kombo)(Ctd.):

Mr. Temporary Deputy Speaker, Sir, I will be failing if I do not mention that there have been some kind of inefficiency in the Voice of Kenya (VOK) and in the information network as a whole. There has been inefficiency because there are some people who do not want to take their work seriously. They are not interested in the progress of the VOK. Such people, when it comes to the setting up of the Corporation should not be carried over to the Kenya Broadcasting Corporation. They should be left behind ~~and let the~~ ^{as} dead woods ^{and} be sent home. Let them not be transferred to the new Corporation. Let the new Corporation be a source of inspiration to all Kenyans and let it be a promoter of Love, Peace and Unity. If this new Corporation is going to be a promoter of Love, Peace and Unity, I trust and believe that we shall have gone an extra mile in Kenya as far as informing the public is concerned and as far as educating the public is concerned and in as far as entertaining the public is concerned.

When this Corporation comes up, I wish to appeal to them to be mindful of other people's welfare. Here, I wish to comment that we have the disabled persons. Let them not be very profit minded and when it comes to welfare programmes, let the Corporation embody such people within the framework of their programmes that come up daily. Do not just bring those programmes that are money-oriented. Let us also think about education. Who is going to be paying? Are we going to ask the Ministry of Education to pay for the programmes that they will be run by the Corporation for the Ministry of Education? I am sure that the Ministry will say that they have no funds but who will suffer? The public will suffer and it is our children who will suffer.

So, let the new Corporation think on how to handle such issues where they do not expect to make profits. When they are deciding on that, let them have the philosophy that we were given by His Excellency the President of being mindful of other people's welfare. We need a Corporation that is efficient; we need to have the best corporation in Africa. We would not like to hear that there is any other broadcasting body anywhere else in Africa which is better than ours. Let us think in that line that we should have the best broadcasting equipment; the best staff and everything else that we can produce with which others are able to produce.

The new Corporation that we are now going to start will *be* ~~have~~ an embryo ~~out~~ of VOK. We know that you are not going to be efficient overnight after the Bill is passed and given the assent by His Excellency the President. That will not be that you will be efficient overnight but ~~you~~ *we* should aim at perfection. Start from where you are now and move towards perfection. Do not regress but ~~h~~ progress. The new ~~xxxx~~ Corporation already has a set base - the VOK. Start from where the VOK is and move towards progress and if you do this, we ~~h~~ shall all be proud of you and say that we are all part and parcel of the Kenya Broadcasting Corporation ^(KBC). We shall thank the Government for starting the KBC but if you fail, it will be failure on the Government's ~~z~~ which we do not want to think about.

At this juncture, I wish to thank the Presidential Press Unit (PPU) because it has done a commendable job. I believe that every one of us would want to know ~~what~~ where His Excellency the President is; what he did today and so on when we switch on the ~~our~~ *and television sets* radio. If in Kenya His Excellency the President is not mentioned in the media for only 12 hours, people say that he ~~is~~ has gone somewhere. We want to know where the Father of the Nation is.

T.3.....23.11.88

THE ASSISTANT MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES

(Mr. Kombo)(Ctd.):

I wish to commend the PPU for ~~the~~^a job well done. Every time, they have brought us something about the President and about what he is doing and that is the kind of work the Corporation should be doing. ~~Exxxxxxxx~~ The PPU is very ~~swift~~. You will hear that the President is somewhere like South Nyanza or Kisii and you will see the film on the VOK television the same day. But it does not happen likewise with the rest of the reporting. For example, you will hear that the Minister for Information and Broadcasting was at Nyeri but it will take two days before you see that film on the television screens. I do not think that should continue; we should now be more efficient. You might say that it is because you do not have enough transport but you are being set to move towards efficiency and that is all that we want. If it was not for efficiency, we would say that the VOK should continue. We want efficiency out of the new Corporation and that is all that this House asks for.

We would like improved relationship between the new Corporation and the public and the Government. The Corporation belongs to the Government and it should not be a source that the so-called ^sdisidents are going to be using but it should be a source for ~~sp~~ spreading Government policy to the whole country. It should be - as I said earlier - a source of bringing love, peace and unity but not a source of criticizing the Government. Once the ~~the~~ management of ~~the~~ the new Corporation has been set, let us have qualified management ^{and} not management ^{which have been} brought in because one is known to go-and-go. It should be a management that is formed because of ~~its~~ its efficiency; management that will make everybody realize that there is something new.

THE ASSISTANT MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES

(Mr. Kombo)(Ctd.):

As regards the television network, I would urge that the new Corporation should start several channels as we have on radio. We have the National Service, the General Service and others. If we have an extra channel on our television, it might give some kind of ~~variety~~ ^{and equipment} variety to the nation. [When it comes to the distribution of staff in the districts, you should distribute them reasonably and fairly. Let the best staff be found in Kwale, Mandera or Kisii, ^{We should} ~~do~~ not concentrate the best staff in Nairobi. Television ~~sets~~ ^{cameras} and other equipment or vehicles should not be concentrated in Nairobi. We want them to be spread out so that we get to know what is happening for example, in South Mugirango Constituency almost the same day when it has happened. Do not wait until it is the fifth day which means that when the item is broadcasted, it is no longer news but history.

While still dealing with that, I would like to ask the Ministry of Information to make sure that they monitor the movement of this new Corporation. Do not ~~leave~~ ^{let it} ~~them~~ loose because it will go astray. We have seen for instance, the Kenya Times opposing what the Government--- They put up things that we do not expect to appear there. Let this new Corporation know that it belongs to the Government. It belongs to the Government and it is the Government's policies that have to be brought up not ^s dissidents speeches.

When it comes to news coverage, many Members have complained that they are never covered but it may be because they had not been invited in a particular function or they were not informed. The purpose of the press is to know what is about or around them and they should not wait to be informed that this or that is happening here and there. I would urge that the kind

T.5.....23.11.88

THE ASSISTANT MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES

(Mr. Kombo)(Ctd.):

of pressmen who will be employed in the new Corporation are ~~not~~ those who do not have to be told, "We are going to this and that function, let us go". They should be able to find out by themselves what is happening around them.

END T. 

THE ASSISTANT MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES (Mr. Kombo) (Contd.):

It has happened even here in Parliament, as some hon. Members have said. One would contribute here and nothing would be said about him. For instance, I remember about a week or so ago, there was a Question on tea, and it was never covered by the Voice of Kenya (V.o.K.). It never came up in the V.o.K. Then we begin to wonder. If we can deliberate here for, say, 20 or 30 minutes and nothing is mentioned of that, can we not be right to say we put up a question on the V.o.K.? So, I appeal to the new Corporation: Do not be bought by anybody. Be loyal to the Government, and do your work properly.

With those few remarks, I support.

MR. MAKAU: Thank you very much, Mr. Temporary Deputy Speaker, for giving me this chance to contribute to this very important Bill.

This Bill of setting up The Kenya Broadcasting Corporation is a very crucial one. I say so because the effects that it is going to have on this country are immense.

Many hon. Members have spoken about the V.o.K. But one thing I would like to say from the outset is that if hon. Members know what is happening in the other African countries, then they would be praising what is happening here in this country. Kenya has one of the most qualified technical and artistic personnel when you think about broadcasting in Africa.

Many people have been reported in the newspapers talking about the removal of 'deadwood' from the V.o.K. I do not think we have any 'deadwood' in the V.o.K. Those people who have said that, if they had a chance of travelling and visiting some of our African countries, then they would realise that we have very qualified people in this country.

One of the things that have made the personnel to be efficient is that we are very fortunate in this country to have the Kenya Institute of Mass Communication (K.I.M.C.) where the people are trained. We also have the Nairobi School of Journalism where reporters are trained. So, our country, Kenya, has enough qualified personnel to man public and private services.

However, the area that I think there is an anomaly is when it comes to Broadcasting Advisory Council. It is very absurd if a council is going to

MR. MAKAU (Contd.):

be advising on whatever is happening in the Corporation. This is very important, and I would like the Minister to take note of that. This is section 12. It says, and I quote:-

"The Kenya Broadcasting Advisory Council is going to be appointed by the Board".

Now, how can the Board appoint an Advisory Council to advise them?

The Kenya Broadcasting Advisory Council should be appointed by an independent person or body. If a Board appoints an Advisory Council, how can the Council advise the Board? So, this is a big anomaly. The Kenya Broadcasting Advisory Council members should be appointed by another independent body.

Mr. Temporary Deputy Speaker, many hon. Members have expressed the desire to have good news coverage. We need to have this ^{fact} emphasised. It is necessary that the Kenya Broadcasting Advisory Council, which he said will be composed of seven members, the people who are appointed there should be done on a provincial level. We have eight provinces in this country, and each province should be represented so that we do not have some areas that are left without news coverage. That is another anomaly that should be looked into.

The other area, Mr. Temporary Deputy Speaker, that I would like to comment on is the question of finance. We are now setting up The Kenya Broadcasting Corporation, and the idea came about as a result of the complaints from the people in the Ministry that there were financial constraints. That is the public broadcasting services were poor in quality. However, now that they are given the power to licence the broadcasting apparatus and make some repairs, they will generate a lot of money. Most of this work was being done by the Kenya Posts and Telecommunications. So, the work will be taken away from them and be given to the Kenya Broadcasting Corporation. The Kenya Posts and Telecommunications is known to be one of the best run Corporations in the country. It makes profit and serves the nation well. It derives most of its finances from licensing of broadcasting apparatus. Therefore, now that this money will be collected by the Kenya Broadcasting Corporation, we see no reason why the quality of public broadcasting should not improve in this country.

On that same question of finances, section 39 talks about borrowing powers given to the Kenya Broadcasting Corporation (K.B.C.). Also section 41

MR. MAKAU (Contd.):

talks about investment of funds. This is an area that we should be very careful. Many corporations have been given money. Under section 39, it says very clearly that the Corporation will have the powers to borrow locally here or abroad with the approval of the Minister for Finance. At the same time, under section 41, the Board is being given powers to invest the extra funds. If they make more money they should invest it with a financial institution.

Mr. Temporary Deputy Speaker, I would like to make a suggestion here, and this is not only to the Kenya Broadcasting Corporation but to all corporations. We are called upon in this Parliament to approve any Government expenditure. For instance, last week we were called upon to approve loan guarantee to the Kenya Airways Corporation. This is by an Act of Parliament. Any borrowing should be guaranteed by Parliament. I would like to make a suggestion here because of the public funds which have been invested and lost from the collapsed financial institutions. For instance, the Rural and Urban Savings and Credit. A lot of money from the N.S.S.F. and other public corporations was lost. What I would like to suggest here is that a provision should be made, or a new clause be inserted after the words "investment of funds" to read as follows:-

"The Board may place ~~any~~ deposit with such banks or financial institutions any money that it may determine that is not needed for the purposes of the Corporation with the approval of Parliament".

I say so because we are here to guarantee these loans, and Parliament is the custodian of public funds. At the same time, if somebody is going to invest these funds elsewhere, they should table the name of the financial institution for us to be able to know the character of such a person. They are supposed to be investing in Treasury Bonds, or with the commercial banks like the Kenya National Bank and the National Bank of Kenya. However, if they are going to invest the money in privately-owned financial institutions - and that for all the public corporations - they should come and table it here for us to know where they are going to invest that money. This country has lost a lot of money. The other day the Minister for Labour told us how much money from the N.S.S.F. had been invested with privately-owned financial institutions that have

MR. MAKAU (Contd.):

collapsed, or in areas that they are not able to collect the money. So, I would suggest that if any corporation has extra funds that they would want to invest, if they cannot invest them in the Treasury Bonds or with the Central Bank of Kenya, or the national financial institutions, then they should bring the money here to Parliament for us to approve where they should invest it. When the money is collected or borrowed, we are also the custodians of public funds. So, we should approve the privately-owned financial institutions. When we do that we shall be able to make sure that public funds are not invested in collapsing financial institutions. This normally happens because maybe the Director General or any other Managing Director gets a fat loan from such funds. This is what normally happens whenever funds are invested in some of these privately-owned financial institutions.

End U.

-JMK

MR. MAKAU (ctd.):

There is a Clause in this Bill that talks about operators of unlicensed radio or television stations, and I would like to say that today, many developing and developed countries are having a problem of pirate radio stations. These are stations that keep on announcing things against a particular government. Now that we are surrounded by jealousy neighbours because of our development, it is important that the penalty against those who may operate pirate radio or television stations should be stiffer. The set penalty of KShs.100,000/- is not adequate. Because of the security risks involved, the penalty against people who might operate pirate stations should be made stiffer. For example, in the Philippines people do not know from where they get news because of the pirate ~~xxxxx~~ stations surrounding that country. In fact, pirate stations can even be set up in ships. One can set up a pirate radio station in a ship at the Port of Mombasa and say whatever he wants to say about this country. That is why I am saying that it should be a treasonable offence for anyone to run a pirate radio station.

Mr. Temporary Deputy Speaker, Sir, many hon. Members have talked about our television having more than one channel. Indeed, one hon. Member even talked about allowing individual private channels. I remember that at one time there was a private investor who wanted to open a private channel, but this is an area where the Government should be very careful about. When we talk about setting up private channels, be they television or radio, and, at the same time, we talk about the establishment of a Kenya Broadcasting Corporation, then we are just not doing anything. Indeed, allowing individuals to set up private television or radio channels is tantamount to killing the same corporation we are establishing. We should give the idea of ~~xxxx~~ licensing private television or radio channels about five years so that the Kenya ~~Bxx~~ Broadcasting Corporation can actually stand on its own two feet. The argument that has been advanced for opening private channels is that we do not get the entertainment we want. What people ~~xxx~~ should realise is that entertainment is a very expensive affair. Indeed, I am sure that already the Voice of Kenya has been heavily subsidised by the Government for the services it has been rendering.

MR. MAKAU (ctd.):

When we complain about the quality of the entertainment we get, we should ask ourselves the other stations with which we are comparing ourselves. The fact that you go to London and other places and find that ~~xxxxx~~ they have better quality entertainment does not mean that we should have the same quality. We should realise that the Government is subsidizing the Voice of Kenya heavily because, as I have already said, entertainment is a very expensive affair.

Mr. Temporary Deputy Speaker, Sir, it should be legislated here, just like in the developed countries, that if somebody owns a part of the print media, he should not, at the same time, own a radio or television station. If we allow an individual to own part of the print media and, at the same time, allow him to own part of the visual/audio media, then we will find ourselves being fed with anything that that person can give. It is for this reason that I feel that any person owning a newspaper in this country should not be allowed to own either a radio or a television channel. The Ministry of Information and Broadcasting should make sure that that does not happen in this country because if it happens at all, people will say whatever they want to say about this country.

Sir, another area that I feel I should touch on is the appointment of the director general of the proposed Kenya Broadcasting Corporation. The position of the director general is going to be a very crucial one, and I am very happy that the Bill puts it very clearly that that shall be a Presidential appointment. The person to be appointed a director general should be one who understands and ~~xxx~~ knows a lot about broadcasting services. He should be a professional and a man of high integrity who should be able to make decisions.

THE ASSISTANT MINISTER, OFFICE OF THE VICE-PRESIDENT AND MINISTRY OF HOME AFFAIRS AND NATIONAL HERITAGE (Mr. Lalampaa): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to mislead the House by saying that the director general shall be appointed by the President when it is clearly stipulated in this Bill that the director general shall be appointed by the Minister responsible for Information and Broadcasting?

MR. MAKAU: Mr. Temporary Deputy Speaker, Sir, what I said is that the position of the ~~same~~ director general is very important. I said that the only appointment of the director general should be Presidential because the position carries a lot of power. That is all what I am stressing. Every hon. Member of Parliament has been complaining here that he has not been covered and things have been like this and that, and I am saying that if the director general is not a man of integrity, then— For the security of this country, for the information we are going to be getting in this country and for the education and entertainment of Kenyans, the director general should be—

THE ASSISTANT MINISTER, OFFICE OF THE VICE-PRESIDENT AND MINISTRY OF HOME AFFAIRS AND NATIONAL HERITAGE (Mr. Lalampaa): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member made a categorical statement to the effect that the Bill says that the director general shall be appointed by the President. Is he in order to mislead the House, when we know too well that the President shall only appoint the Chairman of the Corporation and the appointment of the director general shall be left to the discretion of the Minister for the time being in charge of Information and Broadcasting? Is the Bill not very explicit on that?

END.... V

THE TEMPORARY DEPUTY SPEAKER-(Mr. Mwamzandi): Order!

I heard him in the first instance saying that the Director-General is to be appointed by the President but when hon. Lalampaa stood on a point of order to question the correctness of this, he then changed and said that he would request that that the appointment be made by the President himself. So, he concurs with your point of order.

MR. MAKAU: Mr. Temporary Deputy Speaker, Sir, I am talking about the importance of this appointment. Just like it was the case with the Cotton Bill, the Chairman and the Managing Director were to be appointed by the President himself. Therefore, in this particular Bill, the Director General ought to be appointed by the President himself. Everybody here has complained about the poor coverage of news and so on and therefore, the only person that can appoint the Director-General is the President himself. I am emphasising on this point because the Director-General is a very important person in the corporation.

Mr. Temporary Deputy Speaker, Sir, most hon. Members have said that we cannot all claim to know what should be done. Not every word that comes from everybody's mouth can be treated as news. You can give a speech for 30 hours only to find that there is no news in that speech. So, when the newspaper reporters at the Voice of Kenya receive news items from all over the country, they cannot possibly include all of it in the news. This is because there is a limited ~~news space~~ air time. If somebody has made a long speech in a Harambee meeting where he contributed some Shs.48,000/--, that is not news at all. This can only be treated as news if the news editor regards it as news. I am saying this because the people manning these stations are well trained to know what is news and what is not news. Therefore, they will tell you that it is not everything that is said is treated as news. The news editor or anybody else who has been given this position, will know what is news and what is not news.

By saying that, Mr. Temporary Deputy Speaker, I mean to say that if somebody is a news editor or an editor of any newspaper, after receiving news, ~~then~~ he has to edit them, because a newspaper cannot

MR. MAKAU (Ctd.):

possibly cover everybody. Similarly the Voice of Kenya cannot cover everybody's speech over the radio. I think we should realize that the Voice of Kenya is doing a tremendous job. I read from one of the weekly magazine^s an article which leaves a lot to be desired. It is also unfortunate that I read the same article in The Kenya Times, a paper that is owned by the Party that forms the Government, where somebody had said that we have dead woods in the Voice of Kenya. There cannot be dead wood in the Civil Service. Therefore, for a paper that is owned by the Party to say that there ^{is} ~~is~~ dead wood in the Voice of Kenya, this is misleading. If there is anybody that is - - -

THE ASSISTANT MINISTER FOR SUPPLIES AND MARKETING (Mr. Chesire)

On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member on the Floor has made a very serious allegation regarding The Kenya Times. Can he substantiate that the paper has ~~is~~ said that there is dead wood in the Voice of Kenya? Can he tell us ⁱⁿ which issue of The Kenya Times ~~was~~ this article was written?

MR. MAKAU: Mr. Temporary Deputy Speaker, Sir, hon. Chesire should know that I am not the type of person who says something in this House without knowing what he is saying. This was an article which was written by a Mr. Kulundu when he analysed this Bill. In that article, it is clearly indicated that the Voice of Kenya has been experiencing a personnel problem because of the deadwoods existing there. The current Weekly Review in its editorial by Hilary Ng'weno, has said that the first job to be undertaken by the corporation is to remove the deadwoods from the Voice of Kenya. I started by saying that if there is any group - - -

THE TEMPORARY DEPUTY SPEAKER (Mr. Mwangandi): Order! We are what you said about concerned with The Kenya Times, where you mentioned the name of a Mr.

Kulundu. If hon. Chesire is satisfied that you have made enough substantiation, then you can continue.

MR. MAKAU: Mr. Temporary Deputy Speaker, Sir, I am saying this because we should not give the impression that we have people who do not know what they are doing. I started by saying that this country has the

a proper media of communication. The people who work at the Voice of Kenya or at the Kenya News Agency have gone for extensive training and - -

THE ASSISTANT MINISTER FOR SUPPLIES AND MARKETING (Mr. Chesire):

On a point of order, Mr. Temporary Deputy Speaker, Sir. I asked ^{the} hon. Member to provide us with the specific date when the article was written and which issue of The Kenya Times said that there is deadwood in the Voice of Kenya. The hon. Member mentioned the person who wrote this article, but he ought to tell us what issue of The Kenya Times made that allegation.

MR. MAKAU: Mr. Temporary Deputy Speaker, Sir, I think we have a library just across and The Kenya Times is always there. I said that Kulundu is the person who wrote the article - - -

AN HON. MEMBER: You should withdraw and apologize.

MR. MAKAU: There is no way in which I can withdraw when I have referred you to the library where you can refer to the article for yourself. You can go there and read or I can bring the newspaper here for you to read. You can only be asked to withdraw an allegation if you are not able to sub-
*even*stantiate, but in this case, this is not an allegation.

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): On a point of order, Mr. Temporary Deputy Speaker, Sir. I rise to seek your guidance on this issue. Would hon. Makau, please, confine himself
in to the Bill instead of dragging/Kulundu and other people who cannot defend themselves in this House.

MR. MAKAU: Mr. Temporary Deputy Speaker, Sir, I do not know what the Minister for Information and Broadcasting is talking about. We are talking about this Bill and one of the provisions in the Bill is about staff. I have read this Bill thoroughly because I am not the type of person who just takes a Bill and comes to speak here. The Bill is talking about the secondment of officers by the Government to the Kenya Broadcasting Corporation. The Bill talks about the technical and artistic personnel and all we are saying here is that these people should be highly qualified. I was asked through a point of order to substantiate that an article has been written. How can

THE MINISTER FOR ENERGY (Mr. Biwott): On a point of order, Mr. Temporary Deputy Speaker, Sir. I think the hon. Member is getting excited for nothing. Could he assist the House by responding to the point of order raised by hon. Chesire. The hon. Member for Mbooni said that he has the newspaper somewhere, could he be given time to substantiate this tomorrow, so that we can get on with the Bill in front of the House. The question of deadwood is something which should not unduly worry the hon. Member because we know there are many deadwoods which we would like to clear from the Government system.

THE TEMPORARY DEPUTY SPEAKER (Mr. Mwanzandi): After hon. Makau was asked to substantiate, he mentioned a certain name of a writer, namely, a Mr. Kulundu. We take it that he will be responsible for the consequences. If there is any doubt, the paper can be brought here tomorrow.

MR. MAKAU: Mr. Temporary Deputy Speaker, Sir, I would like to thank the Deputy Leader of Government business for his assistance. In fact, I will bring the paper tomorrow. If the hon. Member is interested, I can even go with him to the library to show him the newspaper. I was saying that the staff that work at the Voice of Kenya should be highly qualified people.

Mr. Temporary Deputy Speaker, Sir, finally, I would like to say that the new Kenya Broadcasting Corporation should be extremely careful when handling people who come to buy air time. I am saying this because one may go there and wants to buy all the air time so that other people do not get the chance to make announcements. It is always the practice in many corporations that somebody can decide to buy/air time that other people do not have the access to make their announcements.

So, Mr. Temporary Deputy Speaker, Sir, with these few remarks, I beg to support.

END W

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Cheruiyot): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving this opportunity to contribute to the Bill. First of all, I would like to thank the Minister who very ably and eloquently explained to us the reason why the Kenya Broadcasting Corporation should be established. The staff of the Voice of Kenya should be congratulated, and I take this opportunity to thank them very strongly because of the way ^{in which} they report events and work hard on a day like this when hon. Members have been here the whole day. These staff members are going to sit for many hours, putting our proceedings here on record in the proper language and relaying them over the radio and on television. They will sit long into midnight or about 11.00 p.m. That is hard work, and these members deserve strong commendation from hon. Members of Parliament.

The Voice of Kenya has been a "weapon" and a very powerful medium of communication in this country. Very many hon. Members are aware of how the Voice of Kenya (V.O.K.) has educated the nation, particularly with regard to policy statements formulated by His Excellency the President. When the President talked about afforestation, soil conservation, population control and restraining of students in respect of strikes, the Voice of Kenya did its best to enlighten all Kenyans, reporting very accurately. Very repeatedly, the V.O.K. has told us that we need to be united. In fact, it has been a "weapon" and a unifying force in the country which has enabled all of us to realise that we are one nation. It continues broadcasting Nyayo songs of unity, peace and love. This is very commendable.

In order to help the V.O.K. to keep what it has already been doing, I feel that when we talk about the Board membership in this Bill, we should remember that this is the voice of the Party which tells us what the nation should be doing. I feel that there should be on the Corporation's Board an hon. Member of Parliament, say an Assistant Minister, or somebody from the Ministry of National Guidance and Political Affairs. His Excellency the President said that we are going to think of establishing a propaganda unit.

unit we have is the V.O.K.

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Cheruiyot)(Ctd.):

Like in Eastern countries, if we are going to sensitise our people on how to be patriotic and let our youth be politicised - I mean positive politicisation of being patriotic and nationalistic - the only thing to do is to give the Party more air time so that it may expound its propaganda, including its major issues, projections and future policies. That is the only way in which we can make our Party very strong and revitalise it. We will thereby also make this nation think together by marshalling our forces and thinking. In that case, when we celebrate our 25 years of Independence, we will know that we are thinking together through the Party machinery.

The other point I would like to raise concerns audibility. I have had the occasion to be in Addis Ababa and Dar-es-Salaam where the audibility of the V.O.K. is very bad. I do not want to dwell on this point very much because many hon. Members have already ~~talked~~ talked about it. They have explained how poor the audibility of the V.O.K. has been. There was a time before the Revolution in Ethiopia when we used to have what was called the Voice of the Gospel. This was a Christian broadcasting station. It was so strong and powerful that it used to evangelise many people by means of what is called out-reach. You could be as far as Isibania, and still get broadcasts from this station loudly and clearly enough. I do not know whether we attribute our inaudibility to lack of proper equipment or not. We have been told of booster stations.

If we are going to turn the V.O.K. into a corporation which is to generate revenue, it should be able to get more equipment and broadcast clearly, so that we may be heard outside the country. Radio of the Republic of South Africa has been able to tell the world what people in South Africa are up to, including how bad they are. Why do we not use our V.O.K. to tell East Africa and the entire Africa that this is our aim and that the country is geared towards peace, unity and self-preservation?

Our television and radio should expand their teaching programmes. We have external degree programmes in the Ministry of Education. We feel

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Cheruiyot)(Ctd.):

that, in view of the congestion we have and the demand there is for university education in this country - our four universities are not enough to absorb Kenyans who are keen, qualified and have met the minimum education requirements for admission to university - we should use our radio stations to educate our Kenyans. We should expand our radio education programmes so that the many keen people sitting at home who are thirsty for self-development may benefit. Many "P1" teachers would like to become "S1's". Many people, including civil servants and farmers, would like to promote their knowledge in different lines. We think that, once we make the V.O.K. a corporation, it will be able to set up more channels to broadcast the activities that are taking place.

The other aspect I would like to mention is the quality of the programmes that the V.O.K. throws into the air. I would like to pay tribute to the V.O.K. because I love television programmes. There are quite a number of good programmes that the V.O.K. airs, such as "Mind Your Language", "Crown Court" and debates in Kiswahili by students. The V.O.K. has done a very commendable job because, apart from educating and informing us, it has entertained us on a high standard. We are not just going to rely on very cheap propaganda, such as that which was mentioned by another hon. Member here. He said that if you want to entertain an African, you have to be ridiculous or appear to be ridiculous. The V.O.K. has not had such a belief, and I would like to commend it and encourage it, if necessary, to borrow programmes from other countries so long as they are entertaining and do not deprive our youth of morals.

The other areas which is of concern - and I am sure many hon. Members will support me here - is its advertisement. By this I am referring to the fees that hon. Members are charged when they go to the V.O.K. every weekend to advertise. Many hon. Members hold so many Harambee funds drives, say about three or four in a week. The V.O.K. charges are so high for hon. Members that on certain occasions we have to pay Shs.1,000/= every weekend to advertise

the V.O.K. Now that the new Corporation is going to be able to generate

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Cheruiyot)(Ctd.);

its own funds, there is no reason why it should not subsidise these fees and reduce them for hon. Members who have to go to the V.O.K. every now and then to announce Harambee projects and other activities. This is a point which I would like the Minister to take note of.

I would also like to commend and thank the Presidential Press Unit for the effort it has made in ~~slight~~ enlightening Kenyans with regard to what the President does. On every Monday, we have the "Yaliyotokea" Programme which is so thoroughly executed that if His Excellency the President talks about soil conservation or does anything about afforestation, Nyayo Tea Zones or the construction of Nyayo wards, it is presented by ~~EE~~ V.O.K. in pictures and Kenyans know what took place. That is very commendable.

I would also like to thank the V.O.K. for its coverage of the All Africa Games and the Nyayo Era celebrations. It did so well that whoever had a radio or television did not have to come to Nairobi because he ~~would~~ was very well informed while sitting at home. Kenyans supported all our teams in the games. At the end of the games the nation became so charged after realising that ~~our~~ people could support games. We commend the V.O.K. very strongly.

END X

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Cheruiyot) Ctd:

Mr. Temporary Deputy Speaker, Sir, another thing which I wanted to say is ^{that} the Ministry of Information and Broadcasting should create a character of high professional standards. It should be able to create a tradition whereby wananchi will continuously be informed of what is happening. I am saying this because in stations like the BBC, Voice of Germany, Voice of America and so on, the staff are very thorough. This is because their correspondents who collect news items are well paid and this is why they are able to collect a lot of information. In fact, the Voice of America is able to get ~~fresh~~ news after every one hour.

Since this Bill aims at creating a Corporation which is going to have more money, it should be able to have more correspondents, pay them well so that the whole of Eastern and Central Africa can tune to the Voice of Kenya and get the news that they require.

This Corporation should also be in a position to attract foreign investors. As hon. Makau said, we hope that when they attract foreign investors they will not go into a borrowing spree. All borrowing should be guaranteed by Parliament and discussed thoroughly. Whatever is borrowed to boost the Corporation's equipment, must be used to buy high standard equipment.

I beg to support.

THE ASSISTANT MINISTER FOR COMMERCE (Mr. Gakunju): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this very important Bill. I welcome this Bill which seeks to make the Voice of Kenya a State Corporation so that it can act in a businesslike manner. It will also be able to project services to ~~the~~ the public in the best way possible.

I have noted in the Bill that this Corporation is expected to do various things and I would like to ~~make~~ emphasize on the commercial aspect of the Bill. This is with respect to the cutting of records, tape recordings and so on for the benefit of our talented young people who are interested in ^{music} singing

and other fields. Sometimes these people find it very difficult to have their records produced commercially due to lack of capital. Although they will not be doing it for free at the Corporation, I feel that this will give our young people an opportunity to produce records in a reasonable manner rather than in the present system where they are exploited by the few commercial studios in Nairobi.

We know that there are very many young people who are jobless and who can make their living by producing and selling records. These young people may have composed and produced very good songs but find it very difficult to have them produced commercially. This also applies to tape recordings and so on. Even when they produce them, they end up selling their rights to some people and end up not getting any reasonable money. They are discouraged in this way. I welcome the fact that the Bill provides for ~~this~~ ^{these} commercial activities. Because the studios that are ^{sometimes} ~~presently~~ idle will now be put into proper use, we hope that a reasonable way of charging for these services will be found.

END.....Y



THE ASSISTANT MINISTER FOR COMMERCE (Mr. Gakunju)(ctd.):

This will encourage our talented people to do the production of their songs.

The other things I would like to mention is that apart from licensing radio and television set repairers, I think the new corporation should look into the possibility of assembling radios and television sets, through a company of their own, and setting in motion, a distribution system for them, especially in the rural areas where people sometimes find it hard to buy a radio or television set. It is very difficult for you to find a shop selling ~~xxx~~ radio sets in the rural shopping centres, because the initial cost of setting up a radio-selling shop is high. If ~~the~~ the Corporation does the assembling, which will be a prelude to manufacturing, it will benefit ~~the~~ those rural areas where shops could be set up in the system for our people to buy ~~a~~ radio sets from. This would increase the low-priced radio sets which will be affordable ~~g~~ by the ordinary mwananchi, ordinary farmer, ordinary school teacher and so on.

Mr. Temporary Deputy Speaker, Sir, we hope that the Corporation ~~is~~ is going to be businesslike. ~~Because~~ I say this because if you go to the Voice of Kenya (V.O.K.), at the moment, wanting to put in a casual announcement, you have to queue for a long time, sometimes in the rain outside the gate, and you find that in the room where the announcements are being taken, there is only one person who is working and probably three or four others who are idling about. You have no way of getting quick service. If that announcement section of the commercial section is making money, there is no ~~the~~ reason why the clients cannot be taken care of by providing some

THE ASSISTANT MINISTER FOR COMMERCE (Mr. Gakunju)(ctd.):
 sitting accommodation ^{Moreover, the} and more workers ^s who should be given effective supervision so that they can do their work properly ~~and be able~~ and be able to serve the clients quickly so that they can go to attend their other businesses. When you are in business, you have to make sure that your customers are ~~be~~ happy, ~~p~~ appreciated, are recognized when they come, and that they are given quick and efficient service. Receiving of commercial advertisements and announcements is a business that can bring ⁱⁿ a lot of money, but then it requires that the people who go there are served quickly and properly so that they can come again. This is something that will not cost ~~x~~ very much, but it will enhance the image of the Corporation and make it be seen that a proper service is being given.

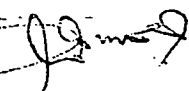
I would also like to point ^{out} ~~out~~ that there is need ---

ADJOURNMENT

THE TEMPORARY DEPUTY SPEAKER (Mr. Kwamzandi):

Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Thursday, 24th November.

The House rose at thirty minutes past Six o'clock.

END Z. 

MR. KONES (Ctd.):

The cost of picking tea within the Kenya Tea Development small-scale farms is supposed to be uniform as far as we are concerned. Transportation charges are supposed to be uniform and also processing ^{and} manufacturing of the tea is supposed to be ^{uniform} because this is managed by one body. ^{This} ⁱⁿ ^{which} ~~the~~ difference in price comes to as much as Shs.5/-, ~~it~~ is actually unbelievable. In this Paper which has been written by an expert, namely Dr. Otieno who is an expert in Tea in East Africa and ~~is~~ probably in the world, says, and I quote:-

"As mentioned in my letter quoted above, proper management including team work from the farmer to the factory personnel, would help narrow ^{the rather} ~~the~~ ~~indication~~ ~~widening~~ the gap between the factories"

Widening

From 1987/88 - Second Payment figures:-

It is no longer a question of restriction to East versus West practice, although this is still very obvious, but the gap between the factories in the East are getting wider and wider."

So, the big question here is: where are we heading to in the Kenya Tea Development authority? Are we not actually opening a wider gap between tea factories in Kiambaa, for example? In this way, are we really solving the problem? With regard to transport, the same expert says that certain factories have more than they need for transport while other factories are suffering for lack of transport. He has also said that tea in some areas can stay for two or three days before it is collected while in other factories, lorries are lying idle. He did not talk about Kiambaa, but it is only common sense that one can always guess that where there is extra transport for tea is in Kiambaa. Where there is ^{transport} inadequate ~~transport~~ one can guess it is in Kiambu factories, and he is attributing this difference to lack of proper policy in transport.

In this case, Mr. Temporary Deputy Speaker, Sir, - - -

MR. KAMUYU: On a point of order, Mr. Temporary Deputy Speaker, Sir, the Mover of the Motion referred to an expert in the name of Dr. Otieno, could he tell us on what basis he became an expert in tea?

MR. KONES: Mr. Temporary Deputy Speaker, Sir, I will give the hon. Member the details of that question later on. The same expert, Sir, has also said, and I quote:-

"The continued high production of tea is critically dependent on its profitability to the farmer".

Now, my question here, is, ^{any Profitable} is it ^{more} ~~productive~~ to plant tea in Western Kenya? If a farmer is getting 40 cents per kilo of tea at the ^{the} end of the year, ^{Should} is growing of tea any more productive now? ^{Should} we continue growing it or should we uproot it altogether? That is a vital question. Why can we not improve the crop? The Kenya Tea Development Authority regulations say that once you have planted tea on your land, you are not allowed to uproot it, but is this tea worth growing any more now? The same expert has given examples of ^{of} tea farmers in Nandi, Kapsabet, ~~and~~ Kakamega and Kitale ^{who} have been producing very low yield of tea at the end of the year; while the tea farmers in the East of Kenya have shown very high yields. He has also reminded us about this aspect of profitability to the farmer. Therefore, would I not be right in saying that the low productivity of tea in Western Kenya is attributed to the low profitability? I am just quoting what an expert has said about this.

Mr. Temporary Deputy Speaker, Sir, I would now like to talk about tea processing in the factories. The tea management would also improve the ^{were} quality of tea in the factories if the proper tea processing methods ~~are~~ followed. Managers of tea factories would produce good quality tea if they packed ^{it} it and dried ^{it} well at the right temperatures. The same expert has said that the priority of renovation of factories seems to be ^{regional} determined on ~~the~~ basis rather than the need to carry out such renovations. Therefore, Sir, would I not be right in saying that ^{and} the priorities ^{and this has} given to the ~~Eastern~~ factories in Eastern Kenya ^{and this has} have enabled farmers there to get better prices for their tea?

MR. WASIKE-NDOMBI: On a point of order, Mr. Speaker, Sir. Is the hon. Member on the Floor in order to tend to divide Kenya into two? When we are here we talk of unity, but the way the hon. Member is putting it tends to divide this nation. Could he speak in a way that he does not divide the country? Is he in order to talk of East and West of this country?

MR. MANG'OLI: On a point of information, Mr. Speaker, Sir.

MR. SPEAKER: Order, hon. Members. Could you continue, hon. Kones?

MR. KONES: Thank ~~me~~ you very much, Mr. Speaker, Sir. I am dealing with the question of the Kenya Tea Development Authority (K.T.D.A.) and not the whole country.

What I was saying is that the same experts, whom I would like to quote every time, have also said that there is no proper co-ordination between the agricultural ~~r~~ people within K.T.D.A., the processing and the transporters of the green leaf.

With those few remarks, Mr. Speaker, Sir, I beg to move the Motion.

~~THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Kamotho)~~

(Question proposed)

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Kamotho): Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to speak for one or two minutes on this very important subject. I am going to speak as one of the small scale tea farmers and a representative of tea ~~ra~~ farmers. I have no other expert to quote but the farmer.

Sir, I am also very concerned about this issue because, throughout the country, tea farmers are not receiving the proper price for their sweat. I have gone round my constituency, just like I went round last Saturday, and I have been shocked and surprised to find school going children at tea collection centres ~~lx~~ between 10.00 p.m. and 11.00 p.m. This has been going on for years. Even at 3.00 a.m. or at 4.00 a.m., you can find old women sleeping outside tea ~~at~~ collection centres. In fact, during rainy seasons like this, ~~xxx~~ some of us cannot go home

24.11.88.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Kamotho)(ctd.):

because the roads are in shambles. The Kenya Tea Development Authority (K.T.D.A.), has bought tractors to go and destroy roads instead of repairing them to ensure that farmers get fruits from their sweat.

Mr. Speaker, Sir, we should be given certain answers by K.T.D.A. We understand that the provision of a drier in some areas costs KShs.1.4 million, whereas the same drier in the African ~~High~~ Highlands and elsewhere costs only KShs.800,000/- Is that justifiable? We are so concerned about the services we receive from K.T.D.A. that we need a lot of answers to ~~some~~ some of the unexplained happenings. I think the Ministry of ~~Agri~~ Agriculture should set up a Ministerial committee to look into the organisation and structure of K.T.D.A. so that the farmer can be served properly. Secondly, we should also know that every K.T.D.A. factory is a limited ~~liability~~ liability company. We should ensure that farmers are given proper services. I complained the other day, and I stand by what I said, that certain areas are given preferential treatment by K.T.D.A. when it comes to transport services.

END..... BB.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Kamotho)(ctd.):
 Go to Kangema tomorrow. You will find that the tea leaves plucked tomorrow will not be delivered to the factory the same day. I said I am speaking as a small-scale farmer of tea, and also as a representative of ~~xx~~ small-scale tea farmers. I request the Ministry of Agriculture to set up a committee to restructure and reorganize the Kenya Tea Development Authority ~~x~~ (K.T.D.A.) so that we, as farmers, get the fruits of our own sweat.

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION (Mr. Munyi): Onna point of order, Mr. Speaker, Sir. Can we be allowed to extend our time ~~xx~~ for another 30 minutes so that more hon. Members can contribute to this Motion?

MR. SPEAKER: It is a bit too early to request for an extension of time, but we will look into that.

MR. OMANGA: Thank you very much Mr. Speaker, Sir. I think it is ~~xx~~ important that we understand the spirit of this Motion. We are concerned about what Kenya can produce, and in this case we are talking of tea, and what that tea can earn this country. We are also ~~entitled~~ entitled, as representatives of our people, who are toiling to produce agricultural crops, to see to it that all is being done to foster the hard-working spirit of the ordinary farmers.

I ~~xx~~ stand to speak as a tea producer in a small way, and as ^a representative of a large number of tea growers. There is no doubt that tea production has gone ~~x~~ very well. When tea was introduced in this ~~xx~~ country on a small scale ^{basis}, a lot of people doubted whether it would ever work, but the mwananchi has surprised himself by doing his best to make sure that he does

MR. OMANGA (ctd.):

not let his country down. In talking about tea, we ~~are~~ are talking ~~in~~ about production, manufacture, marketing, ~~and~~ supporting services and the management of the crop. The sole management of ~~the~~ tea is in the hands of the Kenya Tea Development Authority (K.T.D.A.). ~~My~~ The K.T.D.A. is as far removed from the farmers as if they were in Greenland as Eskimos. This House has debated the question of tea almost every year. We have been trying to see whether ^{something} ~~something~~ better could be done. It is not the hon. Members of Parliament who are dividing Kenya into two, it is the management of K.T.D.A. that is dividing Kenya into two. They are the people ~~we~~ who talk about east of the Rift Valley and west of the Rift Valley, as if coffee, cotton, ~~and~~ and pyrethrum are not grown in both sides of the country. They have emphasised this point so much that it looks like hon. Members of Parliament are not ^{ordinary} people. We have professors, lecturers and businessmen, and we are being asked to swallow an explanation that is completely unpalatable. We know that western Kenya is as productive as the other ~~s~~ part of Kenya. We want the K.T.D.A. to be a unifying factor because it is they who do the marketing. We are told that ~~that~~ Kenya produces some of the ~~the~~ best teas in the world. When the tea goes into the market, is ~~is~~ there a different ~~label~~ label ~~for~~ for tea from one part of Kenya as ^{against} ~~against~~ tea from another part of Kenya?

END: CC

MR. OMANGA (Contd.):

It is all Kenya tea. Is there a possibility of marketing Kenya tea? Is there a possibility of marketing Kenya tea as Kenya tea?

Mr. Speaker, Sir, I might go on another angle: field services. Could the management of the K.T.D.A. see to this? Time has come when the tea industry must be restructured, just as much as we have done for coffee and also cotton the other day. Otherwise, we are getting ^{our} people terribly disappointed right now.

This House, therefore, would be quite entitled to ask the Minister for Agriculture to go into a complete restructuring of ^{the} tea industry. How is it that right in Nyansiongo Tea Factory, which is just outside my home, that I should have security men? A security man who just looks after the factory has to be 'imported' into that place. How is it that some areas are ignored?

Hon. Kamotho has just talked about the lateness of collecting tea and that kind of thing. I think the K.T.D.A. has a broad tea production and also has a broad employer. The employer of the K.T.D.A. management is a small farmer. That is the one who employs him. Why is it that the K.T.D.A. has neglected that person? The K.T.D.A. should pay attention to the small farmer.

Secondly, I think it is high time that tea producers, just like coffee or pyrethrum, or cotton, have a say in the management and control policy of the K.T.D.A. It is not too long ago when the management of the K.T.D.A. decided that they would ^{build} a headquarters against the wishes of the people.

So, Mr. Speaker, we are appealing here to the Government that the management of K.T.D.A. should do their job. If it is not doing its job, then let them be told so. If they cannot do the job, let us replace them with something better so that we do not 'kill' a very important industry on which we are going to rely for foreign exchange earning.

Thank you, Mr. Speaker, Sir.

POINT OF ORDER

THE MINISTER FOR LIVESTOCK DEVELOPMENT (Mr. Wanjigi): On a point of order, Mr. Speaker, Sir. I would like to move that the debate be exempt from Standing Order No.17(5) so that we can continue to debate this matter for another half an hour.

MR. SPEAKER: Okay. The decision is yours, hon. Members, and in doing so, we can exploit Standing Order No. 17.

(Question, that the Proceedings be exempted from the Provisions of Standing Order No. 17. put and agreed to)

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Onyancha): On a point of order, Mr. Speaker, Sir. I understand that any speaker is required to speak for ten minutes. I wish to request, if it is possible, that each speaker would have five minutes so that many hon. Members can participate?

MR. SPEAKER: Of course, you understand what the House has just done. I am ready to sit here up to 9.00 p.m., if you have the energy to sit along with me.

End DD.

MR. MANG'OLI: Thank you, Mr. Speaker, Sir, for allowing me to speak on this very important Motion. The tea industry is being messec by the Kenya Tea Development Authority (KTDA). That is the crux of the matter. We want the Ministry of Agriculture to restructure and remove the entire management of the KTDA. ^{because that is where the problem is} These are the people who identify the kind of services which should be given to, say, Kericho, Kitale, Cherangani and so on. Whereas they have denied those services to the people of Cherangani, they expect them to produce quality tea similar to the one produced in Kiambu and so on where they say quality tea is found. What qualities of tea is the KTDA talking about when tea in some places is delivered to the factory the following day after it is picked? The tea will have no quality in this respect. ~~because~~ The problem here is to do with the KTDA.

It is important for the Ministry to take note of this. The tea broker_s are mainly found in America and ~~in~~ in Africa it is based on one side. Who chose this kind of system? Hon. Wasike-Ndombi was right when he stood on a point of order. It is not for us to discuss the problems facing the west and the east. KTDA chose it and said that we either belong to the east or to the west. It is wrong for them to have divided the region on tribal basis. Whoever is responsible for this should explain to this House how he came up with the idea of ~~dividing~~ dividing these regions.

The same quality of tea fetches Shs.8/= in Kiambu and /40 in Cherangani. We ~~know~~ know that this cannot work. Like one hon. Member said that some farmers can be tempted to uproot their tea. In fact, I am thinking of uprooting my tea bushes. I do not think I am in a position to care for a crop which will not help me in educating my children. It is not possible. It will be meaningless for me to tend these bushes just to benefit a few ~~pep~~ people. The cost of ~~maintaining~~ maintaining tea bushes is very high. The idea of the eastern region and the western region is misleading. KTDA should have come up with a policy of improving the region which they think is producing poor quality tea. They should not come up and tell us that the

quality of tea is based on how well the green leaf is picked. They should instead tell the farmers how they should improve their tea.

Some of the machines which are used in the management of tea used to cost Shs.800/= are now costing about Shs.1.4 million. It means that the farmer must pay for the difference. When will the farmers get money from the KTDA? I am informed that ^{the KTDA} ~~it~~ has never made any money. Why should other people live well when farmers are left crying?

We are not asking the Minister for Agriculture to investigate the KTDA but to disband it. He should ~~not~~ appoint proper people to man the KTDA. These should be people with the interest of this country at heart. These people should also not be tribalistic. I am saying this with bitterness because when one looks at the composition of KTDA, there is no ~~dox~~ doubt that it is based on tribal grounds. Should we suffer because of this? The Minister for Agriculture should make sure that this anomaly is corrected. He should ~~not~~ come here and tell us that it is not possible. After 25 years of Independence, the Minister still comes and tell us "The quality of tea is poor." Who is supposed to detect the kind of tea we have - grade I or II? When ~~we~~ will we have our own tea brokers to tell us the actual grade of our tea rather ~~have~~ than have these Wazungus to do it for us? After 25 years of Independence, can we not ^{have} qualified professionals to run the tea industry? The Minister is contented that we have nobody to run the tea industry.

END....EE

MR. MANG'OLI (Ctd.)

prices are controlled outside this country for the rest of our lives here, then may our ^{the} Almighty God help us. This is because we shall continue to be at the mercy of these people. We cannot go on producing things in this country ^{for the benefit} ~~at the mercy~~ of the foreigners. Something should be done about this so that our own people are appointed brokers to be telling us whether ^{or not} this should be the case. I am sure if we appointed such people, they would not cover up anything. When it comes to agriculture, our ^{tea} farmers are suffering due to the low prices offered for their tea and at the moment, their children are not going to school ^{for} ~~due~~ lack of school fees. These farmers ^{now} have delivered their tea and they have not been paid for it and when we bring in a Question to the House, the Minister tells us that the money has been paid to the Co-operative Bank. We are talking about payment to the farmers and not to the Co-operative Bank but the Minister keeps repeating in this House that the money has been paid to the Co-operative Bank. We are here talking about the farmer; the parent ~~who~~ ^{who} wants to send his children to school and not the Co-operative Bank and this is very important. The Minister should know that what we are talking about here is the farmer; the common man out there in the village who delivers his tea to the factory. We are saying that he has not received his money and the Minister should ^{up now} stand and tell us whether ^{the farmer} ~~he~~ has now received the money or not. He should not come to the House to bring misleading answers, such as saying that the money for ^{tea} the farmers has been paid to the Co-operative Bank.

With these few remarks, I beg to support.

MR. MALEBE: Thank you, Mr. Speaker, Sir, for giving me this chance to contribute to this very important Motion. In Kenya, we have ^{two} ~~it~~ cash crops of very major importance, that is, tea and coffee. In my constituency, I find that parents who grow tea are able to pay schools fees for their children with the little money they get from tea. On the contrary, the coffee farmers in this area are not even able to send their children to school ~~due~~

due to lack of school fees. So, the coffee/management, through the Ministry of Agriculture should be able to look into the problems affecting the marketing of these two cash crops. I am saying this because tea and coffee are the basic cash crops which are easy to grow although they have no returns. In Igembe, we have only one tea factory called Kiégoi. Over the years, tea farmers who take their tea to this factory, have been paid Shs.2/- or Shs.2/90 per kilo of tea. I wonder whether the price of tea every improves. I am saying this because the actual tea that we buy from the shops is always going up in price every year, but the price given to the farmer for his tea does not go up at all. Comparatively, for instance in the 1987/88 crop, they were paid Shs.2/90 per kilo and in the previous crop, they had been paid Shs.3/- per kilo. What happened to the ten cents difference? The price just went down without any apparent reason. If that is going to be the trend, it means that in the next financial year, tea farmers will be paid 40 cents per kilo like the Kitale tea farmers are now being paid.

So, Mr. Speaker, Sir, here is a very serious issue and the Ministry of Agriculture should address itself to this problem with a view to encouraging both tea and coffee farmers to improve their production.

END FF

JMK

MR. MALEBE (ctd.):

I have noticed that in my constituency transportation of tea leaves is done at mid-night. The collection centres are so far apart that due to the poor road conditions the lorries are unable to reach them. ~~and~~ As a result, tea leaves which are taken to ~~collection~~ collection centres in the morning hours are collected at mid-night. Under such circumstances, there is that time lag within which the quality of tea leaves deteriorate. I am sure that this situation is attributable to the way the Kenya Tea Development Authority (K.T.D.A.) tends to organise the transportation of tea leaves.

Mr. Speaker, Sir, I have observed that some of the lorries used to transport tea leaves in my constituency are so old that they keep on breaking down from time to time. Indeed, the road themselves are almost impassable. The other day I tried to use the road from Maua to Amung'enti (?) but, although this road is murramed, the murram has been washed away by the rains. Most of the times K.T.D.A. vehicles carrying tea are normally stuck on the sides of the roads. Sometimes they have to tie ~~in~~ two tractors together to pull those vehicles. In fact, the same tea arrives in the factory the following ^{day}. Therefore, the main thing here is the matter of organisation, supervision and the seriousness of the staff of the K.T.D.A. of getting tea to the factory at the right time. I urge the Minister for Agriculture to look into this matter seriously because if we kill the morale of the tea growers, it might end ~~up~~ up being like coffee. For example, now in my constituency coffee farmers have started uprooting coffee and sometimes burning it and planting tea instead because they have a feeling that the tea growers are better of than the coffee farmers.

I feel that this Motion came at the right time so that we do not kill the morale of the tea growers; in fact, we are all aware that tea is one of the main foreign exchange earners in this country. Actually the ~~plucking~~ plucking of tea in my constituency is as per specified, and therefore, the problem is the delay in the transportation of this tea. The poor supervision and the transportation problems are the main causes of the ~~low~~ tea prices.

MR. MALEBE (Ctd.):

Mr. Speaker, Sir, I happen to have seen the report the Mover of this Motion was referring to. However, I would like to ask whether the two specialists who went round the factories and came back to report about tea were really competent. Are they really competent to make that report on tea for us to base the price differentials on it? So this is a question which I feel that the Minister ~~will~~ will have to answer because we have not had an official report from the K.T.D.A.

Another thing I would like to appeal to the hon. Members is that although for example, there could be a price differentials between tea grown in Kirinyaga and the other one grown in Kitale, this should not be seen as tribal. I do not think that should come in because each one of us has got the interest of growing this crop.

END GG.

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION (Mr. Obure): On a point of order, Mr. Speaker, Sir. While I do not wish to interrupt the speaker on the Floor, he is trying to discount a report written by two experts who, ~~never~~ in fact, drew up the report at a request of the K.T.D.A. Can this House not take as authoritative a report written by the Director of Kenya Tea Research Foundation? Can we not take that seriously?

MR. MALEBE: Mr. Speaker, Sir, it is unfortunate because we are discussing on a report that —

MR. SPEAKER: Order! As far as the House is concerned, these are views being expressed by hon. Members.

MR. MALEBE: Mr. Speaker, Sir, the report I am referring to is —

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri): On a point of order, Mr. Speaker, Sir. Since the hon. Member referred to some documents which would be very valuable to us, ^{especially} the information contained there, because he quoted it, would I be in order to ask him to lay it on the Table so that we can read it?

MR. SPEAKER: I am requesting him to do that, and I hope this document will be available to everybody.

MR. MALEBE: Mr. Speaker, Sir, although my time is gone, ^{but} I have one last point to make.

MR. SPEAKER: Order, Mr. Malebe. Your time is up. Mr. Onyancha.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Onyancha): Thank you, Mr. Speaker.

Mr. Speaker, I come from Kisii where we have small farmers growing tea. Right now, many of them have stopped plucking tea. It is not because they have been told to do so, but it is because they find that the amount of money they put in to grow tea is more than what they are getting out it. So, in the end, it appears to be making no sense at all for these people to continue growing tea.

It is also an interesting case, ~~and~~ because in Kisii, most people own about one, two or three acres of land. They have spent almost three-quarters of that land in planting tea because they expect that from ~~that~~ the sale of that tea they would be able to live on, educate their children, and get everything in life. But now they find that they are spending more in planting and ^{financing} ~~tendering~~

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Onyancha) (Contd.):

tea than what they are getting out of it. So, they have stopped growing it. But we have encouraged these farmers to continue picking their tea believing that the Government is going to take action as quickly as possible to save them.

A few years ago, Mr. Speaker, pyrethrum crop industry was mismanaged, and we were growing a lot of it. The farmer found it was not economical to grow that crop anymore and they uprooted it. We do not want that to happen again.

Also, the same thing happened with passion fruit. Again, finally, because of mismanagement, it was done away with. If we uproot tea, what are we going to grow now?

A report has been referred to which was done at the request of the K.T.D.A. We have had time to look at it. The stages are ^{and sending} growing, ^{tendering} it at the garden. You pluck two and a half leaves and take it to the collection centres, and from there it goes to the factory: ~~and from there~~ ^{for} the processing. After the processing, it goes to the market.

From that same report, which we, as politicians and leaders, have not influenced it, the facts coming from that report are that the small farmer only handles the leaves. First of all, ^{he sends} the plant and ^{later on} then he plucks two and half leaves. Anybody who says that the farmer in this area is not plucking his tea properly would be ~~telling~~ - I do not want to use that unparliamentary language - ~~but I am saying he would be completely telling untruth.~~

End ~~XX~~

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Onyancha) Ctd:

The farmer has been made to know that the only way he can earn more money is to pluck his tea properly. When he does that and takes his tea to the collection centres, it is up to the KTDA to ~~take~~ take those leaves and take them to the factory. KTDA manages those factories and it is ~~ix~~ its duty to process these leaves. Whether the end result is good or bad tea, is the problem of the KTDA. Finally, it is the KTDA which sells the end product.

Where do we stand, Sir? The truth is that KTDA management has totally failed. We have not come here to condemn them. We are saying the truth that is there. We are saying that they have failed. Perhaps, they are not taking us seriously and that ~~theyx~~ is why we are now airing our views. We are trying to tell our Government that we cannot continue like this. The Government must intervene and find out what is happening.

The tea industry is so big that we cannot table all the facts in one hour. It is not possible. Many things have been said here but the truth is that we need people who will have time to listen to these facts properly. They should ~~za~~ also visit the farmers and hear what they are saying. They should also hear what the leaders are saying. This is because every hon. Member will have a chance to say what he wants to say. We are ~~xit~~, therefore, calling for a commission of inquiry which will have time to go into these matter properly and table ~~ix~~ the facts clearly.

How can we start to restructure the KTDA when we do not know the actual facts that are affecting the tea industry? If we restructure KTDA immediately, we might do it in a hurry and, probably, we may not discover the truth. We should have people who can be given the task of inquiring thoroughly what is happening in this industry. The Government will then act immediately on those facts. We expect that this can be done in, say, three or five months. It may not ~~ixx~~ take a long time.

It is completely unfair to hear some leaders at KTDA saying that politicians are the ones who are instigating people not to grow tea. That is

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Onyancha) ctd:

unfair and whoever said that should withdraw and apologise to the farmer.

We have not ~~saying~~ said anything of that kind. In fact, right now it is the leader_s who are persuading our small scale farmers to continue plucking and tending their tea bushes until a i solution is found. That is my message to the people I represent in Kisii. They should continue plucking tea properly until we get a solution. We expect the Government to act speedily.

I raised this matter last year and I was promised by the Minister that x he was going to act quickly. He said that he was going to restructure the KTDA but has not done so. We are her_e again talking about the same thing. It is now serious and we hope that something is going to be done quickly. There is no question of the eastern and the western region in this matter. We have a tea industry which ix affects the wananchi. Perhaps, when we go into details, we shall find out why we have these differences. Why have they divided the industry this way?

END...II

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL

CO-OPERATION (Mr. Munyi): Thank you very much, Mr. Speaker, Sir. This

afternoon, I went on a one-man delegation to the Ministry of Public Works.

Fortunately enough, when I went there to complain about ^{the same issue} our tea industry - ^{concerning}

^{because} my people of Runyenjes Constituency have been experiencing a very big

problem---. On Tuesday, I went on a trip with the District Works Engineer

and the District Water Engineer to inspect the areas where wananchi have been

collecting tea which had been ^{kept} there for one week without being collected by

vehicles of the Kenya Tea Development Authority (K.T.D.A.). I refer to the

K.T.D.A. because it has actually failed us, and we would like to have it

restructured as soon as possible.

When I went on that one-man delegation, I gave the Minister, hon.

arap Koech, who is present here now, a packet of tea. He even joked, saying,

"How can we know whether this is tea or miraa?" I told him that it was tea.

Luckily enough, the Chief Engineer, Roads, Mr. Otonglo, happened to be there.

I thought that, instead of laying that tea on the Table of the House, it was

better to lay it on the Minister's table so that his Ministry could see the

seriousness of the ^{problems} ~~situation~~ we are experiencing. The K.T.D.A. vehicles that

collect tea in Runyenjes Constituency---

THE MINISTER FOR PUBLIC WORKS (Mr. arap Koech): On a point of order,

Mr. Speaker, Sir. The fact that the hon. Member came to see me has nothing to

do with the K.T.D.A.

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL

CO-OPERATION (Mr. Munyi): In any case, Mr. Speaker, Sir, it is good that the

Minister has agreed that I went to see him.

I went to see him and tell him that what should happen in future

is that there should be discussion between the Ministry of Public Works and

the authorities concerned so that they make sure that roads leading to tea

and coffee areas are repaired in a good way as was the case before. I know

that this can be done by the Ministry of Public Works, Ministry of Agriculture

We feel that our views in this House should be taken

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION

(Mr. Munyi)(Ctd.):

very seriously.

For your information, Mr. Speaker, Sir, I had a ~~xx~~ chance of going to other countries that grow tea, such as Indonesia, Jarkata, ^{Bandung} and other areas. What my hon. friend, the Assistant Minister, Office of the President, has just said is very true because the people in Indomesia and Sri Lanka do not pick tea the way we do it here.

AN HON. MEMBER: It is called Ceylon.

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION (Mr. Munyi): No, it is not Ceylon. It is now called Sri Lanka.

In Sri Lanka, they do not pick three leaves from a plant. They ~~pe~~ pick all the leaves. This is why I wonder. Kenyan tea is the best in the world. Maybe on another planet, this is not the case. But, as I know, Kenya tea is the best in the world .

END JJ

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL
RELATIONS (Mr. Munyi)(Ctd.):

When tea has been packed, there is no need of having a division of tea from east or west because it is ~~X~~ all Kenyan tea. Therefore it is important that when we are doing the restructuring, we should not think of divisions. We want to ~~hear~~ hear of one great country under one Nyayo Government and one type of Kenyan tea. When that time for restructuring comes, we should do it as one Kenya without dividing it into east or west; there is only one Kenya and that is what we want. That is why in the Nyayo Government, we should always show that true Nyayo followers and by so doing, we are one Kenya. As the hon. Assistant Minister who has ~~spea~~ spoken before me said, he appealed to the Minister last year and we are doing the same now.

I know that there was a plan of having a feasibility study of the tea and coffee roads and this ~~was~~ should be taken very seriously. We have got very capable Ministers - the Minister for Public Works, Minister for Agriculture, Minister for Livestock Development and the rest. You can also represent us, Mr. Speaker, Sir, in that committee which will deal with the restructuring of the Kenya Tea Development Authority (KTDA) so that we all feel that we are in one country, Kenya, with its Nyayo Government. When Kenyan tea is compared to tea from other countries ^{of the world} for instance in London they take Kenyan tea as a special kind of tea. They take one kilogram of Kenyan tea and mix it with at least 100 kilograms of tea from Sri Lanka; 100 kilograms from---

MR. ANGATIA: On a point of order, Mr. Speaker, Sir. I think the Assistant Minister is misleading the House. because when tea is sold in London it is sold as London tea not Kenyan tea.

MR. SPEAKER: Order! That is a point of information although I did not participate in the discussion.

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL RELATIONS (Mr. Munyi): Mr. Speaker, Sir, I suppose the hon. Member has been reading the newspapers and magazines. It was written in one of the magazines that ^{when} the Prime Minister of Britain inspected one of the tea factories ^{here}, she was quoted as having said that Kenyan tea is the best. I think she was given 100 kilograms of it. ~~xxxx~~ She is also quoted in that magazine as having said that in the coming 10 years, workers at ^{No.} 10 Downing Street will be consuming Kenyan tea. We are ~~prad~~ proud of having the best tea in ^{the} World here.

MR. ANGATIA: On a point of order, Mr. Speaker, Sir. The reason why I am saying that Kenyan tea is sold in London as London tea is because the people in London earn a bigger profit on Kenyan tea than Kenyans themselves. This is the point I am trying to bring out.

MR. SPEAKER: What is your point of order, Mr. Angatia?

MR. ANGAGIA: Mr. Speaker, Sir, my point of order is that the Assistant Minister is misleading the House; he should give us the ~~xxxxxx~~ facts. The ~~pe~~ British Prime Minister praised that tea because it gives Britain better profits than it brings to Kenya.

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL RELATIONS (Mr. Munyi): Mr. Speaker, Sir, the hon. Member was trying to waste my time but the point has been taken that Kenyan tea is the best in the world. It is better than Sri Lankan tea, better than Indonesian tea and any other tea from elsewhere in the world.

With those few remarks, I beg to ask the Ministry to do

KK.3.....24.11.68

MR. MAHIHU: Thank you, Mr. Speaker, Sir, for giving me this chance to join my colleagues in this Motion about tea. Let me put the records right because it is important that the Kenyans know the truth.

Firstly, in the KTDA organization, there are 150,000 small-holders who grow tea and have 39 factories.

END: KK...



MR. MAHIHU (contd.):

I am as much ~~concerned~~ concerned about the quality of tea as much as anybody else in this House. Hon. Members have a right to express their concern regarding the activities of K.T.D.A. ~~are concerned~~

Dr. Otieno, who has been quoted by an hon. Member happens to be an authority as far as tea research in Kenya is concerned. He is answerable to my board, and I know that he is an authority. As far as the tea research in this country is concerned, whatever he says is normally taken as a quotation from the bible. Much attention is usually paid to whatever, he writes to me about the farmers from different parts of Kenya.

Since the Minister for Agriculture has accepted to start the restructuring of K.T.D.A. as a policy, it is, therefore, important that all of us support him in his endeavours. We express concern that we would not like to see the high quality of tea which has been produced by K.T.D.A. going down. In the last few years, everybody in the auction has expressed concern that the quality of tea manufactured by K.T.D.A. ~~is going down~~ *is going. Similar views have* been expressed by the hon. Members ~~who have done it~~ *very ably.*

One of the reasons is the poor roads. If the tea does not get to the factory in time; by the time it gets to the factory after a day or two, the quality of that tea has already withered off. So, it is very important that hon. Members should ~~stress~~ *call* upon the Government, especially the Ministries concerned with roads, ~~that there is~~ *to enable us to* need to have better roads ~~which will~~ take the tea to the factories in time.

The other issue is ^{on} how the tea is manufactured once it gets to the factory. This is also an important aspect. If the tea is manufactured in an haphazard manner, then its quality ~~will also be low.~~ *goes down.* It is, therefore, important that when we shall be restructuring the policy of K.T.D.A. we should take

MR. MAHINU (contd.):

very serious note not to loose the record that we have set for the last 20 years. For the last 21 years K.T.D.A. has been producing very good tea. It seems as if there is a "hiccup" now. We talk of "hiccups" in the tea industry. I think there is a hiccup in the KXY K.T.D.A. However, that hiccup should not make us loose the fact of the matter, which is that the tea farmers want to make some profit from their tea. Nobody would be in business unless it makes some profit.

Another point which is important is that whatever money K.T.D.A. pays to the farmers is paid every month. Every month, those small scale tea farmers receive money of some kind.

End LL/.....

MR. CHEBELYON: On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to tell this House that when tea is sold in the markets the profits accruing in that factory are paid to the farmers? Is he right to say so? If it is so, there is a factory called Chebut, which processes tea from Nandi, Cherang'ani and Kakamega Districts. The factory produces three categories of tea.

ANT. HON. MEMBER: What is your point of order, Mr. Chebelyon?

(Mr. Chebelyon sat down)

MR. MAIHU: That was not a point of order, Mr. Speaker, Sir, but I think the hon. Member just wanted to finish up my time. I never said what he has said. What I am trying to say is that Kenya as a country has a good record world over of good tea. That tea comes from K.T.D.A. sector of industry - from the estates. The board has been insisting that for the industry to survive in the world market, which is very competitive, we must produce the best and high quality tea. We cannot replace that quality unless we all give up growing tea.

Mr. Speaker, Sir, I am sure that the purpose of the Motion was to express our great concern that the price of tea is going down tremendously. In the recent years, our tea boom has been going down since ~~the~~ 1977 and 1984. We have never had such booms since those years when tea used to fetch as much as Shs.60.00 per kilogramme. If we improve the quality of our tea, we will definitely earn as much money as that which was earned during those years. What happens in the tea industry is that the tea farmers earn more money because we insist on our farmers plucking two leaves and a bud. We would want to pluck three leaves and a bud or more, but when that is done, the quality of tea suffers. It is known and authenticated by our scientists that the best tea comes from the tea that is picked in form of two leaves and a bud. So, that philosophy of plucking two leaves and a bud is now being effected by the entire tea producers of Kenya. We are now quite satisfied with that philosophy. This kind of tea continues to sell even when the world market is flooded with tea from other tea producing countries. Kenya tea always sells because of these factors.

MR. MAHITU (ctd):

Mr. Speaker, Sir, I support hon. Members in expressing concern that we must ~~stop~~ ⁱⁿ the decline of tea prices. We can only do this by urging the Ministry concerned to restructure the K.T.D.A. They have already accepted our requests for restructuring of the ~~existing~~ organisation. The Ministry has to go into the whole mechanism, carry out a complete surgery, ^{and} diagnose the problems affecting the organisation. When a doctor diagnoses a patient, he is ^{start} then sure which part of the ~~a~~ body he is going to treat. If a doctor just ~~gives~~ ^{start} giving treatment to a patient, ~~may~~ ^{give} he ~~may~~ ^{give} be ~~giving~~ the patient ~~with~~ malarial drugs ^{although} ^{may} ~~while~~ the patient ~~may~~ be suffering ~~from~~ from pneumonia and the drugs may not be having any effect on the disease. So, the Ministry of Agriculture should take seriously the views we are ~~w~~ expressing here, so that when they come to restructure the K.T.D.A. they do not harm the ~~industry~~ industry. They should go to the point where things are going wrong and rectify them.

Mr. Speaker, Sir, if it is true that tea leaves stay at buying centres ^{for} more than a week uncollected, I can tell you that it is definite ~~even~~ ^{the} that ~~tea~~ ^{the} ~~is~~ ^{going} ~~going~~ ^{bad} ~~bad~~.

END M.....

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja):

On a point of order, Mr. Speaker, Sir. We extended the time by half an hour. If the clock over there is correct and right and if my watch also reads correct, then we seem to have exhausted that half an hour. We also seem to ^{be} repeating ourselves in the points that we are making. So could I be in order ~~in~~ to call ^{upon} the Minister to reply?

HON. MEMBERS: No! No!

MR. SPEAKER: Order! Order! I am sure that the hon. Minister is not trying to ^{usurp} ~~take up~~ and use my powers. I am yet to mention the time.

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION (MR. Obure): Thank you, Mr. Speaker, Sir, for giving me this opportunity. May I start by thanking you, Mr. Speaker, for making it possible through this Motion for the plight of the small-scale tea farmer all over the country to be discussed and highlighted in this august House.

For many years leaders, including hon. Members of Parliament in the tea growing areas, have gone out ^{advising} ~~advising~~ farmers and encouraging them to engage in the production of tea in their small-scale farms. In doing so, we were convinced that our people in the rural areas would engage themselves in an economic activity for which they would receive a reasonable return. Secondly, we also felt convinced that tea farming would give them an income, so that they could join the rest of the Kenyans in building this nation through the export of tea which earns our country ^{the} ~~much~~ needed foreign exchange.

Our people accepted the principle and that call. They have gone out to expand their tea farming activities ~~considerably~~ considerably. The majority of them, in fact, abandoned the ^{production} ~~export~~ of other crops and ^{switched} ~~switch~~ full scale into tea farming. A large majority of them, depend wholly on tea as their only source of income. They know no other source of income. Their lives and those of their families

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL
CO-OPERATION (Mr. Obure) (ctd.):

depend upon what they receive and what they earn from their tea deliveries.

Mr. Speaker, Sir, what has gone wrong? What has gone wrong is that in the first few years the tea farmer ^{has been} is experiencing a reduction in what he ^{has been} is able to earn from his tea to the extent that it has become uneconomical for him to engage in the ~~gum~~ growing of tea. The small-scale farmer is left with no option at all. He feels betrayed by the Kenya Tead Development Authority (K.T.D.A.); the institution that we have charged with the responsibility of managing that industry ~~is~~ on behalf of the small-scale farmer. The morale of this farmer has been killed completely. The majority of them now find themselves in a position where they cannot even afford to send their children to school.

In Kisii District--

MR. MWENJE: On a point of order, Mr. Speaker, Sir. Could the hon. Member who is contributing declare his interest because he is the one who transports tea?

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL
CO-OPERATION (MR. Obure): Mr. Speakers, Sir, I am talking in my capacity as Members of Parliament ^{for} Bobassi and I represent a large number of tea growers in that area.

MR. MWENJE: On a point of order, Mr. Speaker, Sir. It is important that the hon. Members on the Floor declares his interest in the matter. This is because he is the one who transports tea. That is a thing that is required ~~by~~ by our Standing Orders.. He should declare his interest in the matter.

MR. SPEAKER: Order! Order! Order, Mr. Mwenje! Which Standing Order are referring to Mr. Mwenje?

(laughter)

NN.3.....24.11.88

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL AFFAIRS (Mr. Obure): Thank you, Mr. Speaker, Sir. Before I was interrupted I was about to say that development projects including health centres and schools ^{which were started} on Harambee basis have been adversely affected ~~by~~ because the wananchi's capacity to contribute towards these projects has been severely affected and reduced.

END NN.....

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION

(Mr. Obure) (Ctd.)

I feel that there is a strong case for urgent action to be taken by the Minister concerned. In fact, I want to appeal to the Minister for Agriculture to come to the rescue of the small-scale tea farmers. We are stressing the urgency of this matter and that is why we are making this appeal. We know that the Minister is committed to restructuring the K.T.D.A. and ^{taking} ~~doing~~ other ^{steps} ~~measures~~ which are desirable in this direction. But we want to stress that whatever action he envisages to take should be taken urgently.

Mr. Speaker, Sir, I want to propose areas in which the Minister ought to act. For example, the Minister ought to get K.T.D.A. ~~to~~ explain the wide price differentials between factories. I ~~am~~ saying that certain factories in the area where I come from are particularly disadvantaged. It is not sufficient in my opinion to explain the differential in prices merely to the type of soil and the quantity of rain received. The type of soil has been the same all the years; the pattern and ~~the~~ amount of rain has remained more or less the same over the years. Therefore, it is not acceptable ~~to~~ merely explain all these price differential ^{in those terms} ~~in those terms~~. The farmer, in fact, has become very suspicious because in the previous years, for example, he was told that when he ^{received} ~~received~~ a small amount of second payment ^{it was} ~~is~~ because he had not applied sufficient ~~to~~ fertilizer. He responded this year by applying fertilizer of the type and in quantities ^{recommended} ~~advised~~ by the experts. Suddenly, the explanation has now switched ^{on} ~~to~~ the amount of rainfall. We do not believe that this explanation is acceptable. We, therefore, urge the Minister ~~to~~ or the K.T.D.A. to explain the wide differential in prices between factories.

We think that the Minister ought to go deeply into the marketing arrangements of this crop. At the present time, although most scale-farmers ~~produce~~ in this country produce as much as 50 per cent or more of tea produced locally, it is surprising to hear that tea prices are fixed elsewhere and that we have no say in determining the prices. We have allowed a cartel comprising of foreigners and multi-national companies to determine the prices of our tea.

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION

(Mr. Obure) (Ctd.):

I think that it is time some initiative was taken to ensure that the interests of the small-scale farmer are taken care of.

The third area which I would like the Minister to go into is the question of ownership of these factories. I feel that the time has come when the small-scale farmer should have a say in what happens. At the present time, he is involved in planting, cultivating, ~~and~~ plucking and even delivering it to the K.T.D.A. We would ^{like to see} a situation ~~to come~~ where he is involved further than that. For example, at the present time once he has delivered his tea to the K.T.D.A. he does not know what happens in the factories, he does not know what happens at the marketing stage and ~~at~~ at the tea ~~at~~ auctions. We want to urge the Minister during his restructuring ^{Process} to ensure that the tea farmer is represented in all these stages. For example, the K.T.D.A. today could go and remove a drier, a huge plant or any equipment from the factory and they could also embark on an expansion programme of the factory. The farmer is not consulted ^{and} he does not know anything and yet the costs are charged directly to the farmers. My question is, is ~~it~~ it fair that the farmer should be charged costs and yet he has not been involved in deciding on whether expansion programmes or new equipments is justified or is required. Therefore, we wish to urge that the Minister considers the proposal that farmers get involved in all aspects of the tea industry from stage one to the end.

The fourth proposal that I want to make is the restructuring of the K.T.D.A. so that ^{he} ~~we~~ ^{says} ~~say~~ it rightly, it can be more responsive to the needs of the small-scale farmers.

END CO....

THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL
CO-OPERATION (Mr. Obure)(CTD):

I think there is a strong case for looking into the management of the Kenya Tea Development Authority (K.T.D.A.) and restructuring it. I feel that we have reached a stage where the K.T.D.A. has become so huge that it is now becoming inefficient. Its overhead costs have become so large that they are now reducing the funds that should go to the farmers. So, time has come when the restructuring should take into account whether the K.T.D.A. should be allowed to continue in its present form. I think that the K.T.D.A. should reflect the aspirations of this country. As it is a national organisation, the farmer should be represented at the marketing stage and, also, at all other levels of the tea industry. The most important thing here is to really urge the Minister to act with speed because the morale of the farmer is now gone, and our economy will be affected if action is not taken, and taken now.

With those few remarks, Mr. Speaker, I beg to support.

MR. ANGATIA: Thank you very much, Mr. Speaker, Sir, for giving ^{me} this opportunity. I would like to commend the farmers of this country because they have done a fantastic job. First of all, they have produced enough food to feed all of us. Secondly, they produce the essential commodities which we sell to earn our foreign exchange.

The tea and coffee farmers deserve special commendation, but the services they receive are very poor. However, these services are, of course, not limited to tea and coffee farming only. I want to say that the services provided throughout the farming sector are very poor. We are not ^{only} going to question the services provided in milk, maize, sugar-cane, tea or cotton farming and so on, ^{only}. The House is right in drawing the attention of the nation, and of those in public service who are supposed to be serving farmers, to the

MR. ANGATIA (CTD):

fact that their services are most inadequate, and that, if I may say so, they undermine the whole stability of this country. Anybody who is undermining services to farmers, or to this country, in those areas of farming, is actually hitting at the very existence of this country; it is high time that those services were improved.

Mr. Speaker, Sir, I want to draw the attention of the Minister to only three points. The first one concerns the people known as 'tea tasters'. Tasting tea must be a very primitive ritual. This is because for us to rely on one man's tongue when that man has interest in the tea, its price and so on, and his tongue determines the price the farmer in Kirinyaga, Kericho or elsewhere shall earn at this stage of development must be terrible. Today, we ought to be using scientific tasting.

MR. MAIHU: On a point of order, Mr. Speaker, Sir. The hon. Member is misleading the House because tea tasters are professionals; not everybody can taste tea.

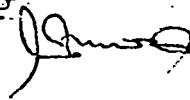
MR. ANGATIA: Mr. Speaker, Sir, it is exactly those professionals that I am talking about; I am not talking about my taste, but about the taste of the so called professionals. I am calling this tasting a primitive ritual, because by now we ought to have developed tasting instruments just as we have done in the case of milk. If you want to determine whether milk is of good quality, or whether it has water in it, you do not lick it; you use something else. How does a man go through a hall scooping a bit of tea in a spoon, putting it in his mouth and spitting it out repeatedly and he tells you that he is determining the quality of a product like tea? It is high time that such people were done away with.

I do not know what our researchers are doing. If we have researchers in this country, they ought to have devised a way of tasting tea. After all there is some substance in tea that will

MR. ANGATIA (CTD):

vary depending on the quality of tea: the juice of good quality tea will vary from the juice of bad quality tea. Can we not get an instrument that can measure and determine this for us instead of relying on some European or Indian to determine the quality of our tea? Even if that is done by an African, I say that it is wrong.

END PP



MR. ANGATIA (ctd.):

Have you ever heard that when cars are manufactured in Japan or E West Germany they are sold to Kenya by auction? No. It is only things that are produced by developing countries that are subjected to random, unreasonable and very unbecoming ~~random~~ auctions. An auctioneer whom you have no control over comes and gives you any price which you must accept. When you go back to the farmer ^{you} and tell him, "we are very sorry, but the auctioneer ~~has~~ decided that we shall sell your ~~tz~~ tea at ~~xx~~ such-and-such a price, however good it may be". Is that correct? At this age of our technological development, we ought to have decided on a better method of ~~disposing~~ selling our tea and not to rely on auctioneers who can cheat. The auctioneers have an ~~interest~~ interest and so they fix the price because they want to go and make a profit on that tea elsewhere. When the tea leaves Mombasa, they go and sell it at a better price at ~~in~~ London and, in so doing, they make their profit out there ^{are} when we ~~are~~ left behind here with peanuts. This is exploitation, ~~as~~ my friend says.

Mr. Speaker, Sir, the last point I would like to talk about is the question of selling Kenyan tea in crates. Why must we export our Kenyan tea in crates? What this means is that the tea must go to London in big crates and London people must pack it again in smaller packages so that ~~they~~ they make a profit on it. They are making a profit twice; they are creating employment ~~for~~ for their people and selling the tea at a better price than when they got it from here. ~~Are we~~ Are we in Kenya blind, can we not see? In addition to that, there are countries which cannot buy Kenyan tea in crates, such as Egypt and Sudan. Since these countries cannot buy Kenyan tea in crates,

MR. ANGATIA (ctd.):

they go to London to buy British tea. Once the tea has left this country in crates and it goes to London, it is now London tea and it is now sold as London tea and not Kenyan tea. Are we so blind that we cannot see some of these things that are undermining the price of our own ~~own~~ essential commodity? I want to ask the Minister, not merely to restructure the Kenya Tea Development Authority (K.T.D.A.), but to look at the whole idea of selling our tea so that we sell our tea at the maximum profit to the Kenyan, and not to leave gaps so that someone in London or in Tokyo, or in some other place, makes a profit on it at the expense of the Kenyan farmer.

With those few remarks, I beg to support.

MR. A.K. KINYANJUI: Thank you Mr. Speaker, Sir, for giving me a chance to say a few words on this very important Motion. The K.T.D.A., as most hon. Members have said, is one of the prides we can have in this country. This is a peculiar organization in that there is nowhere in the world where we have small-scale farmers growing tea, other than in Kenya. It is true that when the K.T.D.A. was formed, with the very noble aim of helping the small-scale farmer, it was aimed at getting that small-scale farmer the maximum that we can get from tea. Most hon. Members have very rightly said that the work of the K.T.D.A. ought to be investigated so that the so-called small-scale farmer gets the maximum price for his tea. But how do we do that? There are reasons why we have failed. One of the reasons, and it has been mentioned here, is that tea that is plucked today is not collected on the same day, it is collected two, three or four days later when it has ~~START~~ started weathering. ^{withering.}

When the K.T.D.A. was formed, there used to be ~~money~~

MR. A.K. KINYANJUI (ctd.):

money ^{allocated} ~~given~~ particularly for tea roads. * During that time, tea could be collected at the right time. Now that the Minister is outside the country ~~is~~ making negotiations ~~is~~ on behalf of the Government, is it possible that he can work out a system that will revert the tea ~~is~~ industry to what ~~is~~ it was before? In Kenya today, the two major money earners are tea and coffee. The Mercedes Benz you drive is not from anything else but tea and coffee. Everything in the form of development in this country has ~~is~~ come about because of tea and coffee.

END QQ

MR. A.K. KINYANJUI (Ctd.):

Mr. Speaker, Sir, it is important that this particular crop is given the first priority. At the moment, when you visit tea growing areas, you will find that the roads in these areas are completely impassable. This does not affect only one area. If today, you went to my area, you would find that the tea roads are completely impassable. Sir, I represent a lot of tea growers in my constituency and I am one of them myself. So, everywhere you go today, Sir, you find that we have very bad roads and I appeal to the Government to see to it that the original ^{tea} ~~idea~~ ^{arrangement} of having a particular vote for tea roads, is revived.

Mr. Speaker, Sir, the other very important point which I would like to make is with regard to the collection of tea to the factories that we have. At the moment, these factories are not enough and we want to have more of these factories put up. It is true according to the document that was referred to by the Mover of this Motion that the cost of tea production in Kitale is an average of Shs.1.54 and the average cost of tea production in Kirinyaga District is 33 cents, and that is a very big difference, and there must be a reason why we have such a big difference. This is ^{very} clearly stated in the documents referred to by the hon. Mover, and we expect that difference to be explained somehow. We have been informed by the same document that there are two reasons. We have been told that the average transportation charges ^{for tea} per one kilometre in Kitale is equivalent to the cost of four kilogrammes of tea. That is a very high charge. In Kirinyaga, transporters are collecting 70 kilogrammes of tea to a kilometre.

Mr. Speaker, Sir, this is why I agree with the Assistant Minister, Office of the President who said that we ought to have an inquiry into the tea growing both in Western and Eastern parts of Kenya, to find out why there are such a ~~wide gap~~ big difference^s in production costs. Let us have an inquiry so that we can find out what is the truth about these matters. I agree with the Mover of the Motion that we should not look at the tea ^{alone} production in Kiambaa or Kitale because this is Kenya tea.

MR. KINYANJUI (Ctd.):

RR.2.---24.11.88.

A certain hon. colleague said that the Kenya Tea Development Authority is influenced by certain factors which may change the entire production fold, but I do not agree with me. If the problems that are causing these things are uprooted, the whole situation would change. Therefore, we should ask ourselves why should ^{farmers from} one area get so much for their tea while farmers in another area get so little? However, how many times have we talked about this problem in this House? For example, how many times have we even talked about the Kenya Meat Commission? How many times have we talked about Upland Bacon Factory? Others have blamed the management and said that they have messed about with the whole thing.

END RR.

MR. A.K. KINYANJUI (Ctd.):

We ~~may~~ also have the Kenya Meat Commission (KMC) which collapsed and many a time we have changed the management. There ~~is~~ is no need of changing the management but instead, you should check what is wrong and the course of it; that is the crux of the matter. That is why we are ~~a~~ saying that our Minister ^{should} ~~to~~ check what is wrong with our tea industry and see what he can do about it. Kenya Tea Development Authority (KTDA) is a very good organization which cares for the farmers. Kenyan tea is peculiar ~~in~~ as compared to others in the world and it is the only pride for Kenya. We should sit ^{down} and see how it should be cared for.

One ~~of~~ hon. Members ^{an official} very rightly said that we also have problems in pyrethrum. I used to be ~~in~~ in the Pyrethrum Board and I know what happened in Kisii, for instance, where they uprooted all the pyrethrum. Another hon. Member also talked about the problems ~~we~~ we have with passion fruits and it is the small-scale farmer who is suffering. ~~now we are suffering~~ ~~others~~ All these crops like passion fruits ~~is~~ a simple crop to grow, - and coffee are very important. We have been elected to this House by these small-scale farmers and they are now suffering. These are the people we want in the tea industry. I agree with one of the hon. Members who said that the talk of east or west should end because we know that the tea factories are entities by themselves. Tea is stored by these companies which own the factories. These factories are paid fully for their tea. The members of a factory may give the figure of places which grow tea as 305, for instance, and that factory should assist in the marketing of the tea.

I agree with the Assistant Minister when he says that we should have more shares in those companies. I know that we have shares there because we have the board which is ~~at~~ always established by us. We also have ~~a~~ ~~board~~ ~~in~~ ~~the~~ ~~KTDA~~ KTDA, organisation which now needs restructuring by electing ^{tea} its members from the small-scale farmers. We have ^{and others} committees in the locations, ^{others} ~~in~~ in the division ^{and others} in the district and provincial level. We have

MR. A.K. KINYANJUI (Ctd.):

a big tea board elected by farmers of Kenya but we need to restructure it. In the process of doing this, we should go deep into the organization and see that it is done properly. I have been a former member of one of those committees. I used to be a member of the tea committee of Kiambu District in Central Province and I know we used to manage the affairs well.

My hon. Friend, Mr. Jackson Kamau has been the Chairman of the board once and we have sat with him there and that is the time we would recommend that a certain officer should be sacked and it would be done there and then. That is what we want to see today. The small-scale farmer should be given the mandate of replacing anybody in the board rather than just speaking and exaggerating some things here. This change will help the small-scale farmers and I am appealing to the Minister to look into this affair critically.

Thank you, Mr. Speaker, Sir.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett):
 Nakushukuru sana, Bw. Spika, kwa kunipa nafasi hii ili nami nizungunzie jambo hili ambalo ni la muhimu sana katika nchi hii. Ningependa kusema kwamba katika kiwanda cha chai ni muhimu sana. Nazungunza kwa niaba ya wakulima katika sehemu yangu ambapo tunapanda chai kwa wingi. Kwa mfano, tunapanda chai katika Subukia. Jambo muhimu kwa wakulima wanapopanda chai ni kutafuta pesa.

END SS...

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett)(Contd.):

Bw. Spika, hakuna mtu hata mmoja anayepanda chai kwa umaridadi wake. Pia, inaonekana kwamba mkulima katika Kenya ndiye huwa mtu wa mwisho kula jasho lake. Lakini ukienda katika ofisi zote, kwa mfano, ofisi za K.T.D.A., A.F.C., na kadhalika, unapata kwamba zina ile inayoitwa 'wall to wall carpet' katika kila chumba. Pia, ukienda katika gereji utapata kwamba mtu anayeitwa 'General Manager', kama hana magari matatu ni kwa bahati mbaya. Tena, magari hayo ni yale ya aina ya Volvo ambazo zinaguruma ajabu, ama aina ya Mercedes Benz. Je, gharama ya ni nani hulipia/magari hayo? This is done at the expense of the farmer.

Isitoshe. Tunaambiwa na mhe. Kamotho kwamba mashine ya kiwanda cha chai, mahali pa Wazungu kule Kericho/wananchi kwa bei ya Sh.800/- lakini ikienda kule kwa mashamba ya wananchi, yaani katika viwanda vilivyo katika mashamba ya wananchi, inauzwa kwa bei ya KSh. 1,000,400/-

Bw. Spika, hii ndiyo taabu tuliyonayo ambayo hutokana na neno moja. Katika Bunge hili, we are put on our toes. Hii ni kwa sababu sisi huchaguliwa baada ya kila miaka mitano, na kila Mbunge anajua kwamba asipofanya kazi vizuri atarudi nyumbani. Hii ni wazi na inajulikana vizuri. Lakini taabu moja ni kwamba katika bodi zetu zote za biashara, kama K.T.D.A., K.C.C., na kadhalika, ukiziangalia kwa ukweli, utapata kwamba wanaochaguliwa ni wachache sana, na wengine wote hujificha halafu kila mwaka, uchaguzi unapokaribia, wao huenda kuomba kwa Waziri au mtu mwingine kusema 'unichunge bwana nisitolewe'. Hawa ndio 'wanaokula' faida ya nchi yetu.

Ningependa kusema, Bw. Spika, kwamba ikiwa K.T.D.A. ni nzuri, ni kwa nini wasiendeleo na kuwazungumzia wananchi? Nami najua kwamba wananchi wa Kenya wanafahamu maana ya Harambee. Kwa mfano, ikiwa barabara ni mbaya sana mahali fulani, na watu wa K.T.D.A. wakienda huko na kusema 'katika sehemu hii hakuna pesa za Serikali za kutengeneza barabara na tunataka kupata angalao centi kumi kutoka kwa kila mkulima za kutengeneza barabara', kusema kweli, ikiwa watu hawa wanaitumia akili yao jambo hili litafanyika. Lakini ubaya ni kwamba kila mara wao hungojea Serikali ifanye kila kitu, na Serikali, mara kwa mara, ni rahisi tu kwenda kusema 'inataka jambo hili lifanyike', basi wengine wanangojea na kufungua midomo ili 'wale'.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett) (Contd.):

Bw. Spika, tuna taabu. Mtu ambaye analeta mgawanyiko kati ya Mkoa wa Mashariki na Magharibi (Rift Valley) ni mtu wa K.T.D.A. Yafaa tujue kwamba mimi sisemi eti ni ukabila; si kabila. Yafaa tujue kwamba katika Wilaya ya Kericho watu wa makabila yote wako huko na wanapanda chai. Pia, ukienda Kitale utapata kwamba watu wa makabila yote/wako huko na wanapanda chai. Kwa hivyo, hakuna mtu anayezungumzia habari ya ukabila hapa; tunazungumzia habari ya uchumi, ^{na} ~~taarifa~~ ambazo ni lazima zifuatwe.

Kwa hivyo, K.T.D.A. ni watu ambao ni walaghai kwa sababu wamewaganywa watu. Wamesema kwamba watu wa mashariki wapate pesa zaidi na watu wa magharibi wapate pesa chache. Hawa si Wananyayo; hawa wanaoigawanya nchi. Nasema wanaoigawanya nchi kabisa kwa sababu mi kwa nini watoe hesabu mbali mbali? Kwa mfano, hata ingawa katika mambo ya maziwa kuna nyokonyoko ndani, ~~lakini mambo ya chai,~~ ni kwa nini hawa wanakubali kuwagawanya watu hivyo, hali wanajua kwamba katika mambo ya maziwa tungekubali kwamba mtu anayeishi Nyahururu alipwe pesa chache na mtu anayeishi karibu na kiwanda cha K.C.C. alipwe pesa zaidi? Hakuna maziwa ambayo tungepata katika Kenya. Lakini wao wamegawanya hasara na mambo ya uchukuzi na kila kitu halafu wakatiq ^{moja} bei/kwa nchi yote.

End TT.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett) Ctd:

Bw. Spika, inaonekana kwamba KTDA ni umoja wa walaghai ambao wamekula na sasa wametoshika. Tukienda leo katika KTDA, tutayaona mambo haya. Hata mhe. Mahihu anazungumza ile lugha Wazungu hutumia saa zote; hii si lugha ya Mwafrica. Kama hii ingekuwa lugha ya Mwafrica, basi angefahamu kwamba KTDA inahitaji ^{sua} ~~use~~ mpya. Ikiwa KTDA haitapatiwa ^{sua} ~~use~~ mpya, basi ingefaa zones za chai ziangalie mambo ya chai.

Jambo la mwisho ni kwamba - kama vile mhe, Angatia alivyosema - hata baada ya miaka 25 ya Uhuru, bado tunakwenda huko Mombasa kwa ~~xxi~~ yule Mzungu anayesimamia uzaji wa chai katika nchi za nje. Huyu Mzungu anamweka Mwafrica mmoja karibu naye na kusema "Wewe kuwa hapa karibu, ili nikionekana..." Tunajua kwamba Mkenya atapelekwa ~~haya~~ huko Ulaya ambapo atauza chai kwa niaba ya kampuni ya Mzungu huyo inayofanya biashara ya chai. Swali langu ni hili: Je, tukiuzua chai yetu wenyewe, itakuwa vibaya? Ni lazima tuuze chai yetu kwa wingi ili, ipakiwe na iwekwe ndani ya meli halafu isafirishwe hadi nchi za nje. Kwa njia hii watoto wetu watapata kazi. Tusipofanya hivi, wale ~~wk~~ watoto wetu ambao wako katika vyuo vikuu, hawatapata kazi watakapohitimu. Hiki ni kitu cha muhimu sana.

Jambo lingine ni kwamba mitambo mbali mbali inatengenezwa huko Uingereza, Brazil, Korea na kwingineko. Je, ni kwa nini Chuo Kikuu cha Nairobi - ambacho kina Engineering Department - hakitengenezi mashine ~~yayake~~ kama hizi za kutuwezesha ^{Kuweka chai katika vifurushi} ~~kuipati~~ chai yetu sawa sawa ili isafirishwe katika Afrika nzima na sehemu nyingine kama America? Kila mtu anasema "Ninakwenda Uingereza." Hii Uingereza ni mama yako? Ninaomba radhi ~~ka~~ kwa hayo.

Inafaa tufikirie sawa sawa kwa wakati huu. Hii ni kwa sababu chai ni mmea wa maana sana.

MR. CHEPKOK: Jambo la nidhamu, Bw. Spika. Je, Kiti kinatosheka na matamshi ya mhe. Bomett? Ingefaa aondoe matamshi yake eti London si mama yetu. Hii ni kwa sababu lugha hiyo haifai kutumika katika Dunge hili.

MR. SPEAKER: Order! Hata mimi pia nilisema "London si mama yangu; Kenya ~~ndiyo~~ ndiyo mama yangu.

MR. BONETT: Asante sana, Bw. Spika. Mama yangu ni Kenya; mama yangu yuko hapa na atakufa hapa. Jambo hili ni la muhimu sana na inatubidi tuliangalie kwa makini. Ingawa tunaambiwa kwamba tunakuza chai nzuri katika dunia, je, pesa tunazopatiwa ni ngapi? Kilo moja ya chai inayouzwa kule Mombasa, ukiifuata kule Uingereza, utaona kwamba inauzwa chini ya majina kama Black Label kwa bei ya juu. Je, bei yake ni kiasi gani huko Uingereza? Je, mama yangu kule Kitale anapata pesa ngapi? Hilo ndilo swali langu. Hatutaki kusikia habari ya east region na west region na hata ukabila. Wakenya wote wanapunjwa na ingefaa viongozi wa Kanu wachunguze mambo haya.

Asante sana, Bw. Spika.

END...UU

MR. MAGARA: Thank you, Mr. Speaker, Sir, for giving me this chance to say a few things about the tea industry. I will try to analyse a few things in which the Kenya Tea Development Authority (K.T.D.A.) is misleading this House and the nation as a whole. In this country, tea was first planted in Kericho. Geographically, whoever started planting tea in Kericho did not make a mistake. The only problem ^{we have} now ~~is~~ arises from the K.T.D.A.

Since a few years ago, there has been difference in tea payments. Up to 1987, the K.T.D.A. has ^{using the question of not using} not been ~~using~~ enough fertiliser in areas to the west of Rift Valley, ^{as a valid reason for} ~~and has been skimping~~ paying lower prices for tea that has been delivered from those areas for so many years. Strange enough, if one reads what the Minister said in the Press a few days ago, he will find that he was advised by the K.T.D.A. that the reasons for the variation in the prices of tea between the areas east and west of Rift Valley are, firstly, heavy rainfall and, secondly, the difference between the soils of the two ~~sets of~~ areas. However, we have no literature in the records of the K.T.D.A. from the Tea Research Station based at Kericho which shows that these two factors are the main causes of such big price variations.

A good number of small-scale farmers did not go to school to learn economics. The 150,000 small-scale farmers who are found all over the country have inputs and labour to carry out ~~their~~ their work. When the bonus is declared at the end of the year, they definitely know ^{how} much they will ^{get} and how much they will lose. Then how can somebody at KTDA tell the farmer in Kitale that he will get -/47 per kilogramme of tea delivered? That farmer worked on his farm, employed extra labour, put fertilizer and so on and in the long run, he is paid poorly. How can such a farmer be ~~be~~ convinced, in the next two years, to continue growing tea?

Mr. Speaker, Sir, today, in this House, I would like to tell the KTDA to understand that they have been very insensitive to the small-scale

MR. MAGARA (ctd.):

farmers. A few days ago, one of the KTDA officers went to the ~~camp~~ newspapers
^{some tea}
 and said that ~~some~~ farmers in Kisii District had refused to deliver their tea
~~leaves~~ leaves to the buying centres. The reason he gave was that the politicians
 had told them not to deliver the tea. I would ~~like~~ like to ask these newspapers
 how many times they have talked to the farmers. The farmers have been paid
 very ~~low~~ lowly over the years. The officers from the KTDA have not visited
 the farmers to tell them what happened this year. I would like to tell them
 that the farmers in Bomachoge Constituency and in Kisii District as a whole
^{did want to}
 surely said they ~~would~~ not deliver their tea leaves. They had a valid reason
 because they were not paid as they expected. We, politicians, have talked
 to these farmers several times and told ~~xi~~ them to take the tea leaves to the
 buying centres.

END VV.

MR. MAGARA (ctd.):

We have talked to the people several times but the Kenya Tea Development Authority (K.T.D.A.) has not addressed them. These are the same people who bring ~~me~~ new machines to the factories without telling the farmers what they are supposed to do.

For example, Mr. Speaker, Sir, the K.T.D.A. is expanding Ogembo Tea Factory right now, they have taken machinery there, but the tea farmers do not know what is happening ~~there~~. The expansion is not necessary because the green leaf which is delivered there daily is not enough to keep the machines busy throughout. The question ~~is~~ I ~~am~~ am now asking is for how long we, the representatives of the ~~small~~ small-scale farmers, shall continue keeping quiet? The K.T.D.A. officers are not reaching the farmers. For how long will the K.T.D.A. continue delivering machines to tea factories without knowing how much the farmers will be charged at the end of the year? Ogembo Tea Factory has been in operation for three years and yet the machines which were installed there back in 1985 have not been paid for. With the new expansion in 1988, ~~a~~ ^s new machine^{were} ~~was~~ brought there. The K.T.D.A. people ~~we~~ should go right to the factory and tell ~~the~~ the farmers why they took the new machines there. The ~~small~~ farmers ~~are~~ are waiting for these people, but they should not fear. The ~~K.T.D.A.~~ K.T.D.A. has become too insensitive, they are not ~~working~~ working for the farmers.

Once the small-scale farmer ~~picks~~ plucks his tea, he takes it to the buying centres from where it is taken to the tea factory. From the factory, where ~~is~~ it is manufactured, it is taken to Mombasa, from where it is taken to London, ~~for~~ for example. But according to the records we have, the London sales of Kenya tea per kilo ~~is~~ is about Sh.100 ^{1/2} and in this year, a

MR. MAGARA (ctd.):

farmer in Kitale earned only 44 cents per kilo. What has the K.T.D.A. done, for all these years, in advising the farmer on how to ~~use~~ market his tea? This year alone, tea brokers were paid Sh.70 million. I, therefore, call upon this House to make sure that we do away with the tea brokers because they are robbers; they are robbing the small-scale farmers. It is a shame for somebody to put so much money in ~~for~~ ^{form} of fertilizers, use his sweat in ~~bringing~~ bringing the tea leaves to the factory to be ~~x~~ paid 40 cents, when somebody is getting the balance of over Sh.90. We are going to discourage the small-scale farmers ~~if~~ ^{if} we are going to ~~pay~~ pay them peanuts. In fact, I do not even ~~think~~ think we should call it peanuts, I do not know what word to use.

Mr. Speaker, Sir, I would like to ask the K.T.D.A. to know one thing. Hon. Kinyanjui elaborated very well about the directors who represent the various areas. If there are any decisions which are made by the Board of Directors and the management of the K.T.D.A. ---

With those few remarks, I beg to support.

END WW



THE ASSISTANT MINISTER FOR AGRICULTURE (Mr. Kariuki):

Thank you very much, Mr. Speaker, Sir. ~~I~~ On behalf of the Minister for Agriculture, I beg to reply ~~to the Motion~~. Since it is past tea time, I will be very brief.

Mr. Speaker, Sir, there is a problem in the tea industry; there is no doubt about that. The Ministry of Agriculture ~~will~~ ^{is not going} ~~to~~ not deny that there is a problem in the tea industry. That is why, in fact, about two ~~xxx~~ ^{hon.} weeks ago, the Minister for Agriculture ~~met~~ ^{not} the delegation of Members of ~~the~~ Parliament from tea growing areas, ~~in~~ ^{the} west of the Rift Valley. He held a meeting with them and they raised a concern over the low second payment for tea in those areas, particularly as compared to payments made elsewhere in ~~these~~ ^{the} country. Following that marathon meeting, the Minister issued a statement in which he said that, in fact, ~~the~~ Kenya Tea Development Authority (K.T.D.A.) was to undergo restructuring. The matter was however brought back to this House in form of a Question, and it was very clear that the ~~Q~~ hon. Questioner, and several hon. Members were not satisfied with the answer I gave ^{them} ~~them~~. It is natural and justified that hon. Members may not be satisfied with an ~~s~~ answer that is given, ~~and~~ therefore, it is the responsibility of the Minister responsible to seek further information, and give the House a comprehensive answer.

Mr. Speaker, Sir, by allowing this Motion, the House has given an opportunity to many hon. Members to speak out their minds,

~~xxxxit~~

THE ASSISTANT MINISTER FOR AGRICULTURE (Mr. Kariuki)(ctd.):

and it has also given the Ministry the chance to hear more about what hon. Members know, and therefore think about the tea industry. As servants of the people, we welcome this.

However, to protect the farmers, and I am sure this is the only concern of the hon. Members, the Ministry would like to take this matter very rationally, very coolly, without any emotions, and with ^{all} the facts in mind, but with the speed that it deserves. Before discussing this matter, Sir, let us take the following facts into consideration. Firstly, the small-holder-tea industry has grown phenomenally in the last 25 years. Now ^{the} K.T.D.A. is looking after more than 154,000 families. Secondly, the Kenya tea industry has, as a whole, grown phenomenally ^{and,} therefore, the law governing the growing and membership of tea must of necessity be reviewed. In response to this growth, the Ministry is already; and I would like to repeat that; it is already in the process of ^{not only} restructuring K.T.D.A., ~~and not just K.T.D.A.~~ but the Tea Board of Kenya as well.

Mr. Speaker, Sir, I would also like to thank the ~~hon.~~ the hon. Members for very many points that they have raised today which will help the Ministry in this exercise. Along with the organisational restructuring at the headquarters, it is true that the field services of the K.T.D.A. will be enhanced by improving supervisory capacities in the fields. I

(END.....XX)

THE ASSISTANT MINISTER FOR AGRICULTURE (Mr. Kariuki) (Ctd.):

Mr. Speaker, Sir, I would also like to assure the hon. Members here that the management of the Kenya Tea Development Authority (KTDA) is going to ~~a~~ to receive a microscopical and ~~an anatomical~~ ^{anatomical} ~~an anatomical~~ scrutiny.

(applause)

I would like to thank all the hon. Members who have ~~spoken~~ contributed in this debate. I would also like to express the gratitude of the Ministry to the hon. Members for the interest they have shown in the tea industry and the price paid to the farmers. I would like also to assure the House that the Ministry of Agriculture takes the views expressed in this house and outside by the farmers very very seriously. I would therefore, like to confirm that we have recorded all the sentiments expressed in this House and we are going to act ^{fast} ~~first~~.

In fact, I would like to announce that next Tuesday, 29th November, 1988, we shall make a more comprehensive statement regarding this matter and what is being done about this matter. This is the statement which will address itself to all points that have been expressed by the hon. Members in this House including transportation and the effect it has on the final payment to the farmers, management and the officials of the management in the particular factories, soils and climate, the extension services, and the ~~ex~~ marketing of tea. ~~By~~ Various hon. Members have expressed their views about the method of marketing and this is something we are also going to address ourselves to.

We are also going to address ourselves to the auctioning system and see whether any changes ~~would~~ need to be done. Meanwhile, I would like to appeal to all the hon. Members to assure

THE ASSISTANT ~~MIN~~ MINISTER FOR AGRICULTURE (Mr. Kariuki)(Ctd.):
 their constituents that the Government is concerned ~~ix~~ deeply on
 this matter. The hon. Members should also assure them that the
 Government is taking the appropriate action and request that they
 should not act or commit any omission which is likely to prejudice
 the tea industry in this country.

The hon. Members in this House have a great role to
 play of encouraging the farmers throughout the country. No matter
 what restructuring we do; no matter what new systems we create,
 the fact remains that the most important person in the final
 analysis, in as far as the quality and quantity of our tea is
 concerned, is the farmer himself.

With those few remarks, I beg to support.

MR. SPEAKER: Since no other hon. Member wishes to
 x contribute, I will adjourn the House.

ADJOURNMENT

MR. SPEAKER: Hon. Members, it is now time for the ^{interruption} ~~interruption~~
 of Business. The House is therefore, adjourned until Tuesday,
 29th November, 1988 at wx 2.30 p.m.

The House rose at fourty minutes past Eight o'clock.

END YY....

REPUBLIC OF KENYA
THE NATIONAL
ASSEMBLY
OFFICIAL REPORT

Tuesday, 28th November, 1988.

ORAL ANSWERS TO QUESTIONS

Questions Nos. 522, 518, 403, 536, 547, 472, 576 and 513

QUESTIONS BY PRIVATE NOTICE

Salary Payment to Mr. Mbugua, A Former Town Clerk of
Nairobi City Commission (Mr. Chepkok)

Expelling Pupils of Various Schools in Mumias (Dr. Wameyo) -
Deferred.

Ukosefu wa Misumari Nchini (Mr. Kiliku)

Compensation to Bereaved Family of Accident Victims
(Mr. Gachui) - Deferred.

MINISTERIAL STATEMENT

Additional Information to a Motion for Adjournment
Raised by Hon. Konnes about Poor Tea Payments
West of Rift Valley.

POINT OF ORDER

Missing Generator at Kinango Hospital

BILLS

In Committee, Report and Third Reading -

The Kenya Broadcasting Bill - Agreed to in Committee -
Reported with Amendments - Read the Third Time and
Passed.

Second Reading

The Government Lands (Amendment) Bill - The Minister for
Lands and Housing on 24-11-88 - Resumption of Debate
interrupted on 24-11-88 - Agreed to.

In Committee, Report and Third Reading

The Government Lands (Amendment) Bill - Agreed to in
Committee - Reported without Amendment - Read the
Third Time and Passed.

MOTIONS

Approval of the Increase of Total Indebtedness for the
Government of Kenya - The Minister for Finance -
Question proposed Agreed to.

Approval of the Increase of the Total contingent Liability
of the Government of Kenya - the Minister for Finance -
Question Proposed - Agreed to.

H A N S A R D

Tuesday, 29th November, 1988

The House met at thirty minutes past Two o'clock.Mr. Deputy Speaker in the Chair

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 522MR. DEPUTY SPEAKER: ^{arap} Mr. Cheskok ~~is~~ not here? We will leave hisQuestion until the end then. Next Question.Question No. 518

MRS. NDETEI, asked the Minister for Culture and Social Services:-

- (a) why Kibwezi Women Honey Project does not hold annual general meetings as required;
- (b) what dividends have been given to the members since the group's inception 8 years ago; and
- (c) who are the current committee members and when ~~were they elected~~ they were elected.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot):

Deputy

Mr. Speaker, Sir, I beg to reply.

(Applause)

(a) Kibwezi Women Honey Project Group holds its general meetings, but it does not hold it annually because the constitution does not require that ~~it~~ ^{it should do so} the group holds the meeting annually. Meetings are usually held when the need arises. The last meeting ~~was~~ was held on 22nd March, 1985.

(b) Dividends have been given to member groups. In 1987 each group received dividends at the rate of Shs. 500.00. ^{per group.}

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot) cta:

(c) The current committee members are:-

Chairperson - Mrs. Zipporah Nganga
 Vice-Chairperson - Mrs. Rhoda Muli
 Secretary - Mrs. Reginal Mativo
 Assistant Secretary - Mrs. Scolastica Kyungo
 Treasurer - Mrs. Lydia Ng'ang'a.

Committee Members are:- Mrs. Helen Mutebe, Mrs. Serah Valua, Mrs. Rhoda Muli and Mrs. Ruth Kingele.

MRS. NDETEI: While appreciating my great sister's reply, I am quite disturbed by the state of the affairs. Can the Assistant Minister tell me when these committee members were elected?

MR. DEPUTY SPEAKER: She has to tell the House and not just you, hon. Mrs Ndetei.

MRS. NDETEI: Mr. Deputy Speaker, Sir, can the Assistant Minister tell the House when these members were elected and who elected them if the committee last met in 1985?

MRS. OGOT: Mr. Deputy Speaker, Sir, while the executive committee meets regularly, the main general meeting which first met ~~in 1981~~ on 2nd November, 1981. During that time the normal official bearers were elected. The second general meeting was held when there ^{arose} was need on 21st March, 1983 when the current officials were elected. On 23rd March, 1985, the last group, which I have just mentioned was elected.

MR. EKIDOR: For the last eight years, this committee has been sitting on this women group's money. Can the Assistant Minister consider ^{dissolving} to dissolve the management committee of this group and replace it with a new committee?

OGOT:
 MRS. NDETEI: Mr. Deputy Speaker, Sir, I do not know why the Member would want the management committee dissolved. The women group elects the management committee according to the laid down procedure. Records show that they have been meeting regularly and even given out dividends to ~~its~~ ^{their} members.

MRS. NDETEI: Mr. Deputy Speaker, Sir, it is not correct to say that dividends have been given out to the ~~max~~ members. This group does not give dividends to the women groups which form the central components of this project. This particular Question was ^{first} directed to the Ministry of Livestock Development because ~~the~~ this project does not seem to belong to either the Ministry of Livestock Development or the Ministry of Culture and Social Services. There is a big confusion in that project. The members of that project ~~do~~ do not benefit from it at all. One ^{management} committee has been sitting there for eight years. now and ~~they~~ it does not give anything to the women groups. Can the ^{Assistant Minister} Ministry now give ~~us~~ us the names of those women projects which have received the Shs.500.00 as dividends? That is all the House would like to know.

MRS. OGOT: Mr. Deputy Speaker, Sir, I am glad to hear that hon. Ndetei accepts that the Question was originally directed to the Ministry of Livestock Development. Therefore, my Ministry received this Question very late and we have done our best to give here the necessary reply. If the hon. Member would like to know the women groups which have ~~benefited~~ received Shs.500.00 as dividends, I would be quite willing to give her the names. As ^{the question of} far as dissolving the management committee is concerned, I do not think there is need to do this. The best way ~~was~~ of managing this affair is ~~to~~ for members to elect a committee which they think would be competent in managing their ~~own~~ affairs. I can see from the records I have here that ~~elections~~ elections are set for January 1989. Therefore, the women groups in Kibwezi should use this opportunity to ~~throw~~ throw out this ~~body~~ committee and elect a committee they would want to have. The Ministry has no power to dissolve it since it has been following its regulation.

MRS. NDETEI: There is a reason why I brought this Question to this House. Both the Ministry of Culture and Social Services and the Ministry of Livestock Development have ~~been~~ failed in organising that project for it to be viable for women members of that project. The project benefits only one person, and that is only the chairman, who has been sitting on ~~the~~ it since 1981. She does not allow anybody to have a say in that project.

MR. DEPUTY SPEAKER: Can you put your Question, Mrs. Ndetei?

MRS. NDETEI: Mr. Deputy Speaker, Sir, last time when the Minister for Livestock Development went to Kibwezi to inaugurate ^{was when he went there fish pond} the ~~ix~~ project. Why did he go there if he was not responsible with the matters I have raised in ~~the~~ this Question? There is confusion here and the two Ministries should sort out this confusion.

MRS. OGOT: I am sure that hon. Ndetei, who has done alot for the women groups, is aware that all women groups' affairs are under ~~the Ministry~~ my Ministry. The Ministry of Livestock Development can assist the groups with extension workers ^{who would} ~~to~~ make sure that the women projects are well managed. As far as elections are concerned, they are under ~~the Ministry~~ my Ministry.

END A...

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot)(CTD):

Yes I agree with hon. Ndetei when she says that the same woman, Mrs. Nganga, has held that post for eight years; that is a valid point. However, my reply ^{is} that ^{is} since elections will be held in January, 1989 ~~I think~~ hon. Ndetei should assist by organising the women so that they can elect women leaders who will bring the members benefits.

MR. MALEBE: Thank you, Mr. Deputy Speaker, Sir. In her reply, the Assistant Minister said that the Kibwezi Women Honey Project Group is not governed by any constitution, and that is the reason why they do not hold annual general meetings. Now, can the Assistant Minister tell us which rules govern women groups all over the country? If at all there are no rules for them to follow, then it seems ^{that} once the groups are formed the initial office bearers remain in office for ever.

MRS. OGOT: Mr. Deputy Speaker, Sir, with all due respect, I think the hon. Member's supplementary question is immaterial. This is because every group or association, including the Bunge Sports Club, has ~~its own way of doing things~~; they ^{officials} can organise their body the way they want. It is also the responsibility of the Registrar of Societies and the Ministry of Culture and Social Services, which usually registers women groups, to ensure that the society or group has stated whether they want to be meeting after every year, two years or three years. So, there is a great variation in that respect.

Question No. 403

MR. LEWA asked the Minister for Foreign Affairs and International Co-operation:-

- (a) whether he is aware that Mrs. Mwenda Tunje Barisa was knocked down and seriously injured on Malindi-Mombasa Road on 6th December, 1979 by vehicle registration No. 29 CD 63 driven by Mr. L. Mambert of U.S.A. Embassy, Nairobi;

(b) whether he is further aware that the High Court at Mombasa awarded the complainant the sum of Shs.90,000/- as compensation in its judgement on 11th September, 1981; and

Whether
(c) ~~whether~~ ^{that} he could confirm ^{this} money has been paid, and if so, whether he can give the cheque number and when it was sent.

THE MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION (Dr. Ouko): Mr. Deputy Speaker, Sir: *I beg to reply.*

(a) I am aware.

(b) I am aware.

(c) With regard to this part of the Question, I beg to seek the indulgence of my distinguished colleague for a little more time to find out ~~whether~~ ^{whether} the cheque has been sent, or not. I would like to take this opportunity to admit that the Question ^{came} to us in early October, 1988. We have done everything we could to open up the records ~~for~~ since 1981 so that we could establish whether the United States Embassy has paid, or not. Right now we are in touch with the Embassy, the Attorney-General and District Commissioner, ^{Mombasa} which are the three sources from which we could get information regarding whether the money has been paid or not. This morning I met my Permanent Secretary, and other members of staff, who told me that they were still waiting for information from the concerned Embassy and the Attorney-General. We take this House quite seriously, and so I would hate to rush here with some undocumented information which ^{later} ~~later~~ turns out to be untrue. So, I seek the indulgence of my hon. colleague to give me time so that will give him the correct, accurate and factual information.

MR. LEWA: Mr. Deputy Speaker, Sir, I wish to thank the hon. Minister for that answer. But ~~if~~ I will be grateful if he tells me how much time ^{he} ~~I~~ should ^{be} given him. This is because this case goes back to 1979 ^{and he} at some stage I was wondering whether the

MR. LEWA (CTD):

United States Embassy were going to hide behind the extraneous clause of diplomatic immunity in such a case. Further, as a matter of information, I believe Mr. ^{Hassan} Jiwaji, an advocate in Mombasa, is also in a position to help the Ministry in recovering the Shs.90,000/-.

DR. OUKO: Mr. Deputy Speaker, Sir, the Vienna Convention of 1961 gives embassies certain privileges, but it does not absolve them from criminal acts. So, we are in the process of establishing the actual position. As the matter goes back to 1979, we have records of nine years to plough through, and we are doing our best.

Question No. 536

MR. MATE asked the Minister for Local and Physical Planning:-

- (a) whether he is aware that Ishiara Hospital lacks a cemetery; and
- (b) if so, when he is going to provide one to this hospital.

THE ASSISTANT MINISTER FOR LOCAL GOVERNMENT AND

PHYSICAL PLANNING (Mr. Wagura): Mr. Deputy Speaker, Sir, I beg to reply:

(a) I am aware.

(b) Embu County Council is in the process of acquiring an eight-acre plot to cater for Ishiara Hospital cemetery.

MR. MATE: Mr. Deputy Speaker, Sir, this is a very sensitive issue, because we have an hospital without a place where dead people can be buried; this is a health hazard to the community in that area. My friend, the hon. Assistant Minister, says that the Embu County Council is in the process of acquiring land, but this process has taken about five years because it began in 1983 and so far nothing has really materialised. Can the Assistant Minister tell us what he really means by saying that they are in the process

MR. MATE (CTD):

of acquiring land because I know that that process has taken & more than five years?

(Mr. Wagura started consulting with Mr. Mudavadi)

MR. DEPUTY SPEAKER: Order, Mr. Wagura. Can you do a quick consultation because we expect an answer?

MR. WAGURA: Mr. Deputy Speaker, Sir, it is true.

MR. WANG'OLI: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to consult here when they have been with the Question for a long time, and should have consulted before coming to this House?

MR. DEPUTY SPEAKER: Mr. Wagura is trying to do his best. So, proceed, please, Mr. Wagura.

MR. WAGURA: Mr. Deputy Speaker, Sir, what the hon. Member is saying might be true. But it should be noted that the area which had ^{been earlier} ~~earlier~~ identified and gazetted for acquisition was later found to be unsuitable, as it was within the town, and too close to Ishiara Catholic Church and St. Montus Secondary School. So, we could not have gone ahead and acquired that site because ~~it was too close to the town.~~ The Embu County Council has set aside over Shs.100,000/- for the acquisition of the new site.

MR. MATE: Mr. Deputy Speaker, Sir, I agree with what the Assistant Minister is saying, but Embu County Council has been trying to acquire a cemetery for the last five years. So, I am appealing to the Assistant Minister to come to the assistance of the people living around Ishiara because they are facing a health hazard. There is no place for burying dead people; so they can be thrown anywhere. In fact, before there was a small cemetery, but when some people tried to bury a dead body there, they came out with a head of another dead person. This is a very big health hazard. So, can the Assistant Minister accept to intervene personally so as to hasten

MR. WAGURA: Mr. Deputy Speaker, Sir, the assurance is given. We are very concerned, and the cemetery will be acquired as soon as possible.

Question No. 547

MR. MOKKU asked the Minister for Local Government and Physical Planning:-

- (a) whether he is aware that the Physical Planning Officer serving Isiolo District is also serving Marsabit and Meru District;
- (b) whether he is further aware that wananchi in the area are not adequately served by this officer due to the enormous distance; and
- (c) whether he could, therefore, post another Physical Planning Officer to Isiolo as a matter of urgency.

END B

THE MINISTER FOR LOCAL GOVERNMENT AND PHYSICAL PLANNING

(Mr. Mudavadi): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) I am planning to post a physical planning officer to Isiolo.

Mr. Deputy Speaker, Sir, the fact is that in the past, the Department of Physical Planning was not under my Ministry but now that it is under my Ministry, I am able to move the officers around when necessary.

MR. MOKKU: Mr. Deputy Speaker, Sir, while thanking the Minister for his reply, ~~is that~~ that the current Physical Planning Officer is serving three districts, that is, Meru, Isiolo and Marsabit, ^{and in view of} ~~the~~ ^{fact that} from Meru to Isiolo and then on to Marsabit, ^{the} ~~it is~~ ^{a distance of} over 1,000 kilometres, would the Minister tell the House when he is going to send this officer to Isiolo so that he can solve this problem?

MR. MUDAVADI: Mr. Deputy Speaker, Sir, I know this area very well and I will make sure that a physical planner is sent to Isiolo as soon as possible.

MR. MALEBE: Mr. Deputy Speaker, Sir, arising from the Minister's reply that he will post a physical planner to Isiolo as soon as possible, would he also ^{assign} ~~give~~ specific duties to the said physical planning officer as far as the co-ordination of services with the local councils is concerned? I am asking this because in the past, the physical planning officer has been working independent of the local councils, particularly in my own Maua Town Council. In Maua Town Council, you will find that we have an existing physical plan, which keeps on being amended by the physical planning officer independent of the local council. So, while the Minister is ~~putting~~ re-organizing his officers in Isiolo and Meru, could he also specify the duties of the said officer, as far as the co-ordination of services in the local councils is concerned?

MR. MUDAVADI: Mr. Deputy Speaker, Sir, I have already stated that the Department of Physical Planning was brought under my Ministry after March, this year. However, each officer knows exactly what his duties are because he is trained for that. An education officer, for example, must

know the scope of his duties and so, must a physical planning officer.

MR. DEPUTY SPEAKER: Let us now move on to Mr. Mang'oli's Question.

Question No. 472

MR. MANG'OLI asked the Minister for Education:—
whether he could consider taking over the maintenance
of Namawanga Girls', Misikhu Boys, Sironde Girls,
Sitikho Mixed and Kisomwa Secondary Schools.

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri): Mr. Deputy
Speaker, Sir, I beg to reply.

My Ministry is evolving the policy of classifying secondary
schools into two categories only, that is, public and private schools
and therefore, the question of taking over any Harambee
secondary schools does not
arise.

MR. MANG'OLI: Mr. Deputy Speaker, Sir, the Assistant Minister's
answer is not clear. I do not know what is happening to ^{the} microphones in
the Chamber this afternoon.

MR. DEPUTY SPEAKER: I think they need to be attended to, but in
the meantime, would you continue, Mr. Karauri please.

MR. KARAUARI: Mr. Deputy Speaker, Sir, if the hon. Member did not
hear the answer in the first instance, I would like to repeat it.

My Ministry is evolving the policy of classifying secondary
schools only into two categories, that is, public and private schools,
and therefore, the question of taking over any Harambee secondary schools,
does not arise.

MR. MANG'OLI: Mr. Deputy Speaker, Sir, while appreciating the
answer given by the Assistant Minister, is he aware that the written reply
which he gave to me is different from the one he has given in the House?
I ~~don't~~ ^{not} know whether he is in order to give a different reply from the
written one which says that recommendation for the taking over of these
secondary schools should come from the Bungoma District Education Officer.
So, am I now going to base my supplementary question on the written answer
just
or on the answer that the Assistant Minister has given to the House?

MR. KARAUARI: Mr. Deputy Speaker Sir, the hon. member
may remain with the written reply.

MR. MANG'OLI: Mr. Deputy Speaker, Sir, arising from the Assistant Minister's reply that his Ministry is evolving a policy of classifying all schools into two categories, that is public and private, and also due to the fact that the schools in question were started as Harambee Secondary Schools, is he considering sending more qualified teachers to these schools? Now that these schools are public, what is the Ministry doing to send qualified teachers to these schools?

MR. KARAUURI: Mr. Deputy Speaker, Sir, all public schools will be treated equally depending on the availability of funds and teachers.

MR. MANG'OLI: Mr. Deputy Speaker, Sir, I do not seem to be hearing what the Assistant Minister is saying properly although I have been attempting to listen to his reply. However, since we have only two categories of schools now, that is public and private, what is the Ministry intending to do about the secondary schools in question, as far as the posting of qualified teachers and the ^{provision} necessary school equipment are concerned? What is the Government doing towards assisting these particular secondary schools? Is he going to supply them with the necessary school equipment?

MR. KARAUURI: Mr. Deputy Speaker, Sir, I said that public schools will be assisted by the Government which means that the existing Harambee schools will benefit from the Government in the same way as the so-called maintained schools are benefiting.

MR. MANG'OLI: Mr. Deputy Speaker, Sir, while appreciating the Assistant Minister's reply, namely that all public schools are going to be assisted by the Government, would he consider giving these schools the first priority in Government assistance?

MR. KARAUURI: Mr. Deputy Speaker, Sir, there is really nothing very special about these schools and they will therefore be considered along with others.

MR. DEPUTY SPEAKER: Let us now move on to Mr. Ekidor's Question.

QUESTION NO. 576

MR. EKIDOR asked the Minister for Co-operative Development:

- (a) whether he is aware that over 60 tons of fish belonging to Turkana Fishermen's Co-operative Society at Kalokol in Turkana District are rotting due to lack of market,
- (b) what action he is taking to look for ^amarket both locally and overseas for these products, and
- (c) what further action he is taking to ensure that the said society is relieved of its current financial ~~constraints~~. ^{CONSTRAINTS}

THE ASSISTANT MINISTER FOR CO-OPERATIVE DEVELOPMENT (Mr. Kimondo):

Mr. Speaker, Sir, I beg to reply.

(a), Yes, I am aware that there are about 60 tons of fish stored at the Turkana Fishermen's Co-operative Society at Kalokol. However, the fish is not rotting because it is well dried and treated to last for a long time. Part of this fish, that is, 10 tons of fillet and 15 tons of catfish, have already been ordered by Kinemalics Nigeria Ltd. of Nigeria, who have already made an advance payment of KShs.98,000/-. The fish is to be collected any time before the end of this month. Another consignment of 10 tons has been ordered by another ^{Zairean} ~~firm~~ firm called Bugaza Transporters and Exports of Zaire and is due for collection ⁱⁿ the first week of December this year. The remaining batch will be sold locally to schools and other welfare organizations operating within the District.

(b) Turkana Fishermen's Co-operative Society has been encouraged to participate in various trade fairs and with a view to publicising its products. This has included participation in the All Africa Trade Fair - -

MR. MATE: On a point of order, Mr. Deputy Speaker, Sir. We are having a problem with the microphones in the Chamber this ~~hour~~ afternoon and the Assistant Minister who is now replying to this Question is making the ~~matter~~ position even worse. I cannot follow anything he is saying and I am at a loss to know what he is saying. The punctuations he is using are not for a ~~language~~ language that we can comprehend and I am just wondering how we are going to get on coupled with the problem of the microphones.

MR. DEPUTY SPEAKER: Somebody is trying to work on the microphone.

THE ASSISTANT MINISTER FOR CO-OPERATIVE DEVELOPMENT (Mr. Kimondo):

(b) Turkana Fishermen Co-operative Society has been encouraged to participate in various trade fairs and shows with the aim of publicising its products. This has included participation in the All Africa Trade Fair in Kinshasa, Zaire, in July, 1988; Nairobi International Show; Nakuru Provincial Show and other agricultural shows in Western Kenya.

Turkana Rehabilitation programme has been approached and has promised to look into the possibility of having fish as part of their food package to be distributed to the needy people in the district.

(c) Excess assets currently ~~are~~ unutilized but kept by the society are to be sold in order to increase the society's working capital so as to give it a bigger absorption capacity in case of any delays in the sale of fish.

MR. MANG'OLI: Mr. Deputy Speaker, Sir, to be sincere, I did not hear what the Assistant Minister was reading. I do not know how we are going to frame our supplementary questions because we did not hear the main reply.

MR. DEPUTY SPEAKER: What is your question, Mr. Mang'oli?

MR. MANG'OLI: Mr. Speaker, Sir, I did not hear what the Assistant Minister was reading and I am wondering how we are going to frame supplementary questions.

MR. DEPUTY SPEAKER: Order! If hon. Ekidor heard the Assistant Minister clearly - and I am sure he had a written answer - he can, perhaps, ~~read~~ put a supplementary question.

MR. EKIDOR: Mr. Deputy Speaker, Sir, while thanking the Assistant for his reply, can he strongly promise this House that the sale of fish by the Turkana Fishermen's Co-operative Society both locally and overseas will be a continuous exercise? Why does his Ministry have to wait for Questions to be brought here before they embark on this exercise?

MR. KIMONDO: Mr. Deputy Speaker, Sir, this will be a continuous exercise. The society can organise how they can sell fish locally.

MR. EKIDOR: Can the Assistant Minister tell us how much money has been allocated to this society to enable it to publicise its products?

MR. KIMONDO: Mr. Deputy Speaker, Sir, I think that depends on the society because it has a duty to market its products. They should be able to set aside some money for the purposes of advertising their products.

MR. MANG'OLI: Mr. Deputy Speaker, Sir, part (c) of this Question talks about financial constraints. Now, ~~how~~ what is the Ministry doing to ensure that these financial constraints do not occur again? How much money has the Ministry allocated this society to enable it publicise its products?

MR. KIMONDO: Mr. Deputy Speaker, Sir, the ^{supplementary} information I have indicates that a study which was carried out by a firm of consultants, DDT, and the Ministry on the performance of the society in late 1985 and early 1986, recommended the sale of excess assets which ~~included~~ included non-functioning ice plant and heavier machinery in the workshop.

MR. MANG'OLI: Mr. Deputy Speaker, Sir, since the society has financial constraints, then the only way of solving that problem is to have ~~the~~ its products publicised. How much money has been allocated to this society to publicise its products?

MR. KIMONDO: Mr. Deputy Speaker, Sir, I said that the marketing of products depends on this society and they should budget for it.

MR. DEPUTY SPEAKER: Next Question.

Question No. 513

MR. MOMANYI asked the Minister for Water Development:

- (a) whether he is aware that he undertook to pay Mr. Zablon Ikobe, P/NO.5359(W) a sum of Kshs.5,225/= while answering a Question by Private Notice on 14th October, 1987;
- (b) why Mr. Ikobe has not been paid; and
- (c) when he will be paid.

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Mr. Mwita): Mr.

Deputy Speaker, Sir, I beg to reply.

(a) I am aware.

(b) Payment to Mr. Ikobe was not done due to an ~~mf~~ oversight and we apologise for that.

(c) After going ~~in~~ through Mr. Ikobe's file, it was found that he had been paid all his arrears in 1986 through Voucher No. MOWD/650/83/84 which also resulted to his being overpaid. This overpayment was later recovered. Prior to that, ~~xxxxxx~~ his 1981 salary amounting to Kshs.1,511.80 had been withheld. These are the only arrears the Ministry owed Mr. Ikobe and not Kshs.5,225/= as erroneously claimed by him.

MR. MOMANYI: Mr. Deputy Speaker, Sir, can the Assistant Minister now confirm that the amount which was paid to Mr. Ikobe was the correct figure? This figure was initially Kshs.5,225/= and it has now been reduced to Kshs.1,511.80

MR. MWITA: Mr. Deputy Speaker, Sir, I would like to confirm that this is a correct figure.

MR. DEPUTY SPEAKER: Let us go back to Mr. Chepkok's Question. coming
MR. CHEPKOK: Sir, before I ask my Question, I beg to apologise for/late.

Question No: 522

MR. CHEPKOK asked the Minister for Health:

- (a) whether he is aware that the generator supplied to ~~the~~ Tambach District Hospital in 1986 has never been installed; and
- (b) why it has taken so long to install this generator.

THE ASSISTANT MINISTER FOR HEALTH (Dr. B.A. Godana): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that the generator supplied to Tambach District Hospital has never been installed. The generator was installed but the engine broke ~~down~~ down.

(b) It has taken long to repair the engine because the agent, M/S. Werrot and Company, lacked spare parts. It was taken to Kagima Electricals who have estimated the repairs to cost about Kshs.30,000/=.

MR. CHEPKOK: Mr. Deputy Speaker, Sir, the Assistant Minister is still misleading the House. The engine is there but there is no generator. Where is it?

DR. B.A. GODANA: Mr. Deputy Speaker, Sir, I am not misleading the House and I have not done so before for the hon. Member to say "I am still misleading the House." I said that the generator was installed and that is what the hon. Member wanted to know according to part (a) of his Question. The engine---

MR. EKIDOR: When?

MR. DEPUTY SPEAKER: Order!

DR. B.A. GODANA: Mr. Deputy Speaker, Sir, the engine broke down but because spare parts could not be found from the proper agents, we had to look for another company to repair it. We are now awaiting this repair.

Thank you.

MR. CHEPKOK: Mr. Deputy Speaker, Sir, I am telling the hon. Assistant Minister that the engine is there but the generator has not been installed. Can he tell the House where it is?

END...D

DR. GODANA: Mr. Deputy Speaker, Sir, I have not understood this particular supplementary question. Could the hon. Member please repeat it?

MR. CHEPKOK: Mr. Deputy Speaker, Sir, I am asking the hon. Assistant Minister this: ^{The} engine is there but when the generator ~~gaxixatz~~ was brought to Tamba~~h~~, it got lost---

AN HON. MEMBER: What is your question?

MR. CHEPKOK: What I am telling the Assistant Minister is that he got ^a misleading answer for this Question. Why can he not go back and bring the proper answer to the House? I am the Member for that area and I know the situation.

MR. EKIDOR: On a point of order, Mr. Deputy Speaker, Sir.

MR. DEPUTY SPEAKER: Mr. Ekidor, let us first hear the response from the Assistant Minister.

MR. EKIDOR: But I have stood on a point of order, Mr. Deputy Speaker, Sir.

MR. DEPUTY SPEAKER: Okay; you may raise your point of order.

MR. EKIDOR: Mr. Deputy Speaker, Sir, could the Chair come to the rescue of the House because we are now confused? We do not now know who is telling the ~~truth~~ House the truth - whether it is the hon. Member or the Assistant Minister. Could you please guide us? This question is very confusing.

MR. DEPUTY SPEAKER: I agree with Mr. Ekidor's sentiments; somebody has to demistify ~~concept~~ ^{concept} of a generator and an engine so that the House does not appear to be misled. Can we have the Assistant Minister responding to that?

DR. GODANA: Thank you very much, Mr. Deputy Speaker, Sir. As far as we know in the Ministry, the generator was installed but the engine to the generator broke down. ^{However} There is still a part

DR. GODANA (Ctd.):

of the old machine which was taken out for repair.

MR. MANG'OLI: On a point of order, Mr. Deputy Speaker, Sir. The hon. Member says that the generator was never installed and that the engine is there. That is what we guess is right but who is telling the truth? Is the Assistant Minister speaking the truth by saying that the generator is being repaired somewhere and that the engine is still lying there? When was it installed in Tambach District Hospital? He should give us that date because the hon. Member says that it ~~was~~ was never installed.

DR. GODANA: Mr. Deputy Speaker, Sir, the original Question did not require the date of installation and so, I did not prepare to give such an answer. The Question only asked ~~for~~ what happened to the generator and ~~xxxxx~~ I assumed that in fact, it was never installed. As far as we know in the Ministry---

MR. MANG'OLI: On a point of order, Mr. Deputy Speaker, Sir.

MR. DEPUTY SPEAKER: Order! Mr. Mang'oli, could you allow the Assistant Minister to ~~xxxxxxxx~~ proceed because he is responding to a point of order? Let him respond to them one at a time.

DR. GODANA: ^{Thank you,} Mr. Deputy Speaker Sir, for your protection. I was saying that the original Question from hon. Chepkok did not require me to state the exact date of installation. So, I did not, therefore, prepare for that answer. But, if he wants to know the exact date, we are prepared to give him. I request him to come to my office any time he wants to.

MR. A.K. KINYANJUI: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is talking about an engine; he said that the engine broke down. On the ~~the~~ other hand, the

MR. A.K. KINYANJUI (Ctd.):

hon. Member is talking about a generator. You have also agreed that they are talking about two different things. The Assistant Minister should tell us which is which - the engine or the generator.

DR. GODANA: Mr. Deputy Speaker, Sir, I wish to assure the House that the answer I have given is the correct one.

MR. KIILU: On a point of order, Mr. Deputy Speaker, Sir. Habitually, this Ministry answers Questions the way the Assistant Minister is ~~now~~ answering this particular one. I remember when we were being given an answer about Masinga Health Centre and the Assistant Minister could not get a proper answer. What do we do when a certain Ministry does not give the real answer but beats up the bush?

DR. GODANA: I do not know what is wrong with my hon. colleague. The answer I have given is the correct one and I think I have explained it in a language which every hon. Member understands.

MR. CHEPKOK: Mr. Speaker, Sir, is the Assistant Minister saying that the Question I have asked is wrong? I am the Member for that area and I know that there is no generator there. Where did he get that answer; from heaven?

MR. DEPUTY SPEAKER: Order! Mr. Chepkok, I said that this issue seems to confound the House. I would suggest that since the Assistant Minister insisted that the generator was taken for repair, and ~~like~~ you are insisting that it was not installed in the first place, you could consult with each other so that the Assistant Minister could give an answer which could satisfy the you as well as the House.

(applause)

Let us now move on to Questions by Private Notice.

QUESTIONS BY PRIVATE NOTICE

MR. CHEPKOK: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Local Government and Physical Planning the following Question by Private Notice:

(a) Is the Minister aware that Mr. Mbugua, the former Town Clerk of the Nairobi City Commission, continues to get his salary and other allowances yet his services were terminated?

(b) If so, why is he paid?

THE MINISTER FOR LOCAL GOVERNMENT AND PHYSICAL PLANNING

(Mr. Mudavadi): Mr. Deputy Speaker, Sir, I beg to reply:

(a) I am aware.

(b) Quite a number of officers in the City Commission were sent on compulsory leave on full salary so that ~~we~~^{they} could facilitate the inspection which I had already ordered to be carried out. The report of the inspection has now been ~~is~~ handed over to me. Considering the rules of the Civil Service, I will take the necessary action.

MR. CHEPKOK: Mr. Deputy Speaker, Sir, I thank the Minister for ~~that~~^{the} answer he has given. Could he tell us when he is going to stop paying the former Town Clerk ^a monthly salary?

MR. MUDAVADI: Mr. Deputy Speaker, Sir, Mr. Mbugua, the former Town Clerk, and his colleagues have already been informed, after I ~~has~~ received this report, that their salaries have been stopped.

MR. MWENJE: Mr. Deputy Speaker, Sir, as the Minister rightly says, there are many cases of this nature which have now been finalized by the Public Service Commission. They are now being held by the Ministry but could the Minister confirm when these cases will be finalized?

MR. MUDAVADI: Mr. Deputy Speaker, Sir, I think this matter is administrative and I have already stated that these people had not been interdicted. If ~~it~~ they had been interdicted, they would have been on half salary. But already, I have got the report and what I am going to do is the ~~normal~~ to follow the normal ~~channel~~ administrative channel.

MR. MATE: Mr. Deputy Speaker, Sir, from that answer given by the Minister, it looks as if he got the information from the ~~Mr~~ Questioner - the Member for Kerio Central. So, can the Minister confirm that he is going to sack the people who have been paying these other officers without his ^{Knowledge} ~~knowledge~~? It looks as if he has got this information from the hon. Questioner. Can he promise the House that he is going to take action against those who have been paying their colleagues ~~in~~ mysteriously or in a dubious manner?

MR. MUDAVADI: Mr. Deputy Speaker, Sir, I have got all the ~~the~~ details of the inspection and I have already stated that the services of those ~~people~~ people, and others who might have been mentioned in the report, will be ~~terminated~~ terminated. It is up to my Ministry to see what action we can take - whether to terminate their services as well or take other disciplinary action.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso): On a point of ~~an~~ order, Mr. Deputy Speaker, Sir, following that reply given by the Minister, would the hon. Member be requested to withdraw that insinuation that he got the information from the hon. Questioner? He has given us information which is misleading to the House. ~~Message that~~ There was a commission which has presented a report to him but not that he got the information from the Questioner. Could he withdraw that statement?

E.6.....29.11.88

MR. MATE: Mr. Deputy Speaker, Sir, I said, "From the look of it---". I think my hon. friend knows implications of language. I said, "From the look of it."

END E.....



(DR. WAMEYO) to ask the Minister for Education, the following Question by Private Notice.

Why did the Headmaster of Khalaba and Bulimbo Primary Schools in North - Wanga Location of Mumias Division, Kakamega District send away on 21st October, 1988 and 2nd November, 1988 respectively a large number of pupils from their respective schools?

MR. DEPUTY SPEAKER: Order! I have received information that Dr. Wameyo is carrying out some surgical work in Mombasa and, therefore I suggest that his Question by Private Notice be & deferred.

(Question Deferred)

Let us move on to hon. Kiliku's Question by Private Notice.

MR. KILIKU; Bw. Naibu Spika, naomba kumuuliza Waziri wa Viwanda Swali Maalum lifuatalo:-

- (a) Waziri anafahamu kuwa kuna ukosefu wa misumari kote nchini?
- (b) Waziri anachukuwa hatua gani za dharura ili kumaliza ukosefu huu?

THE ASSISTANT MINISTER FOR INDUSTRY (Mr. Kareithi): Bw. Naibu Spika, naomba kujibu.

- (a) Ninafahamu kuwa kumekuwa na ukosefu wa misumari kote nchini juzi, lakini sasa misumari imeanza kupatikana.
- (b) Ili kumaliza k ukosefu w huu nimechukua hatua ya kushauriana na wenyeviwanda vya kutengeneza misumari. Wenye viwanda hao wamenihakikishia kwamba watajaribu k wawezavyo kutoa misumari inayotosha nchi.

THE ASSISTANT MINISTER FOR INDUSTRY (Mr. Kareithi)(ctd.):

Vile, vile, Bw. Naibu Spika, Serikali imechukua hatua ya kuongeza ~~mk~~ bei ya misumari ili waundaji waweze kununua vyuma ambavyo vinahitajika kwa kutengeneza misumari. Kuwawezesha wale wote ambao wanatengeneza misumari kufanya hivyo kwa rahisi, Serikali itawaruhusu kuitisha waya ya rodi za kipimo cha milimita tano nukta tano (5.5 mm) ambazo ndizo zinahitajiwa kwa kutengeneza ^{vyombo} ~~vyomba~~ ambavyo nimevieleza hapo mbele ni.

MR. KILIKU: Bw. Waziri Msaidizi amesema kuwa misumari ~~ime~~ imeanza kupatikana. Anaweza kutuambia misumari ~~hai~~ imeanza kupatikana wapi na kwa bei gani kwa kilo moja? ~~angu~~ ^{Jana Kalika} ^{Katika} Changamwe ~~hai~~ ^{hatukuwa} ~~kukuw~~ na misumari, na mimi ~~x~~ naamini kuwa ^{katika} ~~kila~~ mawakilisho ~~xx~~ ^{hakuna} ~~hai~~ ^{ya Misumari} na misumari. Anaweza kutueleza misumari iko wapi na kilo moja inauzwa kwa bei gani?

MR. KAREITHI: Bw. Naibu Spika, jambo hili ~~kisichow~~ limekuwa likikusudiwa katika Wizara yetu na wale wenye viwanda vya kutengeneza misumari wametuhakikishia kwamba watatoa misumari kwa sababu bei ~~imetengenezwa~~ ^{na fua}.

MR. KILIKU: Jambo la nidhamu, Bw. Naibu Spika. Swali langu ni hili. Waziri Msaidizi ~~mek~~ ametueleza kuwa misumari imeanza kupatikana. Je, imeanza kupatikana wapi na inauzwa kwa ~~hix~~ shilingi gapi kwa kilo moja?

MR. KAREITHI: Bw. Naibu Spika, nimesema kuwa tunajua misumari ilikuwa ikisokana, na kwa sababu hii tumekuwa ~~ku~~ tukikutana na wenye ~~zia~~ viwanda vya misumari, na wametuhakikishia kwamba watafanya ~~zwe~~ wawezavyo ili kuanza kutengeneza misumari. Walikuwa na ~~shida~~ shida ya kupata waya rodi. Serikali ^{inajaribu kubitua} ~~metatua~~ shida ^{Tumeongeza} ~~na~~ ~~ikaongeza~~ bei ya misumari mara mbili, ~~haya~~ ~~haya~~ ili ~~hawa~~ watu wenye viwanda hivi waweze kuendesha kazi yao.

MR. WASIKE-NDOMBI: Bw. Naibu Spika, ni wiki jana tu wakati mhe. ~~Waziri~~ Ouko alikuwa akifanya upelelezi na youth wingers huko Kisumu ili ~~kukuk~~ kujua kama misumari imefichwa. Je, Serikali hii tukufu itakubali wenye viwanda wa frustrate Serikali ili bei iongezwe? Serikali imeongeza bei ya misumari kwa sababu wenye viwanda hivi wameficha misumari, au imeongeza kwa sababu imeona ni haki kuongeza bei ya misumari? Are we not going to encourage these people to continue hoarding?

MR. KAREITHI: Bw. Naibu Spika, kwa kawaida hasa mbele ya Budget kusomwa wafanya biashara wengine ^{huficha} wamekuwa ~~wakificha~~ vitu. Kwa vile misumari imekuwa ikileta ^{shida} kwa wakati mrefu, hawa wenye viwanda walianza kuuliza ~~ku~~ wapewe bei ya juu. Kutoka hapo walianza kutengeneza misumari pole pole, mpaka wakaacha ~~ku~~ kutengeneza misumari. Tena kumekuwa na shida ya kuleta chuma ya waya rodi ambayo inatengeneza misumari. Vile, vile tumekuwa na shida ya kuleta chuma ambayo inatoka nje ya nchi yetu ya kutengeneza waya rodi. Basi tumekuwa na shida hizo.

MR. MANG'OLI: Jambo la nidhamu, Bw. Naibu Spika. Mhe. Kiliku alikuwa anataka kujua penye misumari iko wapi, na inauzwa kwa bei gani? Bw. Waziri Msaidizi hajajibu swali hilo, na aneanza kutuambia vile wamekutana na wenye viwanda. Bw. Naibu Spika, sisi tunataka kujua misumari iko wapi, na inauzwa kwa bei gani?

MR. DEPUTY SPEAKER: Bw. Waziri Msaidizi Wabunge wanataka kujua kitu rahisi sana. Ulipokuwa unapeana majibu, ulisema kuwa misumari imeanza kupatika. Mimi naona ni vizuri ujibu hilo jambo la nidhamu kutoka kwa mhe. Mang'oli.

MR. KAREITHI: Bw. Naibu Spika, ni vingumu kusema kuwa misumari inapatikana pahali fulani, kwa sababu hili ni jambo---

(Noise)

MR. DEPUTY SPEAKER: Order! Can we listen to hon. Kareithi

MR. KAREITHI: Ni lazima Serikali ijaribu kuwanasa wale wanaojaribu kuficha misumari. Tena, bei ya misumari imetengesa sawa katika retail price ya nezwa/kote kwenye nchini, lakini Mombasa au Nairobi bei ya kilo moja ni Kshs.12.90 kwa retail. Bei ya misumari kwa kilo moja ni tofauti kulingana na kipimo cha misumari. Kama mhe. Mbunge anataka kujua hizi bei ninaweza kumpatia orodha kwa sababu hizi, niko hapa, badala ya kuisoma Kenya.

MR. KILIKU: Jambo la nidhamu Bw. Naibu Spika. Ni haki Waziri Msaidizi kukataa kata kata uamuzi wa Bw. Naibu Spika? Wewe mwenyewe umemwambia awacleze Wabunge misumari inapatikana wapi? Kama hajai-----

MR.

MR. DEPUTY SPEAKER: Order! Order, Bw. Kiliku.

Waziri amejaribu kujibu na akasema wazi kwamba ni vigumu kwake kusema misumari inaweza kupatikana wapi. ~~Kwaxxx~~ Kwa hivyo, amejibu.

MR. KILIKU: Jambo la nidhamu, M Bw. Naibu Spika.

Kulingana na utaratibu wa Bunge kili mhe. Mbunge akisema jambo ambalo hawezi kuthibitisha, ni sharti aliondoe. Kwa vile Bw Bw. Waziri Msaidizi hakujua vile alivyokuwa ~~xx~~ akisema, je, anaweza kuondoa matamshi yake? Ikiwa sivyo, basi atuambie misumari iko wapi.

MR. KAREITHI: Bw. Naibu Spika, mimi sikuelewa kabisa ~~xxxxxxx~~ nitatoa matamshi gani.

MR. DEPUTY SPEAKER: Order! Order! Mhe. Waziri Msaidizi, katika matamshi yako ya kwam kwanza ulisema kwamba ~~x~~ misumari imeanza kupatikana. Uliposema hivyo, mhe. Kiliku alisimama kwa jambo la nidhamu na akakuuliza useme misumari imeanza kupatikana wapi. Kwa vile naona wahe. Wabunge wanataka kujua ni kitu gani kimepata viwanda vya misumari, naona ni vizuri ulete habari ya kutosha juu ya misumari. Ni vizuri utuambie misumari imeanza kupatikana wapi, hata ikiwa ni Kariobangi au ~~mah~~ mahali pengine.

MR. KAREITHI: Nitajaribu kuwafichua wale watu wambao wanaficha misumari ili waweze ~~kuthibi~~ kuathibiwa. Wale ambao watapatikana na hatia watapelekwa kortini.

(END.....F)

MR. DEPUTY SPEAKER: I will allow the last point of order on this Question.

MR. MALEBE: Jambo langu la nidhamu ni hili. Waziri Msaidizi ametueleza kwamba alikuwa na mikutano, na ---

MR. DEPUTY SPEAKER: Order! Mr. Malebe, you are obviously not on a point of order. That is definitely not a point of order.
(Hon. Wasike Ndombi stood up)
What is your point of order, Mr. Wasike-Ndombi?

MR. WASIKE-NDOMBI: Jambo langu la nidhamu ni kwamba Waziri Msaidizi analipotosha Bunge hili anaposema kwamba bei italingana na kiasi ya misumari. Tunaelewa vyema kwamba bei ya misumari hutegemea uzito; iwe ni inchi nane, sita au tano.

MR. DEPUTY SPEAKER: Order! Ni lazima tusikilizane kuhusu Jambo hili. Nimetoa uamuzi kwamba Waziri Msaidizi aende akatafute jawabu kamili, kisha alilete katika Bunge hili.

~~MR. KILUKU Jambo la nidhamu, Bw. Naibu Spika.~~

MR. GACHUI) to ask the Attorney-General;

- (a) Is the Attorney-General aware that an accident occurred along Thika/Murang'a/Gatanga Road on 19th November, 1986 in which Salome Murugi Ndung'u Susan Njeri Ndung'u, Simon Mburu Wainaina, Pauline Wairimu Kamande, Kanyoka Kariuki, Emily Wairimu Kahiu, Ngugi Mbugua and Kinyanjui Nyaruiya died?
- (b) Why has the insurance company for the vehicle ~~x~~ involved in the accident, namely Delta Insurance, not compensated the families of the deceased and the injured?
- (c) Would he make arrangements to ensure that the families of the deceased and those who were injured are compensated?

(Hon. Kiluku stood up)
MR. DEPUTY SPEAKER: Order Mr. Kiluku! I have received

information that hon. Gachui is not here to ^{ask} ~~put~~ his Question by Private Notice. I, therefore, suggest that the Question ~~should~~ be deferred.

(Question Deferred)

MR. DEPUTY SPEAKER (contd.):

Hon. Mwangale, let me first of all give the floor to the Deputy Leader of Government Business, then you can make your Ministerial Statement.

THE MINISTER FOR ENERGY (Mr. Biwott): Thank you very much, Mr. Deputy Speaker, Sir, for giving me the floor.

I think that it is in order for me to take this opportunity to thank the hon. Members who attended yesterday's function. It was really nice to have them at the function.

(applause)

I hope that we shall have a similar chance at a later date to see other kinds of jobs which are being undertaken by the Ministry of Energy.

Thank you, very much.

MR. DEPUTY SPEAKER: Mr. Mwangale, you can now make your Ministerial Statement.

MINISTERIAL STATEMENT

THE MINISTER FOR AGRICULTURE (Mr. Mwangale): Mr. Deputy Speaker, Sir, last Thursday, my colleague, the Assistant Minister, hon. Nduati Kariuki, promised that I would be here today, to make a Ministerial Statement on the tea industry, having very carefully listened to the views expressed in this House during the debate on the Motion of Adjournment regarding the management of this important sector.

At that time, I happened to have been in Europe, to attend the coffee organisation ^{negotiation} ~~negotiating~~ sessions. I appreciate the understanding that the ^{hon.} Members of Parliament showed towards the Ministry on that day.

Tea is Kenya's second ^{highest} ~~highest~~ earner of foreign

THE MINISTER FOR AGRICULTURE (contd.):

exchange, ^{after coffee} and it is produced by both plantations and a very large number of small-holders. At independence, the total acreage under tea was only 21,000 hectares - that is in 1963 - producing only 18,000 tons of made tea. This season, 1987/88, Kenya's production has risen to 158,000 tonnes of made tea, from 85,000 hectares. This is, in deed, a phenomenal growth rate. This is why during the Statements ^{have} I have issued from the Ministry of Agriculture in the past, have tended to point out that time has come when we must now look at the tea industry just in the same way as ~~z~~ we have done with the other sectors, which the hon. Members of Parliament are ~~w~~ aware of. For this reason, I have formed a Multi-Disciplinary Inter-Ministerial committee to study the entire matter of the tea industry. This will enable us to do a meaningful restructuring of ^{the} tea industry.

The study will cover the whole industry - not just Kenya Tea Development Authority - including the legal framework; the institutional arrangements within the industry; the organisational structure; the institution by institution; the staffing and deployment of staff; the range and nature of services ^{provided} to growers and how they are financed; the accounting and procurements systems and methods; processing and marketing and any other related matters. Infrastructural development will also receive a very major attention.

To be able to address these matters adequately, requires time. It is necessary for the committee of officers to be given the time to do so before any necessary corrective actions can be taken in conjunction with other organs of the Government, and it is on this note that I seek the understanding of the House.

THE MINISTER FOR AGRICULTURE (contd.):

Meanwhile, Mr. Deputy Speaker, Sir, I wish to assure this House, and, in deed, all our international tea buyers that the Kenya farmers continues to produce the best tea in the world market. My Ministry values the services that the Tea Board of Kenya, the managements of the tea estates, and the K.T.D.A. provide to tea growers throughout the Republic. We owe a lot to them for the good name that our tea has earned in the international market. It should be known, therefore, that the current debate on the industry is only seeking improvements on what we already have achieved, including a re-look at our institutions.

We should remember that the Tea Board of Kenya was established in 1950. Since then, the industry has undergone a lot of growth, and, therefore, the Tea Act, itself will be reviewed to make it more responsive to the needs of the industry. At the same time, I would like to report to this House: That whereas in 1963, there were only 1,800 small-scale tea growers, today K.T.D.A. is looking after 156,000 growers, cultivating 56,000 hectares - compared to 3,000 hectares in 1963. In other words, out of the 85,000 hectares of tea which we grow in this country, 56,000 hectares; which is nearly 55 to 60 per cent of the total tea ~~xxx~~ grown in the country is grown by small tea growers. Whereas in 1963, only 1.7 million kilogrammes of green leaf were marketed compared to 338 million kilogrammes which we are producing today. The staff ~~stx~~ strength in 1963 was only 140 compared to 8,000 which we have today. It is evident, therefore, that the ~~proposed~~ proposed restructuring is timely.

When the Nyayo Tea zones comes into the market, a more aggressive approach to tea marketing will be necessary. I am happy to note from the views expressed in the House last week

THE MINISTER FOR AGRICULTURE (contd.):

that hon, Members too support what we call value added tea marketing approach; which is one of the areas, the current study is looking into. One area which this House needs to ~~know~~ understand is that tasting is the method used the world over in grading beverages like; coffee, tea, tobacco, wines et cetera. It will not, therefore, be ~~xxxx~~ possible for Kenya to move out of this convention in the near future, unless an internationally acceptable Scientific method of grading were to be discovered.

In conclusion, I wish to thank the House for the constructive manner in which the debate on industry, and K.T.D.A. in particular, was conducted. The views expressed by hon. Members are invaluable to us in the Ministry, and were taken very seriously. My Ministry has recently completed restructuring exercises covering; the coffee, cotton, pyrethrum, sugar and the horticultural industries. The debate on tea came as we were ^{in fact,} embarking on the restructuring of that same industry. The views of this august House, therefore, have come at the right time, and I wish to assure the House that they will be borne in mind in the course of this exercise. One corrective action that I have already taken, today, is to direct that Ksh52,000x million ~~be~~ deducted from the final payment to meet the 1987/88 cost of leaf collection and transportation per leaf ^{to} be now be redistributed to the affected farmers.

End G.....

THE MINISTER FOR AGRICULTURE (Ctd):

and 1988
Similarly, reduction for the 1987 fertilizer supplies has also been temporarily suspended, while studying farmers' accounts for this particular period.

With these few remarks, I wish to seek the understanding of this House in that the on-going exercise calls for more time. The resulting restructuring is aimed at enhancing the quality of the services provided to the tea farmer and will also seek not to compromise the quality of our tea.

Thank you, Mr. Deputy Speaker, Sir.

MR. KILIKU: On a point of order, Mr. Deputy Speaker, Sir. When the Minister for Finance was making the Budget Speech this year, if I can recall very well, he said that there would be no mini budgets in this financial year. But in view of what the Assistant Minister for Industry has said, it is very unfortunate that since the Budget Speech was read, the prices of essential commodities have been increased.

MR. DEPUTY SPEAKER: Order. I would also seek indulgence here because the matter you are raising is taking the Chair by surprise. It would be best if you could discuss it with Mr. Speaker before you raise it.

MR. MANG'OLI: On a point of order, Mr. Deputy Speaker, Sir. While appreciating the statement.

(Mr. Kiliku rose up)

MR. DEPUTY SPEAKER: On the same point? I hope not, Mr. Kiliku.

MR. KILIKU: Is it not my right to rise on a point of order?

MR. DEPUTY SPEAKER: If it is a separate point of order, you are perfectly at liberty to do so, but, if it is

MR. DEPUTY SPEAKER (ctd.):

in connection with the Budget proposals, I kindly request that you consult with Mr. Speaker in his chambers before you do so.

MR. KILIKU: Mr. Deputy Speaker, Sir, my point of order is in relation to what has just been concluded, ^{the raising} ~~the~~ price of rails, which the Government has ^{agreed} ~~accepted~~ to raise.

MR. DEPUTY SPEAKER: I have made myself very clear with ~~it~~ regard to that issue relating to nails.

MR. MANG'OLI: On a point of order, Mr. Deputy Speaker, Sir. ~~My~~ While appreciating the statement from the Minister for Agriculture by which he has assured us that corrective measures are going to be taken against tea mismanagement, there are other areas he ~~is~~ did not address himself to and ^{one} ~~this~~ is the issue of the price discrepancy between the tea produced east of the Rift ~~Valley~~ Valley as opposed to that of the tea produced west of the Rift Valley. For example, the price of tea produced in Kitale is 40 cents ^{per kilogramme} and the price of ~~a~~ tea produced in Kiambu is Sh. 8 ^{per kilogramme}. The House was concerned of the division of the country into two regions. We hope that when ~~we~~ compiling the report, they will take this into consideration. Also, the Minister did not tell us what is going to happen to the Kenya Tea Development Authority management after the investigation. Are those people going to ~~be~~ remain in office?

THE MINISTER FOR AGRICULTURE (Mr. Mwangale): Mr. Deputy Speaker, Sir, I appreciate the concern of ~~the~~ the hon. Member for Webuye. What I have said in this statement is exactly what he is trying to say also. This study is going to look into the whole range of tea production. May I say that ~~the~~ production in agriculture is like links and every piece in

THE MINISTER FOR AGRICULTURE (ctd.):

~~is~~ those links matter a lot - from the time you grow a crop, the type of husbandry you use on it, to the transportation^{processing} and marketing of the crop. So, we are looking at the whole range of ~~k~~ factors contributing ~~in~~ to the production of tea, and also the Act itself - the legal framework in which the industry operates. So, we are looking at the entire gamut of the ~~p~~ operations of the industry. But this thing referred to as 'east' and 'west' is very misleading ~~x~~ indeed. That is why I do not want to use those two words.

As I said at the airport when I arrived from London, when you look at the agro-ecological zones of this country - not just the climate but, also, the soils and other factors - you find that there are the same soils, climate and rainfall ~~patterns~~ ^{patterns} both in the east as well as ~~in~~ in the west of the Rift Valley, but the factors contributing ^{to} ~~the~~ the quality of ~~the~~ tea vary from place to place as I said, ~~but~~ because of the various inputs that the industry must go ~~it~~ through. So, we are studying the whole range of factors and I hope you will be satisfied.

As far as the Kenya Tea Development Authority (K.T.D.A.) is concerned, from its inception, it has performed extremely well; if you consider the fact that when it started, there were only 1,800, or so, small holder farmers as compared to the current number of small holder farmers. They have done extremely well. We are not talking about just restructuring the K.T.D.A., as such, we are looking at the whole range of factors, including restructuring the K.T.D.A., ~~and~~ and we hope that the exercise will be completed as soon as possible.

MR. BIDU: On a point of order, Mr. Deputy Speaker, Sir. During the last Sitting, I enquired from the Minister for Health about the ^{MISSING} generator at Kinango Hospital. That generator has not been found, and I do not know what is going on because if a patient is being operated on in the theatre and there is a ~~big~~ black out, then, obviously, since there is no generator, the patient would die.

I would like the Minister for Health to tell the House what happened to the generator which I was told would be available "as soon as possible".

Thank you, Mr. Deputy Speaker, Sir.

MR. DEPUTY SPEAKER: The Assistant Minister for Health, Dr. B.A. Godana, is here. I do not know whether he would like to respond to that point of order immediately.

(Dr. B.A. Godana did not respond immediately)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

Mr. Deputy Speaker left the Chair

IN THE COMMITTEE

The Temporary Deputy Chairman (Mrs. Ndeti) took the Chair

The Kenya Broadcasting Corporation Bill

Clause 2

THE MINISTER FOR INFORMATION AND BROADCASTING

(Mr. Kanja): Madam Temporary Deputy Chairman, I beg to move:-

That clause 2 be amended by deleting the title "Director General" and substituting ~~therefor~~ the title "Managing Director" in place thereof.

(Question of the amendment proposed)

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

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

L amended

(Clause 2 as amended agreed to)

(Clause 3 agreed to)

Clause 4

THE MINISTER FOR INFORMATION AND BROADCASTING

(Mr. Kanja): Madam Temporary Deputy Chairman, I be to move:-

A thereof
That clause 4(1) (b) be amended by deleting the words "Director General" and substituting ~~therefor~~ the words "Managing Director" in place thereof.

(Question of the amendment proposed)

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

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

(Clause 4 as amended agreed to)

END H 

Clause 5

THE MINISTER FOR INFORMATION AND BROADCASTING (MR. Kanja):

Madam Temporary Deputy Chairman, I beg to move:-

THAT, clause 5 be amended as follows:-

- (i) In clause 5 (1) delete "Director General" whenever it appears and insert "Managing Director".
- (ii) In clause 5 (2) delete "Deputy Director General" and insert "Deputy Managing Director".

(Question of the amendment proposed)

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

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

(Clause 5 as amended agreed to)

(Clause 6 agreed to)

Clause 7

THE MINISTER FOR INFORMATION AND BROADCASTING (MR. Kanja):

Madam Temporary Deputy Chairman, I beg to move:-

THAT, clause 7 be amended by deleting "Director General" and inserting "Managing Director" in place thereof.

(Question of the amendment proposed)

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

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

(Clause 7 as amended agreed to)

(Clauses 8 and 9 agreed to)

Clause 10

THE MINISTER FOR INFORMATION AND BROADCASTING (MR. Kanja):

Madam Temporary Deputy Chairman, I beg to move:-

THAT, clause 10 (2) be amended by deleting "Director General" and inserting "Managing Director" in place thereof.

(Question of the amendment proposed)

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

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

(Clause 10 as amended agreed to)

Clause 11 (i)

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja):

Madam Temporary Deputy Chairman, I beg to move:-

- (i) Subclauses (1) and (2) the title "Director-General be deleted wherever it occurs and the title "Managing Director" be inserted.

(Question of the amendment proposed)

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

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

Clause 11 (ii)

New Sub-clause (3)

~~(ii) xxxxxxxxxx (3) xxxxxxxxxx following~~

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja):

Madam Temporary Deputy Chairman, I beg to move:-

THAT, clause 11 (ii) be amended as follows:-

- (ii) subclause (3) be deleted and the following new subclause be inserted -

(3) The Board may direct the Managing Director to establish divisions for the Corporation and without prejudice to the generality of the foregoing there may be established divisions of -

- (a) radio engineering;
- (b) television engineering;
- (c) television programmes;
- (d) radio programmes;
- (e) news;
- (f) personnel and administration;
- (g) finance

(Question of the new subclause proposed)

(New subclause read the First Time)

(Question, that the new subclause be read a Second Time, Proposed)

(Question, that the new subclause be read a Second Time, put and agreed to)

(The new subclause was read a Second Time)

(Question that the new subclause be added to the Bill, put and agreed to)

(Clause * 11 as amended agreed to)

(Clauses * 12, 13 and 14 agreed to)

Clause 15

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja):

Madam Temporary Deputy Chairman, I beg to move:-

THAT, clause 15 be amended by deleting the full stop at the end thereof and inserting "in consultation with the State Corporation Advisory Committee established under the State Corporations Act" immediately after the word "determine"

(Question of the amendment proposed)

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

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

(Clause 15 as amended agreed to)

(Clauses 16, 17, 18, 19, 20, 21, and 22 agreed to)

Clause 23

THE MINISTER FOR INFORMATION AND BROADCASTING (MR. Kanja):

Madam Temporary Deputy Chairman, I beg to move:-

~~That~~ ^{THAT} clause 23 be amended by deleting "Director-General" and ^{inserting} insert "Managing Director" in place thereof.

(Question of the amendment proposed)

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

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

(Clause 23 as amended agreed to)

(Clause 24 agreed to)

Clause 25

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja):

Madam Temporary Deputy ~~Speaker~~ Chairman, I beg to move:-

~~That~~ ^{THAT} clause 25(1) (e) be amended by deleting "Director-General" and ^{inserting} insert "Managing Director" in place thereof.

(Question of the amendment proposed)

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

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

(Clause 25 as amended agreed to)

(Clauses 26, 27, 28 and 29 agreed to)

Clause 30

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja):

Madam Temporary Deputy Chairman, I beg to move:-

THE MINISTER FOR INFORMATION AND BROADCASTING (ctd.):

That clause 30 be amended by:-

- (i) deleting "Director-General" and ^{inserting} "Managing Director" in place thereof.
- (ii) deleting the phrase "or review in any court".

(Question of the amendment proposed)

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

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

(Clause 30 as amended agreed to)

END I....

(Clauses 31, 32, 33, 34, 35, 36, 37, 38, 39 40, 41 and 42 agreed to)

Clause 43

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Madam
Temporary Deputy Chairman, I beg to move:-

THAT clause 43 (1) be amended by inserting the words
"and liabilities" after the word "assets".

(Question of the amendment proposed)

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

(Clause 43 as amended agreed to)

(Clause 44 agreed to)

Clause 45

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Madam
Temporary Deputy Chairman, I beg to move:-

THAT clause 45 be amended by ~~z~~ deleting "Director-General"
wherever it occurs and ~~insert~~ ^{inserting} "Managing Director".

(Question of the amendment proposed)

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

(Question, that the words to be inserted ~~be inserted~~
~~be inserted~~ be inserted, put and agreed to)

(Clause 45 as amended agreed to)

Clause 46

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Madam
Temporary Deputy Chairman, I beg to move:-

THAT clause 46 be amended by deleting "Director-General"
wherever it occurs and ~~insert~~ ^{inserting} "Managing Director".

(Question of the amendment proposed)

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

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

(Clause 46 as amended agreed to)

Clause 47

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Madam
Temporary Deputy Chairman, I beg to move:-

THAT clause 47 be amended by deleting "Director-General"
wherever it occurs and ~~insert~~ ^{inserting} "Managing Director".

(Question of the amendment proposed)

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

(Question, that the words to be inserted ~~be inserted~~
~~be~~ inserted, put and agreed to)

(Clause 47 as amended agreed to)

Clause 48

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Madam
Temporary Deputy Chairman, I beg to move:-

THAT clause 48 be amended by deleting "Director-General"
wherever it occurs and ~~insert~~ ^{inserting} "Managing Director".

(Question of the amendment proposed)

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

(Question, that the words to be inserted ~~be inserted~~
~~be~~ inserted, put and agreed to)

(Clause 48 as amended agreed to)

(Clauses 49, 50, 51 and 52 agreed to)

Clauses 53 and 54

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Madam
Temporary Deputy Chairman, I beg to move:-

THAT clauses 53 and 54 be renumbered clauses 54 and 55,
respectively.

(Question of the amendment proposed)

(Clauses 53 and 54 as renumbered agreed to)

New Clause 53

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Madam, Temporary Deputy Chairman, I beg to move:-

THAT the following new clause 53 be inserted in part X of the Bill immediately after clause 52 -

Regulations 53 The Minister may, after consultation with the Board, make regulations for the better carrying into effect any or all of the provisions of this Act other than Part VI.

MR. MAKHANU: Madam Temporary Deputy Chairman, I am afraid I do not see that part (X). I think we need to be briefed further on that one.

THE ATTORNEY-GENERAL (Mr. Muli): Madam Temporary Chairman, there is a printing mistake in the Order Paper; it should read as part (ix) and not part (x).

(Question of the new clause proposed)

(New Clause read the First Time)

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(The new clause was read a Second Time)

(Question, that the new clause be added to the Bill, put and agreed to)

Schedule

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Madam, Temporary Deputy Chairman, I beg to move:-

THAT the First Schedule be amended by -

(i) deleting paragraph 4 and inserting the following new paragraph 4--

Meetings 4 (1) Subject to Section 8 of the State Corporations Act, (Cap. 446) the Board shall meet for the despatch of business at least four times in every financial year at such times as it shall appoint, or failing any such appointment, as the Chairman shall appoint.

(2) No meeting of the Board shall be held at any place other than the Headquarters of the Corporation without prior written approval of the State Corporations Advisory Committee established under the State Corporations Act.

THE MINISTER FOR INFORMATION AND BROADCASTING (Ctd.):

(ii) deleting in paragraph 8 "Director-General" in the proviso and inserting "Managing Director".

(Question of the amendment proposed)

(Question, that the First Schedule be amended put and agreed to)

as amended

(First Schedule agreed to)

(Second Schedule agreed to)

(Title agreed to)

(Clause 1 agreed to)

END J....

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Madam Temporary Deputy Chairman, I beg to move that the Committee doth report to the House its consideration of the Kenya Broadcasting Corporation Bill and its approval thereof with amendment.

(Question proposed)

(Question put and agreed to)

(The House resumed)

Mr. Deputy Speaker in the Chair

REPORT, CONSIDERATION OF REPORT AND THIRD READING

The Kenya Broadcasting Corporation Bill

MRS. NDIETEI: Mr. Deputy Speaker, Sir, I beg to report that a Committee of the whole House has considered the Kenya Broadcasting Corporation Bill and approved the same with amendment.

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Mr. Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee of the whole House in the said Report.

THE ATTORNEY-GENERAL (Mr. Muli) seconded.

(Question proposed)

(Question put and agreed to)

THE MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kanja): Mr. Deputy Speaker, Sir, I beg to move that the Kenya Broadcasting Corporation Bill be now read the Third Time.

THE ATTORNEY-GENERAL (Mr. Muli) seconded.

MR. KILIKU: Mr. Deputy Speaker, Sir, I think parastatal bodies are categorised, but there is nothing in this Bill to show in what category the Kenya Broadcasting Corporation is going to be. I think when the Minister is implementing this Bill, he should make it clear whether the Corporation is in Category "A" or "B" so that the Corporation's workers may know what terms and conditions of service they fall under. We have Category "A" for the Central Bank of Kenya, for example, Category "B" for other corporations, and so on.

whether the Kenya Broadcasting Corporation is in

MR. KILIKU (CTD.):

Category "A" or "B" so that its workers may be given the right salaries. It would not be fair to categorise the Corporation in "E" because they will get little money in that case, which may work against their morale. I also appeal to the Minister to make sure that all the workers of the Voice of Kenya are absorbed into the new Corporation with no loss of benefit. Their transfer should be good in order to make sure that every worker is going to benefit.

With those few points, Mr. Deputy Speaker, Sir, I beg to support.

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

Second Reading

The Government Lands (Amendment) Bill

(Minister for Lands and Housing on 24.11.88)

(Resumption of Debate interrupted on 24.11.88)

MR. MAKAU: Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this Bill. First of all, I would like to draw the attention of the Minister who moved the Bill to the fact that in its Memorandum of Objects and Reasons, the Bill ^{states} says that we are dealing with Chapter 281 of the Laws of Kenya, but the amendment here ^{states} says that we are dealing with Chapter 280. I wonder whether this should not be corrected.

Land has, for many years, ~~has~~ been a very important and crucial aspect, and it was the start of the struggle for the Independence of this country. I would like to urge the Minister and the Attorney-General to look into possibilities of avoiding ^{the} ~~this~~ situation where we are told that we are ^{not} referring to a Bill dated such-and-such a date but to the one dated such-and-such a date. I say this because when a Bill has been printed like the earlier one that was printed in October, it causes a lot of furors, and a lot of people review it in newspapers, with many of them writing much on the irrelevant Bill. In this case, a lot has been written about the first Bill that relates to Chapters 280, 281 and 300 of the Laws of Kenya, which deal with title

MR. MAKAU (CTD.):

registration, and so on. When such reviews are made by newspapers, this causes a lot of misunderstanding. I would like to urge the Ministers concerned, ^{in conjunction with} ~~and~~ the Attorney-General, ^{ensure} ~~to see that~~ before any Bill is printed, proper consultation is made so that we do not find ourselves in such a situation as we find ourselves in now. When hon. Kamwithi Mnyai was seconding this Bill, he kept on talking about the Bill that the Minister had said we were not supposed to discuss. The review of the wrong Bill was made by ~~the~~ The Weekly Review and the international Press, and this made it appear as if this country was doing something that was——

QUORUM

MR. KYONDA: On a point of order, Mr. Deputy Speaker, Sir. I am afraid there is no quorum in the House.

MR. DEPUTY SPEAKER: It is true, there is no quorum in the House.

Ring the Division Bell.

(The Division Bell was rung)

END K

MR. DEPUTY SPEAKER: Okay. We have a quorum now. You may continue, Mr. Makau.

MR. MAKAU: Mr. Deputy Speaker, I was asking the Attorney-General, and the Ministers concerned, that when a Bill is being drafted, the relevant people who are going to be affected by the Bill should be contacted so that we do not find ourselves into a situation like the one we have just found ourselves in right now whereby reviews and comments have been done about the original Bill. This has made people get concerned about it. I am now referring to a situation whereby a lot of people are getting scared about the original Bill. I think because of that, that is why we came to that situation. This should be checked because drafting a Bill is very expensive, and this is the taxpayer's money.

THE ATTORNEY-GENERAL (Mr. Muli): On a point of order, Mr. Deputy Speaker. The publication of any Bill is to attract comments from any quarter. But, at any stage, should the Bill be withdrawn, like this one the hon. Member is talking about which is now before the House, I do not think the point he is ~~taking~~ ^{making} now that we must publish a final Bill is correct. The mere fact of publishing a Bill is to invite comments, and I can change my mind at any given time. So, I do not think the point is valid.

MR. MAKAU: Mr. Deputy Speaker, I am referring to the current Bill we are discussing now. It is wrong in the Memorandum of Objects and Reasons. It refers to Cap.281 which is not the title of registration. That is what I am saying. So, he should be careful to make sure that we are not brought Bills here which are wrong. For instance, this Bill. The Memorandum of Objects and Reasons refers to the wrong Chapter. It refers to Cap. 281 and the Bill is Cap.280. That is what I am stressing. It is very bad. This House should be brought Bills that have been checked thoroughly, well.

MR. DEPUTY SPEAKER: The point is taken, Mr. Makau.

MR. MAKAU: That is what I am saying. There was a lot of confusion as a result of newspapers report that the Government had reviewed land ownership. So, I am saying that this should be checked so that we do not get into that situation.

MR. MAKAU (Contd.):

Mr. Deputy Speaker, there is one area in this Bill that I found to be very good. They have included the application of Arbitration Act when it comes to the land valuation. This is because many times before land could be valued, and if any body had complaints about the valuation, or disagreed with the Government valuer, then there was no way that one would get justice done. This is because the person who was supposed to make the comments, or the person who was supposed to accept the valuation or not was the same person and ~~was~~ was supposed to be in charge of land valuation. But now that the Arbitration Act has been included in the Bill, it is very good. If somebody finds that he does not accept the valuation of his land, then the Arbitration Act is applied. A team of independent people are asked to look into that.

Mr. Deputy Speaker, land is very crucial in this country. Therefore, ~~When~~ I would like to request the Minister for Lands and Housing to check is that now that we are asking people to pay more for land, and that the Ministry is going to collect a lot of money in form of tax, I would urge the Minister to make sure that the problems that have been faced in that Ministry - that is inefficiency, chaos and corruption - are checked so that when he increases rents by the enactment of this Bill the money that will be collected will be taken care of. I say so because the Ministry of Lands and Housing, especially the Department of Lands, has been characterised by a lot of chaos, inefficiency, and corruption. Therefore, I would like to request the Ministry, and the Minister concerned, to make sure that people are not asked to pay more money, and the more they pay end up into other people's pockets.

THE ASSISTANT MINISTER FOR SUPPLIES AND MARKETING (Mr. Chesire): On a point of order, Mr. Deputy Speaker. The hon. Member is saying that the Ministry is full of corruption and so on. Can he actually substantiate the allegation? That is a very serious allegation against the Ministry.

MR. MAKAU: Okay. Thank you very much, Mr. Deputy Speaker, for being asked to do so. I said clearly that the Department of Lands is characterised by inefficiency, corruption and chaos. I have been asked to substantiate about the corruption in the Department of Lands.

MR. MAKAU (Contd.):

Mr. Deputy Speaker, when the Minister was moving the Bill here, he ^{been} accepted before this House that KSh.12 million had stolen by his officers. This is what had been collected as rates for the Department of Lands. What other corruption can we talk about? He admitted that. So, we are asking him --

THE ATTORNEY-GENERAL (Mr. Muli): On a point of order, Mr. Deputy Speaker. Can the hon. Member tell this House whether 'corruption' equals 'theft'?

MR. MAKAU: Mr. Deputy Speaker, what we are now playing about with is a question of semantics. If an officer is paid money and that money is not remitted to the Government, ~~that~~ is theft. Actually, that was not theft because they have not even been brought to court. However, what I am saying is that they corruptly got the KSh.12 million, and we are still waiting to be told in court whether they were found guilty of theft or not. So, the Attorney-General is the one who is to blame here. I said this is corruption because the money that was collected was not handed over to the right quarter. So, there is corruption. But as to the question of 'theft' that the Attorney-General is asking me to substantiate, it is up to his Chambers to prove that, but as to the question of 'corruption, it is already there.

Mr. Deputy Speaker, in this country, because we are being asked to pay ^{to pay} more, Kenyans are always willing for direct and indirect taxation because we know that it is only through taxation that we shall be able to finance projects in this country. However, as to the question of the money that is collected, we should be very concerned about because the mwananchi who pays this money would like to see what is being done with it. That is why I am saying that the Ministry of Lands and Housing should be checked properly.

Mr. Deputy Speaker, another point that I would like the Minister to check now that we are discussing the amendment of this Bill is another form of corruption so that the Attorney-General is satisfied there is corruption. There have been ^{several} cases of people being given duplicate title-deeds. There was a story in the newspapers to this effect. Also, I remember buying a plot in Machakos and when I was just about to develop it, somebody else came and said he had another title-deed to it, or another allotment letter. So, you will find that there have been several cases of two or duplicate allotment letters to the

MR. MAKAU (Contd.):

plot. You will find that what you have as a title-deed somebody else has another title-deed. For instance, even last week in the newspapers, there was an old man from Murang'a who was wondering because he found that his ^{land} title-deed had been used by another person to borrow money from a bank. What do you call that? Is that not corruption?

AN HON. MEMBER: Are you talking about the Bill?

MR. MAKAU: I am talking about a case in Murang'a which was in the newspapers. I am also talking of a similar case in Machakos whereby I bought a plot. When I was just about to develop it, somebody else came with another allotment letter. He had been allocated the same plot. So, then you wonder what is wrong with the Ministry. This is what we would like to ask the Minister to check because land is very crucial to Kenyans. So, inefficiency and all those malpractices should be stopped immediately.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso): On a point of order, Mr. Deputy Speaker. Can the hon. Member clarify whether his plot in Machakos had been issued by the Ministry or the Municipal Council because these are two different issues? Can he clarify this?

MR. MAKAU: Mr. Deputy Speaker, Sir, I am referring to a story that was in the newspapers whereby a 95-year old man ^{from Murang'a} found himself in that situation.

AN HON. MEMBER: How about your own case?

MR. MAKAU: I am saying that there was a plot in Machakos owned by a bus company which I personally bought, but when I started developing it, another person came and said he had been allocated the same plot by the Ministry of Lands and Housing. All I am saying is that people somewhere in the Ministry should handle land problems properly.

End L.

JMK

MR. MAKAU (ctd.):

I cannot develop that plot now because somebody else has been allocated the same. Therefore, I would like to request the Ministry to enforce efficiency in the issuance of land title deeds since the question of giving land title deeds the wrong numbers is very prevalent in the country. I even remember a time when the issuance of land title deeds in Central Province had to be postponed because they were wrongly numbered. In fact, it caused a big national nuisance when it was discovered that the title deeds bore the wrong numbers. However, I do not want to elaborate on the matter, but it was a bad state of affairs.

Mr. Deputy Speaker, Sir, now that we are going to pay more for these services, we would like to see an improvement in what the Ministry is doing. Kenyans are willing to pay more as long as they see what they are paying for; Kenyans want to pay more for efficiency.

Another area that I would like to touch on is the question of absent landlords. I am not referring to the Coastal Strip which has very well known problems, but I am referring to tracts of land that belong to people who do not live in this country. I have an example of a piece of land in Machakos District which is owned by Mr. Jan Mohamed who fled this country a long time ago. That is the man who fled with some KShs.5 million in foreign exchange. Land belonging to absent landlords should be repossessed by the Government and given to people who are ready to develop it. In fact, there are very many plots in Machakos that are owned by people who ran away from this country and who, probably, are involved in activities against us. So, the Ministry of Lands and Housing should look into that problem seriously.

Mr. Deputy Speaker, Sir, when I started talking about absent landlords, I stated clearly that I was not talking about the Coastal Strip where people have lived as squatters for very many years. That is a known problem in the Coast Province. I am talking about absent landlords who ran away from this country. In fact, these people can do a lot of damage to this country by transferring land when they are

MR. MAKAU (ctd.):

outside this country. You never know what might happen if you allow people outside this country to own land. In Machakos, there is a large piece of land belonging to Mr. Jan Mohamed and-----

MRS. NDETEI: On a point of order, Mr. Deputy Speaker, Sir. In view of the fact that the present speaker seems to have exhausted his material and is just repeating himself, would I be in order to move that the Mover be now called upon to reply?

MR. DEPUTY SPEAKER: Order! I will allow the hon. Member speaking to continue and then I will be able to assess the feelings of the House.

MR. MAKAU: Mr. Deputy Speaker, Sir, I think the hon. Lady is disturbed by the land I am talking about.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso): On a point of order, Mr. Deputy Speaker, Sir. Do you not agree with me that the hon. Member is mixing up two issues? Does he want to tell us that when somebody owns a plot he can be said to own land?

MR. MAKAU: Mr. Deputy Speaker, Sir, I am not surprised by that point of order. The time he left school----- He needs a contemporary English dictionary to understand what I am talking about.

MRS. NDETEI: On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to want to ridicule the Assistant Minister when, in fact, he raised a valid issue?

MR. DEPUTY SPEAKER: Mr. Makau, I think you ~~would~~ would do well by responding to the point of order raised by hon. Mutiso.

MR. MAKAU: Mr. Deputy Speaker, Sir, I was talking about absent landlords who own plots which are, in fact, pieces of land.

Mr. Deputy Speaker, Sir, there is also another very important issue that I would like to raise here. There is a practice in this country whereby when you want to buy a piece of land from somebody - especially a foreigner - you are asked to pay some of the money here and the rest you pay abroad. When a ~~group of people~~

M.4.

29.11.88.

MR. MAKAU (ctd.):

Gazette Notice No. 100. In fact, those officers have managed to get themselves wives in that area. Even there is a lady who has managed to get a husband in the same area. To be frank, wananchi in that area do not ~~under~~ understand what the officers do there because no land title deeds have ever been issued there. Even last week-end I saw one of them at Tawa Market. He has a fractured leg.

END.... M.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso): On a point of order, Mr. Deputy Speaker, Sir. I think it is very important for us as a Ministry to ~~react~~ take the Member very seriously. Can he tell us who these people are, so that we can follow them up and find out what they have been doing for the last 23 years? When the ^{hon} Member generalises the issue by saying that there are people doing something which is out of order without naming them, then we cannot help him in sorting out the problem. Can the Member tell us their names, and if he is willing, he should ~~run~~ forward other relevant information to us.

MR. MAKAU: Thank you, Mr. Deputy Speaker, Sir. I said that the people involved in this issue are three. These people are assigned to work ^{covering Kiteta,} in Machakos District, Mbooni, ~~Eschscholzi~~ Tulimani, Kisau ~~Locations~~ and Kalawa Locations. The Assistant Minister should not ask me for names. He must be having a register which shows him where his employees are stationed, ~~to work~~ work. Maybe, there is no register of the sort and that is why there is inefficiency, corruption and chaos in that Ministry. Why should I mention names of people who are working in my constituency. They might start harassing my constituents if I mention their names here. Some people are fed up with these officers' inefficiency. Some people have stayed there for the last 23 years and not a ~~single~~ single title ~~deed~~ deed has been issued to them. Every ^{hon} Member of Parliament from Machakos District including Mr. Mutiso know that these people have been living there for the last 23 years without title deeds issued to them up to date. Legal Notice No. 100 of 1965 stated that that land had been ~~is~~ declared a land adjudication area. Up to now, no title deed has been issued in my constituency up to date. Mbooni Location grows a lot of ~~coffee~~ coffee and nobody ^{has} ~~is been~~ issued with title deed. This is something which concerns everybody. I am wondering why ~~the~~ hon. Mutiso, who is an Assistant Minister, should ask me that ~~is~~ question. I am sure he is experiencing the same problem because he comes from that ~~is~~ area.

MR. MAKAU (CTD):

Mr. Deputy Speaker, Sir, ^{finally,} if people are issued with title deeds in that area, people will be able to develop their land. There is no point of talking about Sessional Paper No. 1 of 1986 on Rural Urban Balance if we cannot use the land that we have ~~had~~ because we have not been issued with title deeds. My people of Mbooni Location are hard working, ^{but} after 23 years they ^{cannot} ~~could~~ not get title deeds. Because of this, they were frustrated and shifted to Machakos town. These people are now very aggressive businessmen. They moved to the town and bought land in the surrounding area called ~~Kizizi~~ Kiandani which is near Miu'ani. It is like a curse to learn that for 23 years, people living there have not been issued with title deeds ^{although} and they are very close to Machakos town. These people bought land and they have put up very magnificent houses and they cannot use whatever investments they have on their plots to mortgage and acquire loans for their businesses since they have not been issued with title deeds. Kiandani is in Machakos town and yet ~~they have not been~~ these land owners there have not been issued with title deeds.

THE MINISTER FOR FINANCE (Prof. Saitoti): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to tediously repeat himself? He has been ~~dwelling~~ ^{Machakos} dwelling at great length on the issue of the people in his constituency which is in ~~Machakos~~ District ~~where~~ where a number of them do not have title deeds. We have already heard about this point.

MR. DEPUTY SPEAKER: The Chair does agree with sentiments expressed by Prof. Saitoti, because I clearly heard the hon. Member ~~saying that~~ saying that "finally", as if he was going to conclude his ~~speech~~ speech, but he has been going on with the debate for the last 15 minutes.

MR. MAKAU: Thank you Mr. Deputy Speaker, Sir, for the point of order from the Minister for Finance. I was stressing this point because I am very ^{because of} angry with this issue. ~~It is because~~ ^{hon.} I am talking about the suffering which my ~~xx~~ constituents are facing. Every ~~Member is~~ ^{getting} Member ~~is~~ is faced with that kind of problem of title deeds.

MR. MAKAU (CTD):

Mr. Deputy Speaker, Sir, finally, I would like to ask talk about the question of people's land being auctioned especially for those in the rural areas. We have had cases where many people have had their land advertised in the newspapers ~~that~~ that they would be auctioned and yet that it the only piece of land ~~that~~ that they own. So, I would like to urge the Ministry of Lands and Housing to ~~have~~ liaise with other people concerned to sort out the ^{problem of} auctioning of people's land. We understand that if people ~~in~~ acquire loans from banks they have to pay back that loan, but something should be done to stop this problem of auctioning land. There ~~was~~ was a case ~~in~~ where an old man who had only one piece of land was about to have ~~in~~ that piece of land being auctioned. I am happy to learn that the Attorney-General intervened and ~~set~~ settled the issue. The bank which had loaned him some money extended the deadline for repayment of the ~~in~~ loan. ~~His~~ His title deed had been taken by somebody who ~~in~~ used it to acquire a loan ~~from~~ from a bank, but unfortunately the person died. The old man ~~was~~ was ~~not~~ not aware of the transaction until he saw ~~the~~ auctioneers come to his land with ^{the} intentions of selling it.

Mr. Deputy Speaker, Sir, ~~in~~ land is very important, when it comes to ~~the~~ auctioning land belonging to the rural people especially ~~the~~ the old men ^{because some} where ~~other~~ people might have used ^{their} the title deeds without their knowledge. ^{to obtain loans} So ~~something~~ a thorough investigation ~~has~~ should be carried out before that land is auctioned. ^{with regard to} The problem is not very serious ~~in~~ with the urban people ^{who live in urban areas} because they can buy houses, plots and other investments which they can auction.

With those few remarks, I beg to support.

END N.....

MR. KABINGU-MUREGI: Thank you, Mr. Deputy Speaker, Sir, for allowing me time to make a few comments on this Bill. I will be very brief indeed, because I would not like to make the mistake of repeating myself, or repeating the points that have already been ^{made} said by other hon. Members.

My Constituency is 100 per cent a settlement area. I must congratulate the Minister and his staff for the work they have done, particularly in finalising settlement schemes in terms of ^{issuing} title deeds. They have gone a long way because as you know, Mr. Deputy Speaker, settlement schemes were started in 1962. So, considering the issue of settling people, finalising aerial ^{maps} and so on, I think the work they have done is commendable. However, I would like to ask the Ministry to expedite work on the remaining settlement schemes; it should settle people completely and finalise the issue of title deeds because it is the title deeds that can help farmers identify the size of their plots and also raise money from banks.

I also take this opportunity to also thank the Ministry because in some settlement schemes it has considered major types of infrastructure such as roads, provision of plots for townships and other ~~zuz~~ required amenities. However, in the case of Ol Kalau Salient, which is a recently established settlement scheme, these types of infrastructure, particularly roads, have not been provided. The people in this scheme are in a lot of trouble: they cannot transport their milk for sale due to lack of roads. I hope that the Ministry will - as it is its responsibility to provide money for the initial construction of these roads - take the trouble ~~ex~~ to provide money so that these people have access roads connecting them to the existing major roads.

The other point that I would like to make concerns the towns which were established in these settlement schemes. During

MR. KABINGU-MUREGI (CTD):

their establishment, villages were created within them to take care of squatters who were not lucky enough to get settlement plots. These people have lived in such towns since 1963, ~~but~~ but they ~~are~~ have ^{not} been allocated the plots they reside on for permanent possession. Some houses which were constructed by the Ministry are collapsing now. In view of the fact that the last heavy rains caused havoc to some of these places, I think it is high time the Minister considered allocating these plots for permanent possession so that the individual owner can construct a durable house ^{according} to his, or her, ability. [At the same time, in some of these townships like Wanjohi and Miharati, plots were advertised and applicants deposited Shs. 1,000/- each with the Commissioner of Lands, or with local authorities ^{on behalf of} for the Commissioner of Lands, about two years ago, but they have never been allocated plots. Some of these applicants were interviewed, but even those who won plots have so far never been allocated plots, or shown boundaries of their plots. So, I am wondering as to what is happening because such people should have ^{been} shown their plots within three months of allocation. So, I call upon the Minister to expedite this exercise by getting somebody to show these plot-holders their permanent plots so that they can construct permanent houses.]

END

J. Muregi

MR. KABINGU-MUNEGI (Cont'd.):

Mr. Deputy Speaker, Sir, on the question of land valuation as has been described in this Bill as its main purpose, I feel that land valuation in urban areas and settlement schemes, should not be the same as land in the old and established townships. The plot holders should be given the time to establish themselves because they ^{are} still considered as poor people. Most of these people have no way ^{of} getting any income other than through casual labour that they undertake in the settled areas. I am talking particularly about the squatters who are likely to be allocated with these plots that I am talking about.

Mr. Deputy Speaker, Sir, in view of the time factor, I would finally like to say that I feel that this Bill is timely and since there is need to raise money as the Minister put it, I feel entitled to support it.

With those few remarks, I beg to support.

MR. KIILU: Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to join my colleagues in contributing to this Bill. As we all know land is very important. We also know businessmen enjoy doing business in an area where land has been surveyed and demarcated because they can use their title deed^s to borrow money. However, businessmen in areas which might have been left behind in demarcation, they find it very difficult to get loans due to lack of title deeds. Therefore, Sir, I would request the Minister to look into this problem. In my constituency, that is, Masinga, there is a place known as Kyangosi which has been left behind without being surveyed. I brought a Question in this House about two weeks ago, but I was not given a concrete answer ^{to} on this Question. I was surprised to hear the Minister answering the Question as if he did know about the area I had referred to in my Question. However, Kyangosi is within Masinga Constituency in Masinga sublocation. Although surveyors are there, this area has been left behind because of doubt on part of the field officer as to whether this area is under the Tana River Development Authority. There has always been a valid question as to whether this area has been taken over by the Tana River Development Authority.

In this area, Mr. Deputy Speaker, there are more than 245 families who live there and there is also a school within that area.

THE ATTORNEY-GENERAL (Mr. Muli): On a point of order, Mr. Deputy Speaker, Sir. I know that you would allow hon. Members to debate land generally and you have already been generous in doing so, but it seems that we are now going from bad to worse in debating the entire land question. Mr. Deputy Speaker, Sir, permit me to say that this Bill deals with plots in the urban areas granted by the Government on long leases. In the case of leasehold there is a 99-year lease and in the case of agricultural leases, for instance in Nairobi where you have such land in the Karen area and so on, we have a 999-year lease and these are very many years. By the time that these leases were granted, and this is merely a point of information since I do not want to contribute at this particular stage, the land rate was fixed at that time and you cannot change it until the 99 years or ^{the} 999 years were over. What we now want to do here is to ^{divide} ~~divide~~ those long leases into period^s of ten years so that the Commissioner of Lands can revise the landrates for the purpose of this Clause, to enable Government to raise revenue. That is all we are trying to do and also to ~~give~~ establish a machinery through which somebody can object after land valuation has been undertaken. So, Mr. Deputy Speaker, if we are so generous as to allow hon. Members to debate the entire land question, which means that we can then talk about anything related to land, then I am afraid that we may lose the grain within the chaff.

MR. MAKAU: On a point of order, Mr. Deputy Speaker, Sir. We are ~~xx~~ now discussing a Bill in this House and we know that in any Bill, there are ~~so~~ many inter-related issues that you cannot treat debate of the Bill as a debate of a Motion where one is limited to a period of ten minutes. The hon. Member who was speaking was therefore quite in order although what the hon. Attorney-General said is ~~it~~ also related. We are not being directed here to say only one thing and we know this because we are also legislators. Therefore, in a Bill, one has to talk about inter-related issues because

instance -- -- know there is a market place in an urban centre and -- --

THE DEPUTY SPEAKER: Order! You cannot stand on that point of order because the Attorney-General ^{stood} ~~is~~/on the same point of order and what you are doing now is just following it up.

Mr. Kiilu, I hope you did take note of what the Attorney-General said.

MR. KIILU: Mr. Deputy Speaker, Sir, I think I was really speaking ^{on} the Bill and therefore, I do not think I was very far from what the Bill is saying, as the Attorney-General says. I thought that while contributing to this Bill, I would also touch on some other related matters regarding land in our Republic, particularly matters that affect land in my own area.

MR. KILIKU: On a point of order, Mr. Deputy Speaker, Sir. I think it would be advisable for hon. Members to stick to the Bill, and I am sure that the hon. Attorney-General was quite right in saying that hon. Members should stick to the Bill and not discuss the whole land question. The Bill is specific in that it is talking about land rates, ^{and} the period of leasehold for land in urban areas. Therefore, the hon. Member should not go out of his way to talk about the whole land question. He could, of course, give examples here and there by ^{us} giving the relevant information, but he should not talk about the whole land question.

MR. DEPUTY SPEAKER: I agree entirely ^{with} on what hon. Kiliku has said, and therefore, I would like to advise the hon. Member for Masinga to take note of that and confine himself to the issue before the House.

MR. KIILU: Thank you, Mr. Deputy Speaker, Sir. If I may continue, I would like to say that what I have been saying is my personal opinion which may be different from the opinion of hon. Members in this House. However, while speaking on this Bill, I would like to say that within the urban areas, there are certain facilities which should be provided by the Ministry. I am saying this because there are very many settlement schemes in the areas that we represent and there are many land problems affecting our people who live in these areas. At the moment, Mr. Deputy Speaker, Sir, people living in these areas are starting to doubt whether they are the legal owners of the plots allocated to them by the Ministry. These people do not have permanent plots and although some of these areas have been set aside for plot allocation,

MR. KILLE (ctd.):

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land in these areas is not being utilized.

END P

MR. KIILU (ctd):

I am saying this, Mr. Deputy Speaker, Sir, because the people have applied ~~in~~ for plots but have not been allocated up to now. Thes_e people should be given plots and letters to confirm that they are the owners of such property. In this way, they will feel happy.

There is a lot of confusion in some settlement schemes because some people were given plots but were not issued with certificates from the Ministry of Lands and Housing. Other people claim that these plots are theirs but they have never ~~even~~ even visited those areas. Some people were allocated plots ~~but~~ but have never had an interest in developing them and other people came in and started developing them. Why do such people complain?

I would like to thank the Ministry for appointing a committee to look into such matters and investigate the rightful owners of such plots.

THE ASSISTANT MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kachila):

On a point of order, Mr. Deputy Speaker, Sir. According to me, it seems as if most hon. Members have exhausted debate on this Bill because they are re-~~pea~~peating what has already been said. I think I will be in order---

HON. MEMBERS: No.

MR. DEPUTY SPEAKER: Order! Can hon. Kachila ~~w~~ say what he has to say?

THE ASSISTANT MINISTER FOR INFORMATION AND BROADCASTING (Mr. Kachila):

I think ^{it} will be in order to call upon the Mover to reply.

(Question that the Mover be ^{now} called upon to reply put and agreed to) ✓

THE MINISTER FOR LANDS AND HOUSING (Mr. Mbela): Mr. Deputy Speaker, Sir, I beg to ~~re~~ reply. I have been listening very carefully to the points---

(Hon. Kagwima remained standing)

MR. KUBO: On a point of order, Mr. Deputy Speaker, Sir. I think there is something the Chair must remind the House. While you were on your feet, Mr. Deputy Speaker, Sir, hon. Kagwima remained standing disregarding the fact that when the Speaker is on his feet, nobody should stand. Can he be

reminded that that is contrary to our Standing Orders?

Mr. Mbola:

MR. DEPUTY SPEAKER: Hon. Kagwima should take note of that. You can proceed.

THE MINISTER FOR LANDS AND HOUSING (Mr. Mbela): Thank you, Sir. I have been listening very carefully to the points which were raised by the hon. Members. I am very grateful that they are very concerned because as we all know, land is a very crucial resource which is vital for our survival. Today, if you were a big land owner, you would be a rich man.

Mr. Deputy Speaker left the Chair

The Temporary Deputy Speaker (Mr. Kabingu-Muregi) took the Chair

It would appear that the Government has been allowing, particularly, business people to utilize its land on charitable basis. This is because what they are being charged, as land rates, is grossly unrelated to the big profits that are being made. When moving this Bill, I did say that some of the plots are being charged at the rate of Kshs.10/= per year. This is not even adequate to service the expenses of collecting that amount of money. Alongside those who pay Kshs.10/=, you will find others who pay even Kshs.0.5 million. It is important that the Government receives some compensation towards the value of the land.

A point was raised that we should not replace Bills once established. I think the clarification which was given by the hon. Attorney-General was very valid. This Government, which is of the people, is sensitive to any points that may be raised - particularly constructive ones - and I think we were right in ~~changing~~ replacing the earlier Bill because it carried a lot of material which was not terribly urgent. What is urgent is contained in the current Bill.

and reasons
I accept that there is a printing error in the Memorandum of Objects *which shows* Cap.281. This should read "Cap.280." There is another point which was raised by hon. Kabingu-Muregi regarding valuation. I would like to assure him and the other hon. Members, that the target group is those who are utilizing ~~land~~ commercial and industrial plots in major municipalities. It is not the intention of the Government at the present time, to go in for the poor peasants who are

THE MINISTER FOR LANDS AND HOUSING (etd):

cultivating the settlement schemes.

There was another point which was raised by hon. Makau regarding ~~absent~~ ^{absent} landlords. Since that is a separate issue, I would like to ask for time so that we can study it first before making any comment. I have also called for ~~if~~ information to confirm or deny whether it is true that no title deeds exist in Mbooni Constituency. I have my great doubts but before I can express them, I would rather call for information that I can be sure of.

With those few points, Sir, I beg to move.

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole House today by leave of the House)

END.....Q

COMMITTEE OF THE WHOLE HOUSE

The Temporary Deputy Speaker (Mr. Kabingu-Muregi)
left the Chair

IN COMMITTEE

The Temporary Deputy Chairman (Mr. Mwanzandi) took
the Chair

The Government Lands (Amendment) Bill

(Clauses 2, 3, and 4 agreed to)

Clause 5

MR. GALGALLO: Mr. Temporary Deputy Chairman, Sir, by repealing section 28, it means repealing the term 10 years. What I want to know from the Minister is: Supposing this land or plot is not utilized for 10 years - that is, the landlord of that plot in an urban area or a municipality has not utilized it - what action ~~xxx~~ is the Minister going to take? If for example, such a plot is an industrial one and the owner is supposed to develop it but probably, due to speculation, he does not develop it, what action is the Ministry going to take on such an issue?

THE MINISTER FOR LANDS AND HOUSING (Mr. Lbela): Mr. Temporary Deputy Chairman, Sir, in a case like that, the rent continues to be paid. If the person to whom the plot has been allocated defaults, the plot is repossessed.

(Clauses 5, 6 and 7 agreed to)

Clause 8

MR. GALGALLO: Mr. Temporary Deputy Chairman, Sir, in the past, the leaseholder was given the chance to give his own opinion on the value of his plot. Now, all the powers to determine the value of land or to assess its value are vested in the Commissioner of Lands. For example, land in Nuthaiga and that in areas

THE MINISTER FOR LANDS AND HOUSING (Mr. Mbela): Mr. Temporary Deputy Chairman, Sir, I beg to move that the Committee doth report to the House its consideration of Government Lands (Amendment) Bill and its approval thereof without amendment.

(Question proposed)

(Question put and agreed to)

(The House resumed)

The Temporary Deputy Speaker, (Mr. Kabingu-Muregi in the Chair)

REPORT AND THIRD READING

The Government Lands (Amendment) Bill

MR. MWAMZANDI: Mr. Temporary Deputy Speaker, Sir, I beg to report that a Committee of the whole House has considered the Government Lands (Amendment) Bill and approved the same without amendment.

THE MINISTER FOR LANDS AND HOUSING (Mr. Mbela): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

THE MINISTER FOR FINANCE (Prof. Saitoti) seconded.

(Question proposed)

(Question put and agreed to)

THE MINISTER FOR LANDS AND HOUSING (Mr. Mbela): Mr. Temporary Deputy Speaker, Sir, I beg to move that the Government Lands (Amendment) Bill be now read a Third Time.

THE MINISTER FOR FINANCE (Prof. Saitoti) seconded.

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed.)

MOTIONS

THE MINISTER FOR FINANCE (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motions:-

- (a) THAT, pursuant to Section 6(1) of the External Loans Act, (Cap.422 of the Laws of Kenya), this House approves the increase of total indebtedness for the time being outstanding in respect of the principal amount of money borrowed or credit obtained under Section 2 of the Act from the equivalent of Kenya pounds two thousand five hundred million (K£2,500 million) to Kenya pounds four thousand two hundred million (K£4,200 million).

END R...

THE MINISTER FOR FINANCE (ctd.):

(b) THAT pursuant to Section 3 B of the Guarantee (Loans) Act; (Cap.461) of the Laws of Kenya), this House approves the increase of total contingent liability of the Government for the principal amount of K money for the time being outstanding under the guarantees given under Section 3(1) or referred to in Section 6, from Kenya ~~xxx~~ pounds one hundred and fifty million (K£150 million) to Kenya ~~x~~ pounds two hundred million (K£200 million) in case of covenants expressed in Kenya currency; and from the equivalent of Kenya pounds seven hundred and fifty million (K£750 million) to the equivalent of Kenya pounds one thousand million (K£1,000 million) in the case of covenants expressed in other than Kenya currency.

Mr. Temporary Deputy Speaker, Sir; on 26th July, 1986, pursuant to ~~s~~ Section 1 of External Loans and Credit Act, ^{Cap. 422} that ~~of the laws of~~ ~~support for~~ ~~issue of loans to Kenya,~~ ^{indebtedness} this House approved the increase of the total ~~investment~~ ^{indebtedness} in respect of the principal amount of money borrowed or credit obtained by the Government under the Act from K£1,400 million to K£2,500 million. At the same time, the House also approved the increase of total ~~investments~~ ^{indebtedness} under Section 3(b) of the Guaranteed Loans Act (Cap. 461) of the Laws of Kenya from K£500 million, to K£750 million, in respect of external loans, and from K£100 million, to K£150, in respect of the loans in question.

Mr. Temporary Deputy Speaker, Sir; it has become necessary at this time to raise the ceiling on total external borrowing in order to support our development objectives as set out in Sessional Paper No. 1 of ~~ix~~ 1986 which does envisage an ambitious development of this nation in ~~the~~ order to be able to place this country on a much higher development path; through the development of the rural areas in order to increase employment and generally to ^{improve} ~~enhance~~ the standards of living of our people.

THE MINISTER FOR FINANCE (ctd.):

Mr. Temporary Deputy Speaker, first and foremost, as hon. Members are aware, ^{this} ~~it~~ comes through the blue-prints of our development plans and the development path as we see it between now and the end of the century - the year 2000 - and, of course, it was stated at the time that paper was launched that three development plans were envisaged to fall into that pattern. The first development plan which was supposed to fall within the pattern of the Sessional Paper is the current development plan - the Fifth Development ~~or~~ Plan - which is ending this year. The new ~~is~~ Sixth Development Plan, which is just about to be complete will cover the next five years. After that, we ^{will} have the other one to carry us. So, a great deal is expected to come out of the objectives which are set out in Sessional Paper No. 1 of 1986 on Economic Management for ^{Renewed} Growth.

Mr. Temporary Deputy Speaker, Sir, in my Budget Speech in June, 1988, I did state my concern that the external debt ~~management~~ management should be developed into a more active tool of the overall economic development. In other words, I did make it quite clear that in deciding to borrow externally, we had to ensure that that kind of a borrowing ^{was} ~~with~~ within the overall framework of our own development; the purpose ~~of~~ for which the facility which was going to be borrowed had to be clearly well-defined and known. At the same time, the economic benefit of such a facility that was to be borrowed was to be clearly understood.

Mr. Temporary Deputy Speaker, Sir, the fundamental point of borrowing is not the amount you borrow, but exactly what you do with the borrowing. ^{Indeed} ~~With this~~, I must say that there

~~THE MINISTER FOR FINANCE (ctd.):~~

are two fundamental parameters in any borrowing. Firstly, the terms of that borrowing, and secondly, what must be done with that kind of borrowing. To us, our policy remains the same as I stated during the Budget Speech, namely that for the time being, we have to ~~not~~ confine ourselves only to the most concessionate form of borrowing - the ^{non-}~~loan~~ commercial borrowing. Unless there are very exceptional cases, we have to go for commercial borrowing. Otherwise, ~~we~~ for the purpose of development, we can only confine ourselves to the most concession-
~~able~~ borrowing. At the same time, even if it were concessional borrowing, the project or the programme for ~~it~~ which ~~the~~ such a borrowing was going to be effected must be well known, and we must be very clear that those ~~big~~ programmes are going to increase the economic growth of this ~~country~~ nation.

Mr. Temporary Deputy Speaker, Sir, in the past, and indeed during the period of the ^{large balance of} ~~last~~ ^{deficits} ~~of the~~ ^{payment/} which ~~of~~ of course, we ~~know~~ have had to ~~come~~ come because our foreign exchange earnings or our reserves are highly determined by the prices that are fetched by our ~~main~~ major foreign exchange earners. These are not many: first is ^{coffee} ~~tea~~, second is tea and the third one is tourism. The prices of tea and coffee fluctuate at the international market. Indeed, as we have stated today, the price of coffee is down by 40 per cent from what it was in 1986. The price of tea has too, not come up, indeed, ~~it~~ has weakened. Indeed, ~~if~~ the only case in which there has been a steady growth is in tourism. So, from that point of view, it is important that our own ~~new~~ manufacturing industry must be kept moving. Our own industries have got to be supplied with the necessary essential raw materials; they have got to have spare parts and machinery available, for only then will ~~they~~ they be in a ~~position~~ position to manufacture

THE MINISTER FOR FINANCE (ctd.):

goods to earn us foreign exchange, and only then will they be able to contribute to the solution of the unemployment problem.

So, Mr. Temporary Deputy Speaker, Sir, during those periods of large balance of payments, we have borrowed funds abroad to supplement our own foreign exchange reserves. And indeed, as I have said, we have done that in order to avoid a painful contraction of our own imports - something that would have brought negative effects on our economic growth and importers would have been unable to supplement their raw material stocks.

Mr. Temporary Deputy Speaker, Sir, as we are following successful ^{Structural} ~~structured~~ adjustments, and stabilization of our economy, we must borrow externally in order to sustain ^{these} industrial and other development activities. In the implementation of the Budget, and as a matter of policy, we will have to focus on funds that are available on concessionary rather than on commercial terms. The main rationale behind that ^{Strategy} ~~strategy~~ is not hard to find. So far, this country has avoided becoming a defaulter on its own ~~own~~ external obligations. We come first, among other countries in this continent of Africa, in being able to meet our obligations. We have met all our external obligations. This has been possible because of the careful manner in which the economy has been managed, but more importantly, because of our own debt policy. I must mention to the hon. Members that in order to keep ahead of our own debt situation, the Treasury has already set up a debt division, properly computerized in order to have a realistic profile of our own debt portfolio.

(applause)

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THE MINISTER FOR FINANCE (ctd.):

We intend to keep it that way; we do not intend, at any time, to fall back in our payments and to have to be called to the Paris Club. I say this because so often, views have been expressed, erroneously, that we have been overborrowing.

~~Six~~

End S.

THE MINISTER FOR FINANCE (ctd.):

The Government has been at pains to make it permanently clear that we are not over-borrowing. What has been borrowed has been for major development projects. For example, it has been necessary in the past for this country to borrow in order to boost our energy. It was only yesterday that hon. Members were able to see a major hydro-electric development project. This project is going to contribute a great deal to the growth of this nation. The money for that project had to be borrowed and it is money that is going to be worthwhile. This is because such a development project is going to contribute a great deal to the development and job creation efforts of this nation.

Mr. Temporary Deputy Speaker, Sir, there have been projects for which we had to borrow money. These are projects like the Masinga Dam and Kiambere Dam. We had to borrow money for these projects. If we had not done this, there would have been a major problem in this country as far as its growth is concerned. That is why I say that in borrowing money we have to be careful. We have to ensure that the borrowing terms are concessional. These concessional loans will be used to help finance priority development projects throughout the country. I am sure that hon. Members are aware of the fiscal discipline and of the budget ceilings that have been imposed on Ministries which limit external borrowing under Government ceilings.

However, we are setting up a number of corporations. Indeed the House has just completed a very important debate on a Bill for the setting up of the Kenya Broadcasting Corporation (K.B.C.). The realisation of the K.B.C. is going to call for a major capital outlay. All of us here are aware that the machinery that we have currently in the Voice of Kenya (V.O.K.) are faulty. We are going to have the K.B.C. as all of us desire. At the current level of development, this country ~~needs~~ requires equipment that will make it possible for the V.O.K. to be heard within and ^{beyond} our own borders. We thus need modern equipment.

THE MINISTER FOR FINANCE (ctd.):

But this modern equipment is going to cost money which is not so easily mobilisable now. We are currently discussing with a major donor to finance the first phase of the K.B.C. That will call for almost \$130 million in order to modernise that particular plant. That kind of ~~the~~ finance borrowed by the K.B.C. when it is ⁱⁿ operation is going to require a Government guarantee. That is the main reason the second Motion calls for the raising of the ceilings of the loans by our ~~we~~ own corporations which are going to be guaranteed. It will also mean - in this second Motion - that some of our own local governments-- For example, right now the Nairobi City Commission is already having discussions with other international bodies and other donors to explore ways of bringing more water to Nairobi. This is because of the ~~the~~ demands on water caused by the growing population. That facility is likely to be realised. The money that will be loaned to the City Commission will require the Government guarantee. This is important. Thus the money for the both the K.B.C. which ~~we~~ we have been discussing and the one to boost the water is ~~is~~ being discussed on the most concessionary terms. These are terms that are 'either' terms. These are terms that have got low maturity periods and which have very low interest rates.

The House will recall that I have pointed out on a number of occasions my concern that the Government should never crowd out the private sector by borrowing locally or domestically in order to finance the deficit. At any time that the Budget is ~~is~~ presented here usually it is stated there is a certain deficit. Usually the modality for financing that deficit is ~~is~~ usually given. The deficit arises because the demands for expenditure outstrip the revenue base. It is therefore, a deficit that has got ~~to~~ to be financed. The ~~worst~~ worst that can happen is if the deficit happens to be big-- Now we are carrying a deficit of 4.5 per cent of the gross domestic product.

THE MINISTER FOR FINANCE (C/D):

It would be prudent, and indeed we are considering it to be financially prudent, that the whole of 4.5 per cent of gross domestic product should not be financed by funds borrowed locally - only part of should be raised internally. The main reason here is that if the total of 4.5 per cent deficit were to be financed locally, the Government would have to borrow most of that money from the commercial banks, financial institutions and, maybe, other long-term bills. That in itself would deny the private sector a having access to money to finance their own operations. We have heard many hon. Members in recent times complaining that the Government is probably borrowing more money. I would like to say this is not the case. In fact, the analysis shows that we are not borrowing that much. ~~There is~~

for
Mr. Temporary Deputy Speaker, Sir, the rest of deficit, we is prudent that it feel that it should be financed by sources which are external. But in doing so, that is the money that we borrow externally to finance the budget should be the cheapest kind of money that we can get. In this current financial year we are using two programmes to finance this product. Firstly, we are using what we call the agricultural sector facility which is spear-headed by the World Bank. It has been in operation ^{in order} to finance the importation of the input for our own agricultural sector. The money has been provided ^{on the I. D. A.} ~~either~~ ~~DA~~ terms namely that it is money that is extended to Kenya at zero interest rates, with 35 years re-payment period with a 10 years moratorium. The same facility has also been co-financed by other friendly donors especially Japan and the Netherlands.

Although this would appear to be a loan, but common sense dictates that by the time we come to pay that money one indicating factor is that it comes out in form of a grant. The other facility

THE MINISTER FOR FINANCE (ctd.):

that we are also using to finance the Budget is the industrial sector adjustment programme which too is spearheaded by the World Bank. It is a facility of over US\$112 million. That amount is provided to finance the importation of raw materials for the industrial sector. The first payment of the money is available. There are other donor countries that are also stepping in to help us with this kind of facility. These are countries like Japan. That kind of programme is important two forms. One, because the financing of the industrial goods comes in as a kind of balance of payments. This is because we have been forced if we ~~do~~ did not have that facility, to use our own reserves to ~~deplete~~ ^{deplete} our own reserves in order to finance those imports. So that in itself is a sort of balance of payments support. But the fact that the ^{counter-}shilling which goes into the Budget also becomes the Budget support that goes a long way in covering the deficit. That policy is an important monetary policy which we want to maintain. This is because the private sector is important in terms of contributing to the ^{COUNTRY'S} ~~country's~~ development goals. That should not have been disturbed at all.

Mr. Temporary Deputy Speaker, Sir, I have emphasised that ^{fresh borrowing} ~~fresh going~~ will entirely be on ^{CONCESSIONARY} ~~professional~~ terms. Therefore, repayments will set out the future and ~~at present~~ it is impossible to determine the value of the Kenya Shilling viz-a-viz other foreign currencies in which Kenya ^{debt is} ~~is~~ denominated. This uncertainty in respect of ^{value} the Kenya currency requires us to have some slack in external borrowing ceilings in case there is a change in the Kenya shillings & value in respect of foreign debt already ^{Contracted} ~~contracted~~.

END T.....

THE MINISTER FOR FINANCE (Ctd.):

In other words what I am trying to exercise here is that when we do borrow, our borrowing is itself denominated in hard currencies: In currencies which are foreign currencies and which are not ours. -- Indeed, hon. Members will recall that there was a time when the exchange rate for the dollar to a shilling used to be shillings six. Today the exchange rate is shs. 18 for a dollar. We did borrow in the past when the initial exchange ^{rate} was sh. 6/- to a dollar and the repayment has got now to be effected when we have got to be looking for shs. 18/- to finance the dollar.

I also believe that the hon. Members are aware that we have also borrowed before loans dominated in Japanese Yen and as we all know what has happened to the Japanese Yen. Its value has gone up tremendously in the last two years. We have also borrowed in Deutschmark and that currency is a hard currency. -- It has gone up, ^{and} so is Switzerland Franc ^{and} I can go on and on. So the current ceiling we are asking for is not being asked entirely so that it can cover the future borrowing only, it is also supposed to be ^a realistic appraisal of the actual movement of the currencies. Some of those currencies themselves have moved up and since our own ^{indebtedness} ~~movements~~ in our own books here ^{has} ~~have~~ got to be expressed in Kenya pound (£) we have got to keep on adjusting the ceiling in accordance with what has happened with the movements of the other currencies. However, that in itself, does not indicate that the shilling has become very weak; it probably has, but it has not become weak when you compare the fact that the Kenya shilling ~~has~~ indeed become a ~~hard~~ the hard currency in East and Central Africa. The Kenya shilling is a strong hard currency. The other currencies have ~~become~~ become a problem and although our own currency today is shs. 18 to a dollar, we do know of our neighbours who have ~~now~~ got currencies where one dollar is equivalent to their shs. 150. We also know that there are some other countries where their shilling is almost shs. 200 to a dollar at the exchange rate.

From that point of view, we have got every good reason to be happy over the fact that our own Kenya shilling is a strong currency. But at the same time, we must be realistic over the fact that other currencies have greatly appreciated

THE MINISTER FOR FINANCE (Ctd.):

against our own shilling and hence the purpose of this Motion.

As I said earlier, the ~~the~~ first part of this Motion is to raise the ^{ceiling} ~~ceiling~~ beyond what it was previously, that is KSh2,500 million which indeed was set more than two years so that it is going to be KSh4,200 million. That way we will be able to take account of what has happened in the past in the form of the movement of the currencies and also what is likely to happen in the future.

In the case of Motion part (b), that again is to raise up the ceiling required for guarantees of the loans in the respect of our own parastatals and in respect of our own local authorities like the Nairobi City Commission which has got ~~to bring more water to the city~~ ^{to bring more water to the city} ~~to do much more work for the nation~~. This is important, and we to do this because we have to move.

Finally, Mr. Temporary Deputy Speaker, Sir, I repeat what I ~~stated~~ stated earlier, namely that the ~~the~~ external borrowing has now been developed into an active tool of our own economic policy; that we borrow only ^{where we} ~~to have~~ ^{feel it is} ~~impulsive~~ necessary to borrow. ~~the~~ Secondly, we are only confining ourselves to borrowing only ^{terms} ~~on the~~ most concessionary. We only borrow on commercial terms where it is impossible for us to be able to borrow ~~on~~ on concessionary terms. This is fundamental.

To that extent, I would wish to urge the hon. Members to give favourable response to this Motion because it is a Motion basically asking this House to give the Government an endorsement for ~~growth~~ ^{growth}.

With those few remarks, I beg to move.

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karani): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to second this Motion.

Sir, the Motion that seeks to increase the total ^{indebtedness} ~~indebtedness~~ of the Government or ^{increase} ~~increase~~ the level of external borrowing is welcome. This is because projects that are to be financed by the money so borrowed are necessary and viable projects. If the Government borrowed money to ~~tarmack~~ ^{tarmack} all roads leading

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri) (Ctd.):

to tea factories, I do not think anybody in this country would quarrel with that however, big the amount is as long as it is properly utilized. This is because ⁱⁿ areas where the roads are bad, the tea cannot get to the factories in time and the quality of tea goes down. That in turn means that the money we are expecting ~~to~~ in form of foreign exchange will not be there. The same goes ^{for} to the roads leading to the ~~xxx~~ coffee growing areas and the ~~xx~~ same applies to the rural electrification programme. One could quote a numerous and various projects that need financing.

Sir, we must see a Government borrowing as a necessity when we think of those projects. There are those people who think that we should not borrow because we are borrowing loans that will be paid over tens of years, but when these loans are necessary, they must be borrowed. They will increase the economic ~~is~~ growth of the nation. If, for instance, electricity was put in all major towns and in the rural areas, you can imagine what kind of economic activity would be going on in these rural areas and the small towns in the countryside. But because we do not have adequate money ^{of} our own, I think the Government should be doing some borrowing to finance such projects.

Having said that, I would like to ask the Minister for Finance to occasionally relax the ^{Budgetary} ~~Budgetary~~ ceilings given to Ministries. If Ministries can't get a genuine donor who wants for example to put a school free of charge and they are not going to ask for repayment, a donor who wants to build a dam and he is not going to ask for repayment, the Ministry concerned should not be restricted to the ceiling. The ceiling should be relaxed. I am saying this because that one might also reduce the amount of borrowing that we might require. Our own strictness on the budgetary ceilings ^{of} ~~of~~ Ministries need to be relaxed severely.

We must also deal ^{of} with foreign exchange fiddlers, because while we are borrowing we ~~xxxx~~ cannot allow certain individuals or groups of individuals to continue siphoning out the little foreign exchange that this country has. So fiddlers of this foreign exchange should be ~~xxx~~ dealt with severely and swiftly.

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THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri) (Ctd.):

Sir, points have been raised and I would like the Minister for Finance to consider ~~this is about~~ the shs. 4,000 that is given as foreign exchange when somebody is leaving the country. Some people want to give this as an excuse for perhaps looking ~~it~~ for foreign exchange in other ways. Perhaps the Minister may consider if it is possible raising the foreign exchange allocation a little from shs. 4,000 to something like shs. 10,000. Hotels have become increasingly impossible to pay for when you go out of this country; there are areas where you are charged as much as 300 dollars per night. So ~~is~~ the Minister should consider raising the shs. 4,000 foreign exchange allocation to something like shs. 1,000.

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THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri)(Ctd.):

In this case, people will not try to look for queer and fraudulent means of obtaining foreign exchange.

Mr. Temporary Deputy Speaker, Sir, I also believe that by raising the level of borrowing, the Government can borrow more money from external sources and give more room to the wananchi of this country to borrow locally from our financial institutions. By allowing the Government to borrow more externally than locally, we will, in a sense, be giving our wananchi more room to borrow from local financial institutions.

Finally, I wish to state that personally, I do not understand why the dollar should continue to rule world currencies. Sometimes, I have fears that somebody somewhere sets the value of the dollar and the pound vis-a-vis the values of other currencies so as to sabotage development efforts of developing countries. Perhaps, there is nothing much we can do about this situation, but I think that those who deal with fixing the values of these two currencies should be more sympathetic to other countries than they presently are. They should not imagine that the United States of America and Europe must remain as powerful as they have so far been and still are. The values of various world currencies should be brought to that of the dollar.

Mr. Temporary Deputy Speaker, Sir, I beg to second.

(Question proposed)

MR. KUBO: On a point of order, Mr. Temporary Deputy Speaker, Sir. I listened very carefully to the Minister move this Motion, and it is obvious that he explained everything that needs to be explained here. I, therefore, move that the Mover be now called upon to reply.

(Applause)

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): I have noticed that quite a number of hon. Members would like to air their views. I think it would be unfair for me to put the Question immediately. Whatever we look forward to, I think I should give a few more hon. Members time to speak.

THE ATTORNEY-GENERAL (Mr. Muli): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support---

MR. ANGATIA: On a point of order, Mr. Temporary Deputy Speaker, Sir. We want to seek your guidance in this matter because last week, a point of order was raised in a similar manner as the last one we have had, and it was acceded to. This time, another similar point of order has been raised, and it has not been acceded to. What is the guiding factor here?

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): The Chair has work to do, and it also has powers to do this work. It is not mandatory that the Chair concedes to every point of order raised.

(Applause)

THE ATTORNEY-GENERAL (Mr. Muli): Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion, which was ably presented in two parts by the Minister for Finance. It gives me added pleasure when I stand up to second a Motion like this because it demonstrates democracy and the rule of the law as adopted by this nation under the wise leadership of His Excellency the President. Occasionally, you hear of matters that have been done, but perhaps not within the legal framework as is required.

As you see the affected sections of the law are mentioned here. The Minister took time to make consultation in collective responsibility, and then presented this Motion well armed with the reasons behind every move. The first part of the Motion is meant to raise the ceiling of borrowing, and the second part, to raise the ceiling of guaranteeing. Before these two sets of ceilings can be raised, this House is bound to give its sanction; otherwise, any action contrary to this is against the law.

It gives me pleasure to see Ministers, particularly the Minister for Finance, coming here to give facts to hon. Members of this House, within the framework of the law, in order to be able to raise borrowing and guaranteeing ceilings. I was impressed to hear that it is necessary to have these ceilings raised because, for the last 25 years, the development of this country has gone

THE ATTORNEY-GENERAL (CTD.):

miles ahead. We are not confined in small areas. The country has to develop. If the law were to fetter this development, the law would be out of place in our development. This is why the Minister has room to come to this House to request that these ceilings be raised, firstly, to be able to borrow money from external sources to finance the development projects within the whole scenario of our nation. The glaring examples we have of these projects include hydroelectric projects, for instance. Those who managed to get to Turkwel Hydroelectric Project saw the magnitude of the ~~ex~~ work going on there. Two years ago, those who managed to go to Kiambere, saw the development that is taking place there in order to enable us to have enough electric power to cover not only people in urban areas, but everyone in rural areas as well.

With regard to borrowing money from external sources at reasonable interest rates, I want to allay the fears of some hon. Members who said that we are enslaving ourselves to other nations because we are poor. That is not a correct perspective. Borrowing from external sources is not enslaving ourselves—

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MR. KILIKU: On a point of order, Mr. Temporary Deputy Speaker. I have just heard the hon. Attorney-General say ^{something about these} ~~that he wants to show those~~ ^{some} hon. Members who say that we are enslaving this country to the other country. ~~Something~~. Can he substantiate and tell us who are those hon. Members?

THE ATTORNEY-GENERAL (Mr. Muli): There is no substantiation, Mr. Temporary Deputy Speaker. As a matter of fact, my hon. friend, Kiliku, is one of those hon. Members who actually insinuated ^{this} in another debate.

MR. KILIKU: On a point of order, Mr. Temporary Deputy Speaker. I have never said that. That is also a very serious allegation. Can the hon. Attorney-General tell this House when I said that? I have never said it.

THE ATTORNEY-GENERAL (Mr. Muli): Mr. Temporary Deputy Speaker, I do not want to take issue with my hon. friend, Kiliku. We can check from the HANSARD. But if he feels that he did not use those words, or the implication did not amount to that or the innuendo did not amount to that, I withdraw that. But I am convinced that the innuendo and all that did amount to saying that borrowing from external sources would perhaps make us appear as if we are slaves. The borrowing under these circumstances are done very carefully under special examination.

Mr. Temporary Deputy Speaker, this nation is no longer a small nation to live into its territorial boundaries. We belong to the international community, and, as a nation, we are bound to interact with international community both politically, economically, and also within our fiscal arrangement so that if the external borrowing is cheaper and reasonable, it is permissible to have it so that we can finance those projects and developments which are of magnitude such that if we touch our local resources we shall paralyse our local resources, and the resources will not be available to our local people.

^{On} The second aspect of the matter, I will also give an example of it. We did only last week guarantee the loan ^{for} of the buying of two Fokker 50 Friendship aircraft. Now, those are called contingent liabilities. What it means is that the Government is not coughing out that money now. We are guaranteeing the Kenya Airways Corporation as an entity operating on commercial principles to be able to make profit and pay off that liability, but in the event that it does not meet the liability, then the Government, under the guarantee, stands to pay for it. The payment then is a contingent liability which will become an

THE ATTORNEY-GENERAL (Contd.):

actual liability on failure of the recipient of the loan failing to pay. So, if we raise the ceilings, then we have to come to this House and ask the House to agree for the ceilings of those levels of guaranteeing so that the Minister can go ahead and pledge the bills from time to time without having to come to this House every time there is a need for guaranteeing.

So, Mr. Temporary Deputy Speaker, I am so pleased to see the democratic way that the nation is being run. I congratulate the Minister for the manner in which he is handling and managing our fiscal affairs as well as financing our very fast developing economy of this country.

We cannot over-emphasise the importance of still maintaining the ceilings at reasonable levels, while at the same time remove the ^{fetter}feathers from the hands of the Government and the Minister to be able, from time to time, to borrow from external sources reasonably and for the national development projects which are there, and at the same time have power to guarantee contingent liabilities like buying our aircraft or any other sector of our economy or business which will bring money back to the country. So, the Government will be guaranteeing the loan in the event of any failure to meet the liability.

So, it is within our laws, I confirm, that these Motions have been brought here before the House, and also ^{they are} it is within the ^{ambit}amp of our Constitution. So, I strongly second these Motions and urge the hon. Members to follow suite in order to give way to the Minister for the projects that he has in mind.

I beg to second.

(Question proposed)

MR. P. S. MASINDE: Thank you, Mr. Temporary Deputy Speaker, for giving me this opportunity to contribute towards this Motion.

I would very much like to congratulate the Minister for Finance in the way he moved the Motion. It is almost self-explanatory, and I would definitely like to support him very much.

However, I would like to make some observations. I feel that this country, because of the good name and also because of the wise leadership of His Excellency the President, we are able to get loans whenever we want, and

MR. P.S.MASINDE (Contd.):

On the other hand, Mr. Temporary Deputy Speaker, I feel that not all the loans we get are properly utilised. I would, therefore, request the Minister concerned to take some of these things into account when negotiating with whoever the donor is.

One, there is no reason at all why an independent country like Kenya, and if we are sure we are having willing donors, why we should be willing to accept experts from the donor countries. These people claim to be real experts, but when they come to Kenya, they come to learn from our own local ^{Staff} staff. I feel that if the donors are prepared to give us these loans, then they should give us loans to use them where we want, and also give us the opportunity to use our own local ^{Staff} staff who know best what they need. I think the ^{question of} expatriates accompanying the loans should not be imposed on us.

Along with that, the commodity we want to buy should also be left free for us to decide. If we want money, then we should be given the money and look for the commodity we want. It maybe machinery, or any other item that we feel we need and are suitable for our needs. The issues or the items that we want should not be based on these loans.

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MR. P.J. MASINDE (ctd.):

We should not be compelled to buy items from the donor countries where they are sold at very exorbitant prices. These are very important issues which should be seriously looked into by the Ministry of Finance. If we have friends willing to give us aid, then they should come to our aid and more or less listen to how we want to spend whatever money they give us. In fact, we ~~xxx~~ should have a free hand when it comes to spending ~~the~~ the aid we are given.

Mr. Temporary Deputy Speaker, Sir, when we get finances into this country in whatever form, and especially when it is in liquid form, the Minister for Finance should co-ordinate with other Government Ministries which wish to use those funds so that the funds are properly used. If, for example, the money is for ~~p~~ farming or industrial projects, then there should be a very close supervision to ensure that it is properly used. In my view, most of this money goes down the drain in the tendering system and, therefore, the Minister for Finance should co-ordinate with other Government Ministers to ensure that tenders are not exaggerated; the lowest best bidders should be awarded tenders without any kick-backs or any other under-hand conditions being imposed. If that is not done, then whatever we get shall not be used for the projects intended to be implemented. Again, it makes projects to become unnecessarily too expensive, and yet the funds received could have been adequate. So, the control of the aid we get ~~shall~~ should be very much monitored.

Sir, I would even go further and suggest to the Minister for Finance to use some of this money in employing more auditors in the Treasury to audit other Government Ministries. That way, the money would be controlled in a better manner because auditors normally give very good views. Of course, I would expect that the internal auditors would not cover up mistakes rather than discovering the shortcomings.

Mr. Temporary Deputy Speaker, Sir, I would also like to appeal to ~~M~~ the Minister for Finance to ensure that whatever funds we are given come to this country. We have, on several occasions, heard rumours where some funds are diverted to ~~to~~ other places to do other jobs which we do not know. I am sure that we have an able Minister for Finance who can co-ordinate with his Assistant Ministers and other Government

MR. P.J. MASINDE (ctd.):

Ministers to ensure that whatever aid we are given is used here and properly. I am sure that with that kind of restraint on the use of aid funds, we shall be able to make the best use of the money.

Sir, I am sure that the aid we get in foreign material is not used in foreign exchange terms. When we were discussing the Finance Bill the other day, we heard that most of the foreign exchange—

MR. MAKHANU: On a point of order, Mr. Temporary Deputy Speaker, Sir. With due respect to the hon. Member speaking, who happens to be my neighbour at home, would I not be in order to move that the Mover be now called upon to reply?

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Order! I would suggest that we allow him to complete his speech and then I put the Question.

MR. P.J. MASINDE: Mr. Temporary Deputy Speaker, Sir, I appreciate the anxiety of the hon. Member, but I do not think it is quite necessary.

Before that interruption, Sir, I was going to suggest that the Central Bank of Kenya's Foreign Exchange Department should be very strict on importation of goods which are manufactured locally. If we get aid in foreign exchange and then we let it go out to import goods which are inferior than the ones we have here, then we will be draining the finances we have and, at the same time, discouraging local producers.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to support the Motion.

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Hon. Members, although I had promised the House that I was going to put the Question after Mr. Masinde's contribution, I feel obliged to give Dr. Onyanka a chance to contribute a little to this Motion.

THE MINISTER FOR PLANNING AND NATIONAL DEVELOPMENT (Dr. Onyanka): First of all, Sir, I would like to thank the Chair for affording me an opportunity to also rise in support of this very important Motion.

Sir, we are now in an era where mention of external borrowing is, naturally,

THE MINISTER FOR PLANNING AND NATIONAL DEVELOPMENT (ctd.):

bound to cause concern not only to hon. Members here but to virtually all citizens of this country. I would say, in fact, that external borrowing causes concern to the whole continent of Africa. One point that the Minister for Finance referred to is that our economy has been growing at quite a commendable rate, and, with the rise in the national ~~ix~~ income, one expects a rise in the need to borrow. However, I would like to emphasise that the problem facing many countries, with respect to borrowing, have not arisen simply from borrowing ~~is~~ as such. Borrowing in itself may not be a problem; it is the imprudent use into which borrowed resources have been put that has played havoc, particularly with African ~~some~~ countries. I would like to make it clear to this House that the problem confronting some of the developing countries arose out of the fact ~~is~~ that in the early 1970s many of them enjoyed a boom in primary commodities and others, of course, ~~was~~ enjoyed booms arising from the increased oil prices. Subsequently, there was a very sharp decline in the prices of these commodities and, so, the ~~p~~ terms of trade turned against us. To a large extent, this is what the Opec countries are suffering from today.

In the meantime, Sir, something very interesting happened. Caught in that situation of declining revenue, African and other developing countries resorted to commercial borrowing from the Euro market and from other markets at very high interest rates. At one point, hon. Members might recall that the interest rates on commercial loans were as high as 20 per cent. When you work out the interest and add it to the principal sum, the sums involved are colossal. ~~That~~ These terms are not commensurate with the capacity we have of earning foreign exchange.

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THE MINISTER FOR PLANNING AND NATIONAL DEVELOPMENT (Ctd.):

So, Mr. Temporary Deputy Speaker, Sir, what I would like to emphasize in this connexion is that it is important that Treasury should—

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Bomett):

On a point of order, Mr. Temporary Deputy Speaker, Sir, would I be in order at this juncture to move that the Mover be now called upon to reply?

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

THE MINISTER FOR FINANCE (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, I will spend the shortest possible time in replying and in so doing, I would like to address myself to a very few points. One of the hon. Members did refer to the fact that the Government should, as much as possible, make sure that the donors do not impose expatriates to accompany the loans ^{into} this country. I would like to inform the House that the ^{Government} ~~Government~~ ~~policy~~ position on this matter is quite clear. We have already informed the donors that we do not want expatriates to come here as experts whom we feel ^{not} are necessary. As far as we are concerned, there is a difference between the assistance given to us and the experts that we need and the two are not inter-related and we do tell the donors quite clearly that we are not here to be overburdened with experts, some of whom are, in many cases, much less qualified than ^{our} own Kenyans. We must first ^{of} all demonstrate that the experts whom we are being ^{asked} to employ are people who are going to make greater contribution than Kenyans. This is because we do have confidence with our fully qualified Kenyans.

Mr. Temporary Deputy Speaker, Sir, there was another reference which was made by another hon. Member regarding allegations to the effect that some of this money given as loans to this country does not come to this country. I would like to allay the fears of the House that ^{that} ~~it~~ does not happen. In this country, Sir, we do ~~not~~ have the machinery for negotiating the loans and this is documented properly and there is no way in which that kind of money can be ~~diverted~~ diverted out of this country. This may happen in other countries, but certainly not in Kenya.

With those few remarks, I beg to move.

(Question put and agreed to) END. Y. 2.

THE MINISTER FOR ENERGY (Mr. Binnet): On a point of order, Mr. Temporary Deputy Speaker, Sir. Tomorrow will be a very busy day in Nairobi. There will be functions which will commemorate the launching of the Kenya Airways' Fokker Friendships. This is part and parcel of the ~~other~~ celebrations that have been going on and I am quite sure the hon. Members would like to be associated with them.

I say this in confidence because I witnessed it last time when we had a function at the junction of ~~the~~ Haile Selassie Avenue and Kenyatta Avenue when His Excellency the President was ~~inaugurating~~ unveiling the monument commemorating the Nyayo Era. Hon. Members were unable to come back to this House in the afternoon and I did not want us to repeat the same thing. There will be other functions tomorrow, such as, Harambees and I am sure the hon. Members would be inconvenienced if we were to require them to be here at 2.30 p.m. I believe that this will be accepted by the hon. Members and I hope that they will accede to this request.

With these few remarks, I beg to move.

MR. MWENJE: Mr. Temporary Deputy Speaker, Sir, I beg to ~~second~~ ^{support} this Motion and to take this opportunity to welcome all hon. Members to the Jomo Kenyatta International Airport which happens to be in my constituency.

(applause)

I hope that hon. Members will present themselves so that we can join His Excellency the President in this noble task of commissioning the Fokker Friendships at the airport. I am also ~~not~~ pleased to welcome all hon. Members to the Harambee which will be held tomorrow and which will be led by His Excellency the President. I hope that hon. Members will bring all the money ^{suburbs} they have. It is my believe that they will ^{of the} certainly be happy to be in the ^{City of Nairobi - not in Parliament.} This Harambee will be held along Thika Road at the Barclays Bank field which is in Mathare Constituency.

It is my pleasure to welcome them and I hope that they will be able to turn up tomorrow. I assure them that they will not miss a cup of tea

at the airport. I hope that they will be happy to contribute to this hon. Karambee which will be held at Mathare Constituency tomorrow.

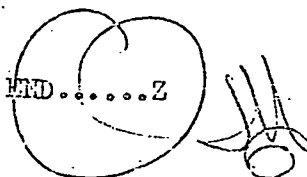
With those few remarks, I beg to second.

(Question that the House adjourns until Thursday, 1st December, 1988, at 2.30 p.m. put and agreed to)

ADJOURNMENT

THE TEMPORARY DEPUTY SPEAKER (Mr. Kabingu-Muregi): Hon. Members, the House is now adjourned until Thursday, 1st December, 1988 at 2.30 p.m.

The House rose at thirty minutes past Six o'clock.



REPUBLIC OF KENYA
THE NATIONAL
ASSEMBLY
OFFICIAL REPORT

Thursday, 1st December, 1988.

PAPER LAID

QUESTIONS BY PRIVATE NOTICE

- Detaining of Transit Vehicles by Mombasa Police (Mr. Bidu)
- Detaining of Miraa Vehicles by Police in Meru (Mr. Malebe)
- Lack of A Surgeon at Kisii District Hospital (Mr. Magara)
- Killer Livestock Disease in Kapengurai (Mr. Lotim)
- Shortage of Livestock Drugs in Kapenguria (Mr. Lotim)
- Supplying of Acaricides for Dips in Taveta Division (Mr. Kubo)
- Formation of a Splinter Sugar Labour Union in Mumias (Dr. Wameyo)
- Sacking of Mr. Chengo Kalume (Mr. Kiliku)
- Large Number of Untrained Teachers in Machakos (Mrs. Ndetei)
- Expelling of Pupils in Mumias Division (Dr. Wameyo)
- Attachment of a Vehicle by a Finance Company (Mr. Chepkok)
- Paying Compensation to a Family of a Deceased (Mr. Chepkok)
- Paying Compensation to a Family of a Deceased and Injured (Mr. Gachui) - Dropped.

POINTS OF ORDER

- A Minister has no Interest in Mikindani/Chaani Site and Service Housing Scheme - The Issue should be Deferred Until a later Time.
- Loser Incurred by K.C.C. - A Ministerial Statement Sought - The Hon. Member can Raise the Issue if he Catches the Speaker's Eye During the Motion for Adjournment.
- Substantiation of Allegation to the Effect that Land has Been Demarcated in Mbooni Constituency.

MOTION FOR THE ADJOURNMENT

- Adjournment of the House Sine die - The Vice-President and Minister for Home Affairs and National Heritage - Question proposed - Agreed to.

H A N S A R D

Thursday, 1st December, 1988

The House met at thirty minutes past two o'clock.

Mr. Speaker in the Chair

PRAYERS

PAPER LAID

The following Paper was laid on the Table:-

Report of the Auditor-General (Corporations) on the Accounts of South Nyanza Sugar Company Limited for the year ended 30th June, 1987.

(By the Assistant Minister for Agriculture (Mr. arap Chekwony) on behalf of the Minister for Agriculture)

QUESTIONS BY PRIVATE NOTICE

MR. BIDU: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Is the Minister aware that seven vehicles that are on transit, and have been cleared by customs are currently being detained at the Provincial Police Headquarters, Mombasa?

(b) Why are these vehicles being held by the police?

(c) Would the Minister instruct the Provincial Police Officer, Coast, to release those vehicles with immediate effect?

THE MINISTER OF STATE, OFFICE OF THE PRESIDENT (Mr. Nabwera)

Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) To ensure that these vehicles, in fact, reach their destinations, they are being ~~xx~~ held because no proper identification documents of the owners have been ~~x~~ produced.

(c) When those requirements are met, the vehicles will be released.

MR. BIDU: Mr. Speaker, Sir, while appreciating the answer given by the Minister, is he not further aware that those people who had ordered the vehicles ^{ordered} ~~order~~ them through their agencies in Mombasa? — Does it mean that the ~~the~~ agencies in Mombasa have not documents to verify whatever the police ~~xx~~ investigators want?

MR. NABWERA: Mr. Speaker, Sir, as the hon. Member knows, this country has had problems of people pretending that vehicles, or other goods are ordered for a neighbouring country, and when those vehicles or goods are released from Mombasa, they find their way of being left in Kenya. As a result, the Government has ^{devised} ~~devised~~ a system which is full proof, and that system requires that their agencies in Mombasa ^{to} ~~must~~ produce the actual ~~the~~ documents, and proper identification so that if the goods are for Uganda or ~~x~~ Rwanda, as the case may be, then they are sent to those countries.

MR. KILIKU: On a point of order, Mr. Speaker, Sir.

Those vehicles have already been cleared by the customs department, ^{If} ^{has been} ~~what kind of~~ clearance ~~is~~ given by the customs department ^{and why} ~~and why~~ ^{they being} ~~are~~ still detained by the police? Can the Minister ^{say} ~~clarify~~ why they were cleared by the customs department?

MR. NABWERA: Mr. Speaker, Sir, I do not know what kind of a point of order that ^{was} ~~one is~~ I was just dealing with ^{the} ~~that~~ original ~~QA~~ Question. There must be proper identification. If the vehicles belong to somebody in Kampala, we have ^{to} ~~get~~ ^{documentary} ~~identification~~ documents, ^{to} ~~and~~ evidence ~~showing~~ that the vehicles belong to a person in Kampala and not to a fictitious person in Kenya pretending to be importing vehicles for Uganda.

(Hon. Kiliku stood up)

THE ASSISTANT MINISTER FOR SUPPLIES AND MARKETING

(Mr. Chesire): On a point of order, Mr. Speaker, Sir.

Hon. Kiliku kept on standing when the hon. Minister was talking, ^{Was} ~~is~~ it in order for him to do that?

MR. SPEAKER: It could have been in order if his point of order was ^{correct} ~~right~~ but unfortunately, the hon. Minister was reacting to his own point of order.

(applause)

MR. KILIKU: On a point of order, Mr. Speaker, Sir.

MR. SPEAKER: Mr. Kiliku, do you have a point of order?

OR or a supplementary question?

MR. KILIKU: It is a point of order. Was the Minister ^{were} in order to say that those vehicles ~~are~~ ^{were} detained because of ^{of} lack of proper identification? Before the vehicles were cleared by the customs departments, there must have been identification documents; ^{else why} ~~how~~ were they cleared?

MR. NABWERA: Mr. Speaker, Sir, clearing of vehicles ~~is~~ is one exercise, and making sure that those vehicles belong to the individuals who clear them is a different exercise. While clearing you have to produce a bill of lading, ~~and~~ some other documents which are required. You can still do that, when you are, in fact, a Kenyan pretending to be clearing those goods for an importer in Uganda, and when those goods leave the Kilindini Port, they still find their way ^{and} remain in Kenya. The Government has ^{devised} ~~devised~~ a full proof system ^{by requiring} ~~where~~ a further identification ^{to be} ~~is~~ made to the satisfaction of the police. ~~When~~ Once the police are satisfied, they escort those goods to the Uganda border.

MR. MANG'OLI: Mr. Speaker, Sir, while appreciating that reply from the Minister, as a procedure, we know that once you import goods, you must have an import licence ^{and} a bill of lading, ^{before preparing} ~~and prepare~~ a customs entry in order to get the goods out of the Port. ^{After that officials} ~~the~~ customs officers, ^{and the} police officers, Port officers/release the goods. ^{le} These same police officers ~~are the ones who~~ ^{are the ones who} have ~~detain~~ ^{been} detained these goods. I do not know whether the Minister is giving us some new conditions, because there must have ^{been} proper

MR. MANG'OLI (ctd.):

identification ^{to} ~~showing~~ that those vehicles belong to those ~~people~~
 people before they arrived in the country. ~~There~~ Also, there

^{be} must/authority from our ~~a~~ neighbouring country before the goods

li. come to our Port. Can the Minister tell us which other document

is required so that these people ~~a~~ can get their vehicles released?

The police officers ~~were involved~~, the customs department, and

li. the Port officers. ^{were involved} All these people were involved, ~~so~~ can the

Minister tell us which other documents ^{are} ~~are~~ needed so that

there is no further delay?

(END.....A)

MR. NABWERA: Mr. Speaker, Sir, if it is an individual who is importing the goods, the documents required once the goods have left the port may be a passport, if the importer is a foreigner, a photostat copy of the Certificate of Importation and any other document that the police might feel will enable them to ensure that those goods belong to that individual who is outside Kenya.

9 MR. WASIKE-NDOMBI: Mr. Speaker, Sir, is the Minister aware that because of this action of police detaining vehicles which have already been released by customs officials, many vehicles owned by Kenyans - and not by non-Kenyans - have been sold at throw away prices? Is he aware that this practice is going on?

MR. NABWERA: Mr. Speaker, Sir, I am not aware.

MR. MALEBE: Mr. Speaker, Sir, I beg to ask a Minister of State, Office of the President the following Question by Private Notice:

(a) Is the Minister aware that vehicles carrying 'miraa' from Igembe and Ntonyiri Divisions of Meru District to markets in Nairobi and Mombasa have been detained at Nkubu and Tigania Police Stations thereby causing huge losses of revenue to the traders?

(b) Why have these 'miraa' vehicles been detained and what charges, if any, have been preferred against the owners?

(c) Who will compensate the traders for this loss and damages to their business?

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Kamotho):
Mr. Speaker, Sir, I beg to reply.

(a) What I am aware of is that some people who were found to be transporting 'miraa' in vehicles were arrested and charged, and their vehicles detained at Nkubu and Tigania Police Stations.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Kamotho)(Ctd):

(b) The vehicles were ~~z~~ detained after they were found to have contravened a lawful order issued by the Government.

(c) No compensation will be paid as nobody was liable.

MR. MALEBE: Mr. Speaker, Sir, the Assistant Minister's answer is very vague. 'Miraa' has been normally transported every day of the week in very clean vehicles, which do not have even ~~z~~ dents or faults, from Igembe to Nairabi. Furthermore, 'miraa' is a product which can perish if detained even overnight. Detaining these vehicles results in wastage of a lot of money. Currently, the Igembe people depend solely on the 'miraa' trade for paying their children's school fees. Can the Assistant Minister tell us what this lawful order stated? These vehicles were arrested between 1.00 p.m. and 3.00 p.m. on the material day. So, can the Assistant Minister tell this House whether the vehicles were within that lawful order?

MR. KAMOTHO: Mr. Speaker, Sir, because of the current security precautions and the incidents which have taken place in Meru, ~~and~~ which we are all aware of, under the Chief's Authority Act, Cap 128 of the Laws of Kenya, the measure was taken to restrict movement of vehicles carrying 'miraa' after 4.30 p.m. for security reasons. This was one of the steps taken to enhance the on-going anti-poaching operation in the District and neighbouring areas. Further, I do not know whether 'miraa' is a horticultural product, or an addictive drug. For that, I beg to differ with the hon. Member.

MR. ADEN: Thank you, Mr. Speaker, Sir. Arising from the hon. Assistant Minister's reply, in which he has told this House that the Chief's Authority Act was contravened and that the measure they have instituted is a security one, will he seriously consider banning transportation of 'miraa' completely so that that security measure can operate fully to the satisfaction of the Government?

MR. KAMOTHO: Mr. Speaker, Sir, as I said, the temporary measure of banning transportation of 'miraa' after 4.30 p.m. was effected on security grounds. The matter is still under investigation, and if the Government is satisfied that total banning of transportation of 'miraa' is in the interests of this nation, then a decision will be taken.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso): On a point of order, Mr. Speaker, Sir. In view of the statement by the hon. Questioner to the effect that 'miraa' is an horticultural crop, and the Assistant Minister's differing with him by saying that actually it is a drug, can the hon. Questioner withdraw his statement? He is giving the wrong information to the public and this House that 'miraa' is a horticultural crop whereas it is a drug.

MR. MALEBE: Mr. Speaker, Sir, the Assistant Minister has not yet answered my question. As far as I am aware, transportation of 'miraa' was restricted to not later than 4.30 p.m., but these vehicles were arrested at Nrubu at 2.00 p.m. So, it was wrong for the police to have arrested these vehicles because they had obeyed the lawful order.

THE ASSISTANT MINISTER FOR LANDS AND HOUSING (Mr. Mutiso): On a point of order, Mr. Speaker, Sir. I thought the hon. Member was standing up to respond to my point of order.

MR. SPEAKER: Order. I cannot understand what is really troubling anybody at all. Mr. Malebe, can you be specific in your question?

MR. MALEBE: Mr. Speaker, Sir, I am specific in that the lawful order referred to in the reply stipulated that 'miraa' should not be transported after 4.30 p.m. However, these 'miraa'-carrying vehicles were detained at 2.00 p.m. So, they were illegally detained because they had obeyed the lawful order being referred to by the Assistant Minister. Can the Assistant Minister, therefore, consider

MR. MALEBE (CTD):

paying compensation for the loss incurred by the owners of the more than 10 ~~miraa~~-carrying vehicles, which were detained illegally? illegally?

MR. KAMOTHO: Mr. Speaker, Sir, we are not aware these people were arrested earlier than 4.30 p.m. These people were taken to court, pleaded guilty and accepted to pay just a token fine of Shs.150/-. The Government cannot consider paying compensation because nobody was liable.

MR. KILIKU: On a point of order, Mr. Speaker, Sir. Now, we want to know whether it is in order for two hon. Assistant Ministers to reply to the same Question at the same time. You will agree with me that hon. Mutiso was trying to reply to a Question which was also being replied to by hon. Kamotho.

END B

MR. SPEAKER: Well, I did not perceive it the way you have perceived it. All I know is that hon. Mutiso was on a point of order.

MR. MALEBE: Is the Assistant Minister ~~aware~~ ^{when} right to say that he does not know the time ^{the} vehicles were arrested? I know, they were arrested at 2 p.m. So, why were they arrested; was it ^{that in conformity} conforming with the law of ^{the Land} order?

MR. SPEAKER: Order! ^{and} Let us not take much time on that issue. They accepted the mistake, ^{and} so that is more relevant ~~than~~ than anything here.

MR. MAGARA: Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Is the Minister aware that Kisii District Hospital has been operating without a surgeon since January this year?

(b) What ~~is~~ immediate action is he taking to send a replacement to serve at this hospital?

THE ASSISTANT MINISTER FOR HEALTH (Mr. Ogur): Mr. Speaker, Sir, I beg ~~me~~ to reply.

(a) I am aware that Kisii District Hospital has been operating without a ~~surgeon~~ surgeon since January this year.

(b) Due to the shortage of surgeons in the country, my Ministry is not able to provide one for each ~~hospital~~ hospital in the ~~country~~ country. For the time being, it has been arranged, for surgeons from Homa-Bay District Hospital and the P Kisumu Provincial Hospital which neighbour Kisii District Hospital to assist the hospital in cases which require specialised surgery. However, as soon as the next class of surgeons qualify, Kisii District Hospital will be the first one to be considered, ^{to be given a surgeon}

On a point of order, Mr. Speaker, Sir.

MRS. NDETEI: Is the Assistant Minister in order to imply that Kisii District Hospital can be adequately served by surgeons from neighbouring hospitals?

MR. OGUR: Mr. Speaker, Sir, doctors ~~are~~ who are in the neighbouring government hospitals are employees of my Ministry. Some of these doctors sometimes resign. There was one surgeon at Kisii District Hospital up to July, 1988. At that time, the first lot of graduating doctors had been posted to various hospitals. So, we are waiting for the next lot of ~~graduating surgeons~~ ^{to graduate so that we can} to send ~~one~~ to Kisii Hospital.

MR. MANG'OLI: On a point of order, Mr. Speaker, Sir. The Assistant Minister has been asked a specific question by hon. Ndetei. She wanted to know whether he is in order to say that doctors stationed in neighbouring hospitals like Kisumu and Homa-Bay ~~can~~ ^{can} adequately serve Kisii District Hospital. We know that these hospitals are very far apart.

MR. SPEAKER: If you only gave the hon. Assistant Minister more time, I am sure he was going to give you an appropriate answer ^{to the question}.

(Applause)

MR. OGUR: I am sure that hon. Members will agree with me that Kisumu is the Provincial headquarters of Nyanza Province. So, a surgeon coming from Kisumu—

MR. arap CHEPKOK: On a point of order, Mr. Speaker, Sir. It is a shame for the Assistant Minister to say that we cannot get a surgeon to be posted to Kisii District Hospital. Why is this so? We have so many ~~many~~ qualified doctors in this country. If they are not available, the Ministry can hire expatriates to do this job.

MR. SPEAKER: Mr. arap Chepkok, you have been here long ~~enough~~ enough, and I know that you know what a point of order is; ^{the} ~~that~~ issue ~~is~~ which you have raised is a supplementary question.

MR. OGUR: Mr. Speaker, Sir, may I take this opportunity to inform hon. ^{Chair} Chepkok and the whole House that ~~as~~ there is a slight difference between a surgeon and a doctor. A surgeon is more qualified than a doctor and he is referred to as a Mister. To train a surgeon takes ~~not~~ more ~~in~~ time than training a doctor. Therefore, it has been arranged that a surgeon ~~is~~ ^{from} either Kisumu or Homa-Bay hospital visits Kisii District Hospital once a week. For the time ~~being~~ ^{working properly} being, that ~~is~~ arrangement is ~~arranged~~ while waiting for the next lot of surgeons to qualify and be posted to Kisii District Hospital.

MR. MUMANI: Kisii District Hospital is a big hospital which caters for 1.3 million people. The distance from Kisii to Kisumu is not ^a short ^{one}, I wonder whether the Assistant Minister knows that ~~is~~ ^{is} true position.

MR. OGUR: Mr. Speaker, Sir, I said that the nearest hospitals ~~is~~ where surgeons are available are ⁱⁿ Kisumu and Homa-Bay.

(Laughter)

MR. KIHU: On a point of order, Mr. Speaker, Sir. Was the Chair satisfied in the way the Assistant Minister replied to the ~~is~~ Question by hon. Magara? The Assistant Minister prolonged his reply and ^{kept on} repeating himself in the process. The whole reply ~~is~~ seemed confused in the final analysis.

(Laughter)

MR. SPEAKER: It is not really for me to be satisfied, but the Questioner was ~~not~~ satisfied with the reply.

(Laughter)

MR. LOTIB: Mr. Speaker, Sir, I beg to ask the Minister for Livestock Development the following Question by Private Notice.

(a) Is the Minister aware that there is an outbreak of a killer disease that has been killing many goats in ~~a~~ Serewo, Chepkopegh Sub-locations and Sook and Riwe Locations in Kapenguria?

(b) What steps is the Minister taking to cur'o the spread of this disease?

(c) What is the name of this disease?

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that there is an outbreak of ~~an~~ a killer disease that has been killing many goats in Sarewo, Chepkopego Sub-locations and Sook and Riwe Locations in Kapenguria.

(b) The Ministry is going to immunise the goats to curb the spread of this disease.

(c) The disease is called contagious ~~or~~ caprine pleuro-pneumonia, in short C.C.P.P. or simply ~~per~~ pneumonia in goats. The disease is similar to contagious bovine pleuro-pneumonia - C.B.P. which affects cattle in the northern ~~the~~ rangelands.


MR. LOTHE: The disease has been affecting the goats for the last six months. ^{Assistant} The Minister should tell the House when this disease will be curbed.

DR. WEKESA: Mr. Speaker, Sir, the Ministry is now in the position of supplying the vaccine to all parts of the country that ^{are} affected ^{by} ~~with~~ this type of disease; and West Pokot will be one of the areas that will be supplied with the vaccine.

AN HON. MEMBER: When?

DR. WEKESA: Now, the vaccine is available and can be distributed immediately.

END C.....



MR. MANG'OLI: On a point of order, Mr. Speaker, Sir. The hon. Questioner asked when the exercise is going to start in Kapenguria. Why is the Assistant Minister referring to the whole country when he was asked a ~~specific~~ specific question? Will this exercise start today or tomorrow?

DR. WEKESA: Mr. Speaker, Sir, I said that the vaccine is available now.

MR. CHEFKOK: On a point of order, Mr. Speaker, Sir. The Ministry has got into the habit of saying "It will start now." This outbreak of disease has been killing livestock even in Kerio Valley for the last six months. We have reported about it and nothing has been done. I would like the ^{Assistant} Minister to ~~tell the House when action will be taken so that the wananchi can hear it too today through the radio in the programme "Today in Parliament."~~ He should be specific and tell us when they will embark on this exercise.

DR. WEKESA: Mr. Speaker, Sir, I did ^{not do} English Literature at the University ^{but} and I understand that the word "now" could mean from this minute.

MR. SPEAKER: Order! I understand the problem being raised by the hon. Member. You clearly stated that the vaccine is now available. The question is: When will vaccination take place? That is what the hon. Member wants to know.

(Applause)

DR. WEKESA: Mr. Speaker, Sir, vaccination will be done as soon as vaccines are collected by the relevant veterinary officers. I would like to take this opportunity to request the hon. Member to inform his veterinary officers to collect these drugs as soon as possible.

MR. MANG'OLI: On a point of order, Mr. Speaker, Sir. Is it not the duty of the Ministry ~~to~~ to instruct its staff to collect these vaccines? Why is the Assistant Minister telling the hon. Member to instruct the veterinary officers to collect these vaccines? Whose duty is it?

MR. SPEAKER: Order! The Assistant Minister was asking for the hon. Member's support and I am sure that includes the livestock officers in the country.

Next Question...

MR. LOTIM: Mr. Speaker, Sir, I beg to ask the Minister for Livestock Development the following Question by Private Notice.

(a) Is the Minister aware that there is an acute shortage of Novidium, Ethidium and Barelin drugs and if so, what has caused this shortage?

(b) What measures is the Ministry taking to ensure that these drugs are made available to livestock farmers?

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa): Mr. Speaker, Sir, I beg to reply.

(a) I am ~~am~~ aware that there is an acute shortage of Novidium, Ethidium and Barelin. The shortage has been caused by long procurement procedures with the Central Tender Board.

(b) My Ministry resolved the outstanding issues with the ~~Central~~ Central Tender Board on 23rd November, 1988. The drugs are now expected to be in veterinary offices all over the country by the end of the year *at the latest.*

MR. MANG'OLI: Mr. Speaker, Sir, perhaps, the Ministry does not know how much the people of West Pokot rely on livestock. What measures is the Ministry going to take to ensure that these diseases do not continue killing our livestock?

DR. WEKESA: Mr. Speaker, Sir, my Ministry is aware of the value of livestock development in the whole country and not only in West Pokot. Drugs are always made available but at times we have financial constraints which necessitate delays in supplying these particular drugs. Arrangements have been finalised and the drugs are now available.

MR. KYONDA: Mr. Speaker, Sir, the Assistant Minister has said that delays in supplying these drugs are partly caused by long procurement procedures. We know this practice exists in many Ministries. What measures is the Ministry taking to avoid such delays which are doing a lot of harm to our livestock especially in West Pokot where people depend on livestock for their livelihood?

DR. WEKESA: Mr. Speaker, Sir, we have done everything possible to make sure that important drugs such as Ethidium and Barelin are available. Delay in supplying these drugs was caused by the registration problems we had with the

Central Tender Board. This problem has now been solved. Previously, these drugs were not registered. They have now been registered properly and we shall now have a continuous supply ^{of these drugs} to the areas in question.

THE MEMBER FOR KACHELIRA (Mr. Nang'ole): Mr. Speaker, Sir, the Assistant Minister said that there was a problem between the Central Tender Board and his Ministry. He is now telling us a different thing. Can he be x specific and tell us whether the problem came about due to financial constraints or due to procurement procedures with the Central Tender Board?

DR. WEKESA: Both, Mr. Speaker, Sir.

MR. CHEPKOK: Mr. Speaker, Sir, those drugs are not available everywhere in the country and we all depend on livestock for our livelihood. We should be told whether those drugs can be made available for purchase. We do not mind buying them.

DR. WEKESA: Mr. Speaker, Sir, as you may very well know, this Financial Year, my Ministry has embarked on a rehabilitation programme to improve the livestock industry. What the hon. Member is requesting for is covered under this programme. We can foresee a much better situation in future.

MR. SPEAKER: Next Question.

MR. KUBO: Mr. Speaker, Sir, I beg to ask the Minister for Livestock Development the following Question by Private Notice.

(a) In view of the fact that the Eldoro Dip is not functioning due to lack of acaricides, would the Minister send acaricides to the dip as a matter of urgency?

(b) Would the Minister also ensure that all other cattle dips in Taveta Divisions have ~~adequate~~ adequate supply of acaricides?

THE ASSISTANT MINISTER FOR LIVESTOCK DEVELOPMENT (Dr. Wekesa): Mr. Speaker, Sir, I beg to reply.

(a) Acaricide has been sent to the dip in question.

(b) Acaricide in sufficient quantity to operate all dips in a Taita-Taveta District up to January, 1989, has already been sent to Wundanyi.

MR. KUBO: Mr. Speaker, Sir, while appreciating the answer given by the Assistant Minister, I would like to inform him that ^{for two months} the cattle dips have not been functioning in Taveta Division. The Ministry has only supplied 75 litres of acaricide which ~~will~~ last for less than one month. Will the Assistant Minister ensure that ^{in future} they will be delivering enough acaricide which would last for ~~an~~ a period of more than two months? We are sure that what is there at present will be finished before January, 1989 as the Assistant Minister has said.

DR. WEKESA: Mr. Speaker, Sir, I do not entirely agree with the hon. Member. This particular dip was not functioning initially because there was a crack and it was stopped from use so that it could be repaired. As far as the acaricides situation is concerned, we take great care in ensuring that ~~the~~ all the dips have got acaricides although ~~there~~ we always have financial problems. Hon. Members will appreciate that it is our duty, as a Ministry, to ensure that ~~a~~ acaricides are available and this is what we intend to do.

MR. KUBO: Mr. Speaker, Sir, let me inform the Assistant Minister that the cattle dip had earlier on been repaired and it had been functioning until two months ago. Will the Assistant Minister assure this House that after the batch they have delivered is finished, they will send us another one because the situation there is that unless we have the acaricides, the animals will continue dying as they have been dying of late? What assurance can he give to the people that they are going to have uninterrupted services in ~~the~~ future?

DR. WEKESA: Mr. Speaker, Sir, I would like to assure the hon. Member that acaricides will be available for this particular dip.

DR. WAMEYO: Mr. Speaker, Sir, I beg to ask the Minister for Labour the following Question by Private Notice.

Why has the management of Mumias Sugar Company decided to encourage and overtly support the formation of a splinter labour union to cause unrest amongst otherwise peaceful members of the Kenya Union of Sugar Plantation Workers?

THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika): Mr. Speaker, Sir, I doubt if this is true because if it was true, it would constitute an offence by the employers.

MR. KILIKU: Mr. Speaker, Sir, I did not hear the Assistant Minister say, "I beg to reply". Was he replying to the Question?

MR. MIDIKA: Mr. Speaker, Sir, I said that I doubt if that would be true because if it were true, it would constitute a very serious offence by the employer.

MRS. NDETEI: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister, who is a very good friend of mine, supposed to bring doubts here or is he supposed to bring specific answers? Can he answer that Question because it is a serious one?

MR. MIDIKA: Mr. Speaker, Sir, the hon. Gracious Lady is not right.

AN HON. MEMBER: Iron Lady?

MR. MIDIKA: No; she is no longer referred to as an "Iron Lady" or anything of that sort. I said that I doubt if that was true because if that was true---

MR. KILIKU: On a point of order, Mr. Speaker, Sir. Could we know whether the Assistant Minister is replying to the Question?

MR. MIDIKA: Mr. Speaker, Sir, the hon. Member for Changamwe is advised, through the Chair, to be a bit patient. If he is patient and cares to listen to me very carefully, he will end up a very happy man. I said---

MR. SPEAKER: The Assistant Minister is replying to another point of order because it seems the point of order you raised in the beginning is everlasting. Let him finish first.

MR. MIDIKA: Mr. Speaker, Sir, I beg to reply as follows:-

I said that I am not sure that this is true because if it is true, it constitutes a very serious offence as far as we are concerned. I know for sure that sometimes, some employers have been bad and I do not know whether the hon. Questioner could enlighten me more so that I could tell him what could be done.

MR. WAMALWA: On a point of order, Mr. Speaker, Sir.

The manner and form the Assistant Minister is twisting this Question is rather contemptuous. First of all, he never said as is normal, "I beg to reply", so we did not know whether he was replying or making an ovit odictum statement? Also, when he starts to reply, he casts doubts; he says "I doubt". He was asked a Question and he is supposed to give a categorical answer - whether it is true or not. Is this House going to be led by doubts?

MR. MIDIKA: Mr. Speaker, Sir, the question is whether I am aware. I have said I am not aware. If what is said in the Question was true, I am not aware that the employers at Mumias Sugar Company have encouraged and overtly ~~encouraged~~ supported a splinter trade union. If they did that, it would be a serious offence. I also said that if it is true, we will never support any employer or condone such acts because it makes the work very difficult and I said some employers are bad. It is true that some employers encourage such acts and if this was true, it is bad. I was not aware of this and that is why I said I doubt it.

MRS. NDEFEI: Mr. Speaker, Sir, when is the hon. Assistant Minister going to find out whether it is true or not true? Can he say specifically when because this is a very serious matter?

MR. MIDIKA: Mr. Speaker, Sir, the question is whether the Ministry is aware and I said that we are not aware. We found out that no such a thing is there and I said that if it were true, it is bad. So, ^{if} the hon. Member for Mumias Dr. Wameyo - who is a very good Member of Parliament who does his work well - put his Question the other way round, maybe I could have got something to say.

MR. WAMALWA: On a point of order, Mr. Speaker, Sir. I am afraid that the Assistant Minister is creating even more confusion. He has categorically stated here that the Question as whether he was aware or not aware. As a matter of fact, the Question before us does not use the word "aware or not aware" at any one point. The Question reads:-

"Why has the management of Mumias Sugar Company decided to encourage and overtly support the formation of a splinter labour union to cause unrest amongst otherwise peaceful members of the Kenya Union of Sugar Plantation Workers?"

There is no word "aware or not aware" there. Is the Assistant Minister in order to continue misleading this House?

MR. MIDIKA: Mr. Speaker, Sir, if Mumias Sugar Company did encourage or help in creating another splinter group, which one is that? There is only one union there - The Kenya Sugar Plantation Workers Union - of which at one time, I was the Secretary General.

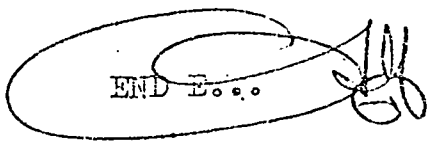
DR. WAMEYO: Mr. Speaker, Sir, what I wanted to know from the Assistant Minister is ~~why the management of~~ whether he is aware that there is a formation of a splinter labour union to

DR. WANEYO (Ctd.):

replace the present branch in Mumias Sugar Company ^{I stated} of that ~~is~~ there is an effort to form a ~~new~~ separate union branch in Mumias Sugar Company ^{and} This is well known.

MR. MUDIKA: Mr. Speaker, Sir, some managers - maybe inclusive of those of Mumias Sugar Company - do at times encourage some unionists to visit their offices and at times discuss trade union matters outside the personnel department being ~~is~~ involved. This in itself does not constitute forming another union. However, if it were true that this happened in Mumias ^{then that is very bad} I ~~is~~ know that Mumias Sugar Company at one time ^{had} ~~has~~ been very turbulent. I agree with the Questioner and I want to take this opportunity to inform all employers that our work ^{becomes---} is very difficult when certain ~~employers~~ managers have taken upon themselves the responsibility of being both the managers and trade union encouragers, ⁱⁿ such as what is alleged in Mumias. If they were or are there, I want to assure the hon. Member that we will not ~~support~~ condone or support or assist them at any time should there be a dispute between them and the present union. We only recognize the Kenya Sugar Plantation Workers Union.

I know that there has been ~~a new~~ murmurings of supporters of certain politicians in Mumias. If it is true that the hon. Member is aware that ~~some~~ ^{Certain} people, who maybe were contesting the Mumias ~~seat~~ ^{seat} with him but failed, ~~in the campaigns~~ ~~but~~ are now trying to use trade unions to foster their positions, we will not support ~~the~~ them. The hon. Member can be sure that we will never entice ~~in~~ such a thing.

END E... 

MR. KUBO: On a point of order, Mr. Speaker, Sir. The hon. Member has specifically said that the management has already made a specific decision to support this splinter group. Can the hon. Member substantiate that there was in fact, a decision made?

DR. WAMEYO: Mr. Speaker, Sir, efforts were made to approach the district commissioner to license a meeting in Mumias Sugar Company to elect a new splinter trade union in Mumias Sugar Company. The Government rejected the move to issue a licence to hold that meeting. It was obvious that certain members of the management in Mumias Sugar Company were behind that move.

MR. MIDIKA: That answers my question. If the Government was against it, I am in the Government and we are all against it.

MR. KILIKU: Mr. Speaker, Sir, I beg to ask the Minister for Labour the following Question by Private Notice.

(a) Is the Minister aware that Mr. Chengo Kalume who worked for 27 years with M/S Guadiac Singh Chima of P.O. Box 82859, Mombasa, has been sacked without notice?

(b) When will he be paid his terminal benefits?

THE ASSISTANT MINISTER FOR LABOUR (Mr. Midika): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) Mr. Chengo Kalume was paid shs. 2,000/- on 27/11/88 as part of his terminal benefits and the balance of shs. 9,075/- will be paid to him by instalments of shs. 5,000/- on 30/11/88 and shs. 4,075/- on 9/12/88 just before Christmas.

MR. KILIKU: On a point of order, Mr. Speaker, Sir. First of all, the Assistant Minister did not say "I beg to reply" and secondly, he did not respond to part (a) of the Question which requires him to say whether he is aware that Mr. Chengo Kalume was sacked without notice. Therefore, he should "beg to reply" and respond to part (a) of the Question.

MR. MIDIKA: Sir, I did reply and I said that if I was not aware he would not have been paid. The hon. Member should read part (b) of his own Question

MR. MIDIKA (etd.):

which reads: 'when will he be paid his terminal benefits?' In other words, you concur that he should not be paid his terminal benefits because the man actually deserted his job.

MR. KILIKU: According to part (b) of the answer given by the Assistant Minister Mr. Chengo Kalume was sacked because he had deserted his duties. But an employee is said to have deserted his duties when he or she fails to report on duty for more than four days. So, could the Assistant Minister tell this House how many days Mr. Kalume failed to report on duty because I know he had been going on duty.

MR. MIDIKA: Mr. Speaker, Sir, 'deserting' means that Mr. Kalume did not come back to ask for his payment. He never went back, he just deserted and when he went back, he was told that he will be paid and he was paid. If he did not desert, he would have even refused to take the money but in this case, he did take the money.

MR. MIRIKA-OWUOR: Mr. Speaker, Sir, perhaps the Assistant Minister could clarify why it was necessary to pay Mr. Kalume his terminal benefits in instalments. You realise that a part of it was paid in the middle of November and the other part will be paid on 9/12/88. Why should it happen that way for a man who has been sacked?

MR. MIDIKA: Mr. Speaker, Sir, this is a small company where sometimes the employers do not even break.

MRS. NDETEI: On a point of order, Mr. Speaker, Sir. In fact, I am very suspicious about the Assistant Minister's reply. Why should this particular employee be paid any terminal benefits if he deserted his job?

MR. MIDIKA: I did not get the question well, Mr. Speaker, Sir.

MRS. NDETEI: Let me make myself clear Mr. Speaker, Sir. I am asking the hon. Assistant Minister to tell this House why this particular employee deserved to be paid any terminal benefits if he was a deserter because the law does not say so. Can he explain to this House what happened?

MR. MIDIKA: Mr. Speaker, Sir, sometimes, I ^{feel} ~~no longer~~ ~~to~~ know where we draw a line between being considerate and being harsh. Here is an employer who as far as I am concerned is a true Nyayo follower because he is only being considerate and being mindful of other people's welfare. If the hon. Member wants us to withdraw the payment because the man was sacked because he deserted, we would have done that but we are very mindful of other people's welfare. If the employer agrees to pay more than what he should pay, should we use this House to discourage other employers from doing that?

MRS. NDETEI: On a point of order, Mr. Speaker, Sir. I think the hon. Assistant Minister did not get my question. From what he has said it is very clear that this particular employee was dismissed ~~was~~ verbally and most likely this employer was covering his misdeed. Is this what this country needs? This is because ~~the~~ I think the ~~Miki~~ Assistant Minister is covering something very important in this particular issue.

MR. MIDIKA: Those are the hon. Member's words; those are not my words. All I know is that the employer was generous enough to consider Mr. Kalume who had worked for the company for a long time not to go home without anything and taking into account that he has a family to look after. Since ~~the employer~~ the employer has been good and kind enough to pay him more than he deserves, I ^{think} ~~think~~ the hon. Member should be grateful.

MR. WANALWA: On a point of order, Mr. Speaker, Sir. I am making misuse of myself with these points of order. But I remember clearly that the hon. Questioner asked the hon. Assistant Minister to define what amounts to sacking. As far as he is concerned, ^{the questioner} he said desertion was when somebody did not turn up for ~~35h~~ ^{more} work for ~~than~~ four days. When the Assistant Minister stood up to give us his version of desertion, his answer was simply that ^{the employee} he deserted because if he had not deserted he would have gone back to ask for his payments. Are you a really satisfied with that definition, Mr. ~~Spz~~ Speaker, Sir?

MR. MIDIKA: Mr. Speaker, Sir, the hon. Member who is very legalistic because he is a lawyer did not listen very carefully. He is a very good lawyer as far as I know, ^{but} ~~just~~ I would ask him to listen very carefully.

Mr. Kalume deserted his employment on 2/10/88. It is true that he had worked for the company for a very long time, that is 27 years. Therefore, when he came back, ~~it~~ he was asked where he was and he said that 'I am sorry I did not like the job I was doing'. Then the matter was actually reported to the labour officer in Mombasa and Mr. Kalume and the unions agreed before the labour officer ~~it~~ that he would rather want to leave the job and be paid. He was asked if he would accept payments as terminal because the employers then ^{brought} ~~presented~~ up this question that we should consider Mr. Kalume as having served the company ~~it~~ for a very long time.

END F...

MR. MIDIKA (ctd.):

I would like to inform my friend who is a very good lawyer, that Mr. Chege Kalume deserted his job on 2nd October, 1988, the Year of our Lord.

MR. WASIKE-NDOMBI: Mr. Speaker, Sir, it is true that if an employee deserts his job he does not get terminal benefits. Is the Assistant Minister, therefore, in order to tell the House that this employee who deserted his job is now going to be paid his terminal benefits? If this employee is being paid terminal benefits it means that the employer was wrong in saying that this employee deserted. As a result, therefore, Mr. Kalume's terminal benefits should include payment of three months in lieu of notice which the Assistant Minister has not mentioned, compensation for wrongful dismissal and all the benefits that are paid to workers when their services are terminated. Is the Assistant Minister, therefore, in order to take us for a ride by telling us that the employer is good, generous and is mindful of other people's welfare when in actual fact he has wrongfully terminated the services of this employee?

MR. MIDIKA: Mr. Speaker, Sir, I think the English word "Terminated" may be causing some confusion here. It is not true that if somebody's services are terminated, the employer is wrong. That statement in itself is wrong. The hon. Member can even ask hon. Wamalwa, who is a lawyer and is sitting next to him to explain this to him. He would be told that that statement in itself is wrong.

Let me give the House the breakdown of how Mr. Kalume was paid:-

Three months salary in lieu of notice	shs3,150/=
14 years severance pay - at 10 days per year	shs4,900/=
25 days pay in lieu of leave	shs875/=
Leave/Travelling allowance	shs150/=
Total	<u>shs9,075/=</u>

MR. SPEAKER: Let us move on now to Mrs. Ndeti's Question.

MRS. NDETEI: Mr. Speaker, Sir, I beg to ask the Minister for Education the following Question by Private Notice.

(a) Is the Minister aware that there are 4,241 untrained teachers in Machakos District?

(b) What action is he taking to ensure that these teachers are offered training during the next intake?

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that there are 4,341 untrained teachers in Machakos District. Out of these 4,279 are currently deployed in primary schools and 62 are teaching in secondary schools.

(b) My Ministry will continue to recruit students from Machakos District to undergo a two year residential training at the existing 15 national primary teachers training colleges in Kenya based on merit and the quota system. During the current recruitment drive, a total of 398 candidates were selected into primary teachers colleges from Machakos and of these 42 were serving as untrained teachers.

Furthermore, since 1982, my Ministry has admitted a total of 1,031 untrained teachers from Machakos District to undergo a three year in-service courses programme based on merit and the quota system.

MRS. NDETEI: Mr. Speaker, Sir, from the look of the reply that I have got on part (b) of my Question to the Ministry, it looks as if the current number of untrained teachers in Machakos District will take more than 100 years to be trained. Basing my question on this part (b) of the reply, ~~could the Assistant Minister~~ what action is the Ministry taking to ensure that these teachers are urgently trained? This is because we need them trained. What sort of crash programme ^{does the Ministry} have for the training of these teachers?

MR. KARAURI: Mr. Speaker, Sir, Machakos District is not the only district with untrained teachers. I have said that we will continue to train teachers basing the intake on ~~the~~ merit and quota system. We would, of course, take into account the population of the district, the number of untrained teachers in that district and the total number of vacancies in our training colleges.

MR. MAKAU: Mr. Speaker, Sir, since there were these two teachers colleges - Mbooni and Muthetheni - that were closed & down i_n Machakos District, could the Ministry consider establishing a teachers training college in Machakos in line with the World Bank programme on teachers training colleges that we are implementing?

MR. KARAURI: Mr. Speaker, Sir, I did inform this House that we are starting several teachers training colleges. The construction work for these colleges will begin by the end of this year. ^{It} ~~It~~ may not, however, be necessary to build a college at Machakos in order to train teachers from that district. This is because even if the college ~~was~~ ^{is} built there, it would be a national college.

MR. MAKAU: On a point of order, Mr. Speaker, Sir. My point of order is that I had raised the issue that two teachers training colleges were closed down in Machakos District. The ~~x~~ Assistant Minister has not reacted to that.

MR. KARAURI: Mr. Speaker, Sir, you will realise that this ^{an} ~~is~~ ^{quite} ~~a~~ different question. All in all I will try to assist the hon. Member. What I was saying was that the colleges that we are going to build elsewhere in the country will also serve the people of Machakos District. We do not have to build a college in Machakos in order to serve the people of that area.

MR. WAMBUA: Mr. Speaker, Sir, the question here is: When are they going to increase the number of teachers training colleges? In fact, it was four and not two teachers training colleges that were closed down in Machakos. We, therefore, need at least two to be opened there

MR. WAMBŪA (ctd.):

in order to reduce the number of untrained teachers. As primary schools increase every year so does the number of untrained teachers, and as a result of this the number of untrained teachers will never decrease unless we build more teachers training colleges. When are we going to have these teachers training colleges?

MR. KARAURI: Mr. Speaker, Sir, I do not know why I am not being understood. I have said that we are going to build teachers training colleges, but they do not have to be built in Machakos in order to alleviate the problem of untrained teachers. The colleges that we are going to build will recruit students from all over the country including from Machakos on the quota system.

MR. MAKAU: On a point of order, Mr. Speaker, Sir. The point of order that I had raised was that there were these four teachers training colleges that were closed down in Machakos. This means that the number of untrained teachers has kept on increasing as a result of this. This is the reason why we are asking this question. Could the Ministry think of building a teachers training college in Machakos?

MR. KARAURI: Mr. Speaker, Sir, ^{if} ~~if~~ the hon. Members from Machakos want a college to ^{be} built in Machakos, then they will have to discuss this in their district development committee meeting and give it priority preference. When the funds become available then the Ministry will consider it.

END G.....

JL

MRS. NDETEI: The Assistant Minister talks of training teachers on merit. I do not seem to understand what he means by training teachers ~~basin~~ on merit. Do they train the dullest teachers or the brightest ones? They have got to definite what they mean by training teachers on merit. I know of some teachers who have taught for 17 years, yet they have not been trained. My understanding is that once a teacher has been employed as a teacher, that particular teacher merits to be trained. I would, therefore, like the Assistant Minister to clarify the question of training teachers on merit.

MR. KARAUARI: Mr. Speaker, Sir, I entirely agree with the hon. Member that all teachers merit to be trained. We indeed, intend to train all teachers, however, we cannot do it at once. That is why their certificates and the number of years they have taught are considered before they are taken to colleges.

MR. SPEAKER: Let us move on to Dr. Wameyo's Question by Private Notice.

DR. WAMEYO: Mr. Speaker, Sir, I beg to ask the Minister for Education the following Question by Private Notice.

Why did the headmasters of Khalaba and Bulimbo Primary schools in North Wanga Location of Mumias Division, Kakamega District send away on 21st October, 1988 and 2nd November, 1988 respectively a large number of pupils from their respective schools?

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri): Mr Speaker, Sir, I beg to reply.

The Headmaster of Khaleba primary school which is situated in North-Wanga Location, Mumias Division, Kakamega District did not send away school children from the school on

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Karauri) (contd.):

the 21st October, 1988, as the whole school was conducting an end of the year terminal examination on that particular day.

(b) I am not aware that the headmaster of Bulimbo primary school, North-Wanga Location of Mumias Division, Kakamega District sent away a large number of pupils from the school on 2nd November, 1988.

I am, however, aware that five children, whose ~~names~~ names I have here, were asked to go home to tell their parents that ~~their was a parents~~ that there was a parents meeting at the school on that particular day - the 2nd November, 1988.
Dr.
Hon./Wameyo himself attended that particular meeting.

DR. WAMEYO: Mr. Speaker, Sir, on the 21st October, 1988 I went to pay laborers on my piece of shamba which is near that school in Malaba. I found children in their homes at 9.00 a.m. When I enquired why they were at home, ~~they~~ I was informed that they had been sent away by the headmaster. I carried them in my pick-up, and found many more on the way whom I collected and dropped them at school and demanded to know why they had been sent away.

On the 2nd November, 1988, I found children loitering in the market because they had been sent away from Bulimbo Primary School; and I ~~ex~~ again carried them back to the school in my pick-up.

The answer the Assistant Minister has given to this House is misleading. I would like to know from him if the Ministry has instructed teachers to be sending children away from school to go and collect their parents to attend a parents' day meeting. This is what happened, and I personally carried

DR. WAMEYO (contd.):

the children on my pick-up back to school. The answer given by the Assistant Minister can, therefore, not be true.

MR. KARAURI: Mr. Speaker, Sir, this meeting was a very important one because the parents wanted to discuss an agenda which had to do with the construction of buildings in the schools. They had wanted to arrange for an Harambee meeting. They had decided to meet on the 2nd November, 1988, *and* so when the five parents did not come, they sent their children to go and call them so that they could come to attend the meeting.

DR. WAMEYO: Mr. Speaker, Sir, at 9.00 a.m., children are supposed to be in class being taught by the teachers who are paid money by the Teachers Service Commission to do so. Is it in order and acceptable to the Ministry of Education that they should be sent home to go and call their parents for failing to attend a Teachers'/Parents' meeting? Since when have children become Post Office Boxes?

MR. KARAURI: Mr. Speaker, I think that the hon. Member should understand that the headmaster and the school committee may have thought that these parents had forgotten that there was a meeting at the ~~xxxx~~ school.

MR. MANGO'OLI: On a point of order, Mr. Speaker, Sir. If I heard the Assistant Minister's reply properly, then he said that they only sent five children to go and call their parents; yet the hon. Member said that he carried many children ⁱⁿ his pick-up and returned them to school. Who is telling the truth? Is it the Assistant Minister or the hon. Member?

MR. KARAURI: Mr. Speaker, Sir, I am telling the truth. I have the names of the children who were sent away. They were; David Wanjala of Standard VII, Rogers Shivundu of

MR. KARAURI (contd.):

Standard VII, Francis Wansese of Standard VII, Joseph Gisonga of Standard VII, and Hasman Kong'ani of Standard V.

MR. KUBO: On a point of order, Mr. Speaker, Sir. The Assistant Minister has not answered the supplementary question which was asked by Dr. Wameyo. The question was: ~~whether it is~~ ^{it} in order for the teachers to send the students to act as messengers to go and call their parents at home.

MR. KARAURI: Mr. Speaker, Sir, it is not a question of whether it is in order or not. It is a question of whether it was the right thing to do at that particular moment. If the school committee felt that these parents may have forgotten that there was a meeting, and decided to send their children early that morning to go and remind them, then I think they were in order.

DR. WAMEYO: Mr. Speaker, Sir, the supplementary answer from the Minister for Education regarding Bulimbo Primary School is as follows:

"The headmaster of Bulimbo Primary School acting on instructions of the school committee sent a notice dated, 26th October, 1985, inviting all parents to attend a parents' day meeting which was held on 2nd November, 1988".

Is it not true that anybody in his normal senses would forget such a notice since that is a very long period.

Why were they not reminded earlier than 2nd November, 1988?

MR. KARAURI: Mr. Speaker, Sir, hon. Dr. Wameyo has the advantage of having been given the supplementary information by the other Assistant Minister for Education. The point is that there is a ~~mistake~~ ^{typographical error} in the supplementary information. The part which has been typed as 1985 should have been typed as 1988. So, it should read as follows:

THE ASSISTANT MINISTER FOR EDUCATION (contd.):

"That the headmaster of Bulimbo Primary School acting on the instructions of the school committee sent a notice dated, 26th October, 1988, inviting all the parents to attend a parents' day meeting which was held on 2nd November, 1988".

So, may the hon. Member ~~state that~~ correct that mistake.

MR. SPEAKER: Let us move on to Mr. Chepkok's Question by Private Notice.

Apal
MR. CHEPKOK: Mr. Speaker, Sir, I beg to ask the Attorney-General the following Question by Private Notice.

(a) Is the Attorney-General aware that Southern Credit Finance Limited has attached vehicle No. KXE 415 belonging to Mr. Samson Kipchirchir Njugu after H.C..C.C. No.1684 of 1987, Nairobi, between Southern Credit Finance Limited and the defendant Mr. Joseph K. Koske?

(b) Why did this company attach Mr. Njugu's vehicle?

(c) Would the Attorney-General order this company to release Mr. Njugu's vehicle?

THE ASSISTANT MINISTER FOR NATIONAL GUIDANCE AND POLITICAL AFFAIRS (Mr. ole Kaparo): Mr. Speaker, Sir, I beg to give the following reply on behalf of the Attorney-General.

(a) I am aware that at the conclusion of the said case, referred in the Question, between Southern Credit Finance Limited and one Mr. Joseph Kibiwott, a warrant of attachment and sale of property by public auction of motor vehicles, and all other movable property was issued on the 12th February, 1988 against the property of the latter.

(b) Mr. Speaker, Sir, one Mr. Samson Kipchirchir Njugu objected the sale and attachment of motor vehicle No. KXE 415. Execution was stayed. On 11th November, 1988 after the objector's application was heard, the ~~xxxtt~~ court dismissed it and ordered by ruling that the execution may proceed.

THE ASSISTANT MINISTER FOR NATIONAL AFFAIRS AND POLITICAL AFFAIRS
(Mr. ole Kaparo)(contd.):

(c) Mr. Speaker, Sir, from the foregoing, part (c) of the Question does not arise.

MR. ^{arad} CHEPKOK: Mr. Speaker, Sir, I want the Assistant Minister to tell the House why Mr. Njugu's vehicle was attached by the company instead of Mr. Kibiwott's property?

MR. ole KAPARO: Mr. Speaker, Sir, what happened here is as follows: This motor vehicle, KXE 415, was previously the property of a Mr. Kibiwott who ^{bought} ~~bought~~ it through the plaintiff company which has been mentioned here; ^{under a} ~~through the~~ higher purchase scheme or a charter of mortgage. Mr. Kibiwott sold ~~the~~ this motor vehicle to the complaintant without fully discharging his indebtedness to the the complaintant company which in the end filed the suit.

End H.....

KAPARO

MR. OLE ~~KAPALO~~: Mr. Speaker, Sir, in law, if you transferred a property which is subject to a ~~transfer~~ mortgage of any nature, then the ~~mortgage~~ ^{Mortgager} can follow up that property and sell it. If you bought a property which was subject to a mortgage, then you can have recourse to the person from whom you bought it. So, Mr. Njugu can go back to Mr. Kébiwott if he was not aware that the property was subject to a mortgage at the time of sale.

Credit

MR. CHEPKOK: Mr. Speaker, Sir, Umoja Finance Limited took the vehicle from Mr. Koske as a result of his failure to complete repayment of the loan, and sold it to Mr. Njugu. Now, after Umoja Finance Limited sold the car to Mr. Njugu, how could Southern Credit Finance Limited attach the vehicle from Mr. Njugu? These are two different Financial Institutions.

KAPARO

MR. OLE ~~KAPALO~~: Mr. Speaker, Sir, according to the information available, the person who assisted Mr. Kébiwott to purchase this motor vehicle was Southern Credit Finance Limited. Now, when Mr. Njugu bought this vehicle, Mr. Kébiwott has not fully paid for the vehicle and the financier was therefore entitled in law to recover his money by the sale of that motor vehicle, and that is what happened in this case, and

MR. MANG'OLI: On a point of order, Mr. Speaker, Sir, - - -

MR. SPEAKER: Order Mr. Mang'oli! The Assistant Minister is responding to the point of order which was raised by Mr. Chepkok.

KAPARO

MR. OLE ~~KAPALO~~: Thank you, Mr. Speaker, Sir, Since Mr. Kébiwott did not pay fully, the loan that he was given to buy this motor vehicle, the company followed up the matter and sold the vehicle. Hon. Members will also notice that this matter went to the High Court for adjudication and the High Court subsequently ruled that Mr. Njugu did not have reasonable grounds for stopping the sale of the motor vehicle. Consequently, the court ordered that the sale of the motor vehicle does proceed and, in fact, it did proceed.

MR. CHEPKOK: Mr. Speaker, Sir, there is confusion here. I have informed the hon. Assistant Minister that Umoja Credit Finance Limited advanced a loan to Mr. Kébiwott to ^{buy} the vehicle and not Southern Credit

Finance Limited. After Umoja Credit Finance Limited failed to get payments from Kébiwott, they went and snatched the car from Kébiwott and sold it to Mr. Njugu. Now, since Mr. Kébiwott had received another loan from Southern Finance Limited, this financial institution followed up the matter and snatched the vehicle from Mr. Njugu. Therefore, ^{information} that the Assistant Minister is now giving to the House is wrong.

^{KAPARO}
MR. ole ~~KAPARO~~: Mr. Speaker, Sir, as I said, the facts that have been supplied to the hon. Attorney-General are what I have stated. In addition to that, I would like to inform the hon. Member that this matter has been to the High Court of Kenya where Mr. Njugu was a party and lost the case. If he was aggrieved, why did ^{he} not go to the Court of Appeal? The Attorney-General cannot sit as ^{the} a Court of Appeal against the decision of the High Court.

MR. SPEAKER: Next Question. Mr. Chepkok!

MR. CHEPKOK: Mr. Speaker, Sir, I beg to ask the Attorney-General the following Question by Private Notice:-

(a) Is the Attorney-General aware that the family of the late Pius Chelimo who died in a road accident involving G.K. 959W, have never been paid their dues despite various undertakings vide letter reference numbers; AG/1/4814, dated 25th November, 1987, AG/A/4814, dated 9th August 1988, AG/A/4814 dated 3rd March, 1988 and AG/A/4814 dated 13th September, 1988?

(b) When will they be paid these claims?

THE ASSISTANT MINISTER FOR NATIONAL GUIDANCE AND POLITICAL AFFAIRS (Mr. ole ^{Kaparo} ~~Kapalo~~): Mr. Speaker, Sir, again on behalf of the Attorney-General, I beg to reply.

(a) Yes, the Attorney-General is aware that there was an accident on the 29th May, 1984 involving motor vehicles, registration numbers, GK.959W belonging to the Ministry of Agriculture and KSZ 958, along Moiben - Iten Road in Uasin Gishu District. The accident claimed the lives of four people. The relatives of these victims sued the Ministry for payment of compensation.

THE ASSISTANT MINISTER FOR NATIONAL GUIDANCE AND POLITICAL AFFAIRS

(Mr. ole ^{KAPARO} ~~KAPARO~~) (Cont'd.):

Mr. Speaker, Sir, after a long legal battle, this matter was agreed upon out of court and the Attorney-General has advised the relevant Ministry to settle this claim, ^{and that Ministry} which has asked the Treasury to allow them to pay this money to discharge the debt. Therefore, as soon as the Treasury gives the authority to pay, the dependants will be paid.

MR. CHEPKOK: Mr. Speaker, Sir, this is not the first time for me to ask this Question to the Attorney-General. In fact, this is now ^{In November} the third time for me to do so./last year when I brought the same Question here, I received the same reply from the Attorney-General. Mr. Speaker, ~~Sir~~ ^{from HANSARD} Sir, I have the reply/which was given to me by the Attorney-General at ⁱⁿ that time,/which he said that a cheque had already been written towards this payment.

AN HON. MEMBER: You read it!

MR. CHEPKOK: Mr. Speaker, Sir, this is what it says:-

"Nevertheless, I have been assured by the Minister for Agriculture that they will receive the cheque today and refer it to the advocate of the beneficiaries"

Mr. Speaker, Sir, this reply was given by the Attorney-General in November, last year. Again, Sir, in May this year, I asked the same Question.

AN HON. MEMBER: And what did he say?

MR. CHEPKOK: The same thing! Mr. Speaker, Sir, is the Assistant Minister really in order to repeat the same answer today?

HON. MEMBER: It is out of order! He should come with the cheque tomorrow.

MR. CHEPKOK: Mr. Speaker, Sir, would the Assistant Minister come with that cheque here tomorrow, or can I go to his office to collect it?

MR. ole ^{KAPARO} ~~KAPARO~~: Perhaps, Mr. Speaker, Sir, I should enlighten the hon. Member here. The duty of the Attorney-General is to advise the relevant Ministry as to the position of the law and he ^{did discharge that} ~~has been given the~~ responsibility ^{by asking} ~~(to ask the relevant~~ - - -

MR. CHEPKOK: On a point of order, Mr. Speaker, Sir, - - -

~~MR. ole KAPALO (Ct)~~

KAPALO

MR. ole KAPALO: Mr. Speaker, Sir, I am responding to a point
of order. Could I be allowed to - - -

MR. CHEPKOK: On a point of order, Mr. Speaker, Sir, - - -

MR. SPEAKER: Order Mr. Chepkok! If you asked this same Question
in May this year, you of course know very well that you should not have
brought it again this year.

Next Question, Mr. Gachui.

MR. CHEPKOK: On a point of Order, Mr. Speaker, Sir, - - -

MR. SPEAKER: *have already* No! No! I called next Question. Mr. Gachui!

END I

MR. CHEPKOK: On a point of order, Mr. Speaker, Sir. I want to seek guidance from the Chair as regards the procedure in asking Questions in this House. Is it true that an hon. Member cannot put a Question that has been deferred before six months elapse? What is the position as regards our Standing Orders?

MR. SPEAKER: Which particular Standing Order are you referring to?

MR. CHEPKOK: I am not sure of the particular Standing Order, but I know that a Question can be put the second time after three months. All of us cannot memorise the Standing Orders of this House. In fact, even Ministers do not know our Standing Orders off-head. One has to refer to the Standing Orders.

MR. SPEAKER: Mr. Chepkok, I am sure that it is stated in our Standing Orders that you cannot put the same Question in the same Session.

(MR. GACHUI) to ask the Attorney-General:-

- (a) Is the attorney-General aware that an accident occurred along Thika/Murang'a/Gatanga road on 19th November, 1986, in which Salome Murugi Ndung'u, Susan Ejeri Ndung'u, Simon Kiburu Wainaina, Pauline Wairimu Kamande, Kanyoka Kariuki, Emily Wairimu Kahiu, Ngugi Mbugua and Kinyanjui Ngaruiya died?
- (b) Why has the insurance company for the vehicle involved in the accident, namely, Delta Insurance, not compensated the families of the deceased and the injured?
- (c) Would he make arrangements to ensure that the families of the deceased and those who were injured are compensated?

MR. SPEAKER: Mr. Gachui is not in to ask his Question? All right, next order.

POINTS OF ORDER

THE MINISTER FOR LANDS AND HOUSING (Mr. Mbela): On a point of order, Mr. Speaker, Sir. On 26th of October, 1988, when hon. Kiliku was speaking in this House, he did state that I had a self interest in the Mikindani/Chaani Site and Service Scheme in Mombasa. To emphasise his point, he said "If I find out that there is anything fishy, I will raise it because he is responsible to the people in this country". The point is that hon. Kiliku was suggesting that I had an interest

THE MINISTER FOR LANDS AND HOUSING (ctd.):

that is fishy. Hon. Kiliku has since then tabled documents in this House which do not confirm that I have an interest in this scheme and which do not, for that matter, confirm or substantiate that the funds meant for the ~~xx~~ scheme were actually misappropriated. It is for that reason that I seek the guidance of the Chair because we should be protected in this House.

MR. SPEAKER: I would have wanted hon. Kiliku to be here to respond to what the hon. Minister has said but, since he is not in presently, we will ~~and~~ defer the issue until a later stage.

MR. CHEPKOK: On a point of order, Mr. Speaker, Sir. I want to raise a point of order to request the Minister for Livestock Development to issue ~~a~~ a statement regarding the Kenya Co-operative Creameries Ltd. because it has been incurring a lot of losses. The Kenya Co-operative Creameries Ltd. is dead now, and if nothing is done to save the situation, farmers will suffer a lot.

AN HON. MEMBER: Dead?

MR. CHEPKOK: Yes.

MR. SPEAKER: I do not understand what you are trying to raise, Mr. Chepkok. What is your point of order?

MR. CHEPKOK: Mr. Speaker, Sir, I wanted the Minister for ~~if~~ Livestock Development to ~~a~~ issue a statement as to what he intends to do about the Kenya Co-operative Creameries Ltd. because there have ~~has~~ been a lot of losses in that institution of late. Farmers have not been paid their bonus, the management is asking ~~a~~ for loans to ~~have~~ put up houses and there is a lot of victimisation in the institution. Since its inception, the management of that institution has been using it as ~~the~~ their own business.

MR. SPEAKER: Order, hon. Chepkok.

MR. KAMAU: On a point of order, Mr. Speaker, Sir.

MR. SPEAKER: Order, hon. Kamau. I said that ~~I~~ if you manage to catch the Speaker's eye during the Motion on the Adjournment, then you can raise the points you ~~xa~~ want to raise about the Kenya Co-operative Creamerties.

THE MINISTER FOR LANDS AND SETTLEMENT (Mr. Mbsela): On a point of order, Mr. Speaker, Sir. While hoping that the previous point of order I raised has not been closed, I would like to raise another one regarding allegations made by the hon. Member for Mbooni, Mr. M Makau, during the debate on the Government Lands (Amendment) Bill. You will recall, Sir, that I promised to go and get some information and then come to enlighten the House on the allegations that the hon. Member made.

Hon. Makau stated that there was not a single title deed that had been issued in Mbooni Location since Independence and, at that time, I stated my doubts. I have now confirmed that there are six ~~eight~~ land adjudication sections that have already been completed and registered. Five sections have been completed and are in the process of being forwarded to the Chief Land Registrar for registration. Demarcation work has been completed in two sections and their preliminary index marks have been sent to the Director of Surveys for checking. Two other sections are still under the demarcation process.

Mr. Speaker, Sir, since it is clear that hon. Makau ~~has~~ misled ~~the~~ this House, I want to state that Kiambwa area has 1048 land title deeds so far issued, with only 29 of them collected. Kakuswi area has 1051 land title deeds issued, but only 41 of them have been collected. 1,344 land title ~~issued~~ deeds have been issued to Kisumu area, and only 74 of those title deeds have been collected. In Tulinani area, we have issued 1016 land title deeds but only 23 of them have ~~been~~ been collected. Kalawa area has been issued with 414 land title deeds and only two of them have been collected. In Kako area, we have issued 408 land title deeds and only two of them have been collected.

From what I have stated, Sir, a total of 24,281 land title deeds for Mbooni Location are ready for collection. In fact, it is also clear that 187 land title deeds have been collected by the owners. I think hon. Makau is ill informed about his own constituency or he deliberately misled the House. Therefore, he should apologise to this House.

MR. SPEAKER: Yes, Mr. Makau, would you like to respond to that point of order?

MR. MAKAU: Mr. Speaker, Sir, the hon. ~~Member~~ Minister has read out the names of various locations, but he has not mentioned Mbooni Location which was the bone of contention. Can he now tell us how many land title deeds have been issued ~~in~~ for Mbooni Location alone? What I stated is that not a single land title deed has been issued in Mbooni Location since Independence.

THE MINISTER FOR LANDS AND HOUSING (Mr. Mbela): Mr. Speaker, Sir, having worked as a district officer in that area, I know the place very well, I do remember very well that hon. Makau was talking about Mbooni Constituency.

MR. MAKAU: No! No!

THE MINISTER FOR LANDS AND HOUSING (Mr. Mbela): Mr. Speaker, Sir, I think it is about time we began being protected from malicious and misleading statements in this House.

(Several hon. Members stood on points of order)

MR. SPEAKER: Order, hon. Members. Since I was not in when that particular issue was raised, I am not sure whether hon. Makau talked about Mbooni Constituency or Mbooni Location. What is important, however, is that land title deeds have been issued in the area.

Next Order.

END.....J

MOTION FOR THE ADJOURNMENT

THE VICE-PRESIDENT AND MINISTER FOR HOME AFFAIRS AND NATIONAL HERITAGE (Dr. Karanja): Mr. Speaker, Sir, I beg to move that this House do now adjourn sine die. We have been in session since April ^{and} we have passed many Bills, as set out in the original statement and speech of His Excellency the President at the official opening of Parliament. Many of these Bills affect every aspect of our nation. We have removed, by Constitutional amendments, some of the colonial cobwebs from our Constitution, which are not any more relevant to Kenya, which is now celebrating 25 years of Uhuru.

I want to thank the hon. Members for their contributions, which have been lively, direct, relevant and mindful of the role the Members of Parliament as Nyayo legislators and representatives of the people. There has been a sense of humour and also a sense of occasion. At no time ^{have} ~~has~~ the Members of Parliament wasted the time of the House, and the occasional lack of quorum, though regrettable, has not seriously injured our progress. In all these, the hon. Members have been mindful, and heeded the advice of His Excellency the President, to concentrate on national matters and not to waste time with personal wrangles and to avoid those occasions that waste public time. This is truly a Nyayo Parliament, and contrary to erroneous views held by a minority, it is not a rubber stamp for anybody.

(applause)

THE VICE-PRESIDENT AND MINISTER FOR HOME AFFAIRS AND NATIONAL
HERITAGE (ctd.):

I wish to put our thanks on records for His Excellency the President for his leadership ~~far~~ of this nation. Our pride is because we know that without his leadership, this country would have been a retarded country. The genuine love and respect we have for His Excellency the President is because we ~~is~~ know he is a patriot, a nationalist and an example for all of us to emulate.

(applause)

There are some people who still think they are the only ones who are capable of leading, and I ^{think} ~~say that~~ they should be dis-
abused of that notion.

Mr. Speaker, ~~is~~ Sir, I want also to point ~~our~~ ^{out} and to say quite clearly that there are some magazines which are still being published in this country, which are actually working to denigrate the good Government of this nation, and I here want to mention the Financial Review, which seems to be a mouthpiece of some people. The Government of Kenya never issues misleading or erroneous statements; it issues statements that are accurate and true. ~~To insinuate that the statements issued by the~~ Government are not worth the paper they are written on is not only rubbish but, also, ridiculous and it should be condemned. The Government issued a statement to say that no gunny bags --- His Excellency the President banned the importation of gunny bags, but the magazine continues to state that, in fact, that order ~~has~~ has not been obeyed. This is not true.

I also want to say that ^{the claim that} ~~to say that~~ we are borrowing money in order to import luxury goods is ~~also~~ not true. The

THE VICE-PRESIDENT AND MINISTER FOR HOME AFFAIRS AND NATIONAL
HERITAGE (ctd.):

Government does not borrow money for the importation of luxury goods; it borrows money to develop projects to help wananchi. That should be understood even by the Financial Review.

Mr. Speaker, Sir, I also want to state that we should go from here with one spirit: to unite the people and keep them united because this country is one country which is free from tribalism, dissent and cacophony.

I wish all hon. Members a successful holiday until we meet next time.

Thank you very much.

THE MINISTER FOR ENERGY (Mr. Biwott): Mr. Speaker, Sir, I rise to second this Motion for the Adjournment, and, ~~in~~ in doing so, I would like to express our pride, as hon. Members of this House, for having got where we are because we have completed our work and are going on Recess without anybody complaining of unfair rushing. We have completed our work ^{satisfactorily} ~~satisfactory~~ because this House is composed of intelligent people; the House is full of hon. Members who know exactly what has to be done, they are clear in their mission and in their analyses and, therefore, they are able to arrive at decisions fairly quickly. There are no more demagogues or bombastic speakers in this House. Thank God that those hon. Members who have come to this House have come because of a sense of dedication, duty, Nyayoism and a sense of spirit that is there to serve the country for the good of our people.

Mr. Speaker, Sir, we have actually achieved this in this particular year, in this proud year when we are able to look back at the ten great Nyayo years of the Nyayo Era and to salute His Excellency the President for the tremendous amount

THE MINISTER FOR ENERGY (ctd.):

^{vivid and} of work he has done. The work is ^{clear}; it can be seen even ^{great} by the prophets of doom. We thank the President and wish him ^{great} success in the years to come, so that he may ~~flexible~~ continue to lead us to achieve even more than what we have been able to achieved today.

We were able to participate fully because we were able to work according to schedule. We also participated fully because we, as Members of Parliament, must be seen to be participating in what the President is doing; working with him as true Nyayo followers.

Mr. Speaker, Sir, we also need a bit of familiarization. Working from the answers we have been giving in the Front Bench, and also judging from the Questions the hon. Members have been asking, it is evident that there is a lot to be done ~~for~~ by the hon. Members for them to be able to ask the relevant and correct Questions, and to get the answers clearly and precisely. ~~With that~~ ^{Therefore,} I would like to ask the hon. Members to visit every corner of their constituencies so that they may know exactly what goes on so that when they come to ask Questions, they ask Questions that are correct and relevant ^{in order to} ~~so that they may~~ be given answers that will satisfy them. I am also appealing to the Front ^{to} Benchers ~~to~~ ~~so that they may~~ familiarize themselves with the responsibilities they are charged with so that ~~to~~ when they come to answer Questions, they answer them correctly. ^{In that way,} ~~With that,~~ we will maintain a spirit of unity, understanding, and a spirit that reflects what we are.

We want to educated the people to know more and the truth about the ~~the~~ Nyayo Philosophy, the rules of Kanu, the Kanu Constitution, the obligations of Kanu and to see the

THE MINISTER FOR ENERGY (ctd.):

achievements that have been made, especially during the Nyayo Era. We also need to educate our people to understand the problem of growth. Growth requires dedication, patience and commitment.

END K



THE MINISTER FOR ENERGY (Contd.):

Mr. Speaker, Sir, it is not easy to grow overnight, and that requires education. We need to educate our people about the district development commitments. We also need to educate our people about the correct interpretation of what happens, and with these I would like to appeal to all hon. Members to ensure, individually and collectively, that we flush out all the demagogues and all those who mislead our people by creating misinterpretations like we have been getting from the newspapers. We shall expose them and challenge them so as to clean our society and get rid of those who are marring the good image of our country.

Mr. Speaker, Sir, we also need to talk to parents about their children so as to avoid strikes that are unnecessary. We also need to attend to our own affairs so that we too do not get into messy affairs and then spoil the good image of an hon. Member of Parliament. So, I think this recess will give everybody an opportunity to attend to our own affairs.

With those few remarks, Sir, I wish ^{you} all a happy Xmas and a prosperous new year. Mr. Speaker, Sir, I beg to second the Motion.

(Question proposed)

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT

(Mr. Otwani): Thank you, Mr. Speaker, Sir, for giving me an opportunity to support this Motion on Adjournment.

Mr. Speaker, Sir, I think this is the time when you will allow us to express our appreciation for all that we have enjoyed since the Session started. I think one of the things I will have to appreciate is the way the Chair has guided the House. This House has been very versatile; quite controversial. We are very grateful to you and all your colleagues for guiding the House so well.

Mr. Speaker, Sir, allow me also to ^{congratulate} appreciate the Leader of Government Business and his Deputy for the manner in which they have conducted the House, and on top of that, I would also like to thank His Excellency the Vice-President and Minister for Home Affairs and National Heritage for all that he has done

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Otwani) (Ctd)

since he became the Vice-President, particularly his good example of leading fund-raising crowds in the country. I hope he will continue to do so.

Mr. Speaker, Sir, may I also not forget to thank all the Ministers who have shown that they are really true disciples of Nyayo. As I said I was going to express appreciations, I have two more to make. ^{Congratulation} Another ~~one is that~~ ^{is to} all the people of this country ~~are~~ for the demonstrations they have staged all over the country against the dissidents. It has been a good show of solidarity, and I am sure that the dissidents, wherever they are, within or without, know that they have no gate through which to enter Kenya and cause problems.

Finally, Mr. Speaker, Sir, in my appreciation, I would like to thank the Commissioner of Police for the decisive measures he has taken to curb poaching. We have seen the fruits of his efforts. We know people are courts. So, thank you very much for allowing me to do that.

Mr. Speaker, Sir, I will not also forget to thank the Ministry of Education for its move to discontinue the non-Kenyan teachers in order to create opportunity to employ the Kenyans that have just come from the universities and other institutions, particularly diploma colleges. We are also aware that it was not only the Ministry of Education that had non-Kenyans. We have other Ministries with non-Kenyans who can be replaced. So, I would like to appeal to the other Ministers to examine their Ministries and take appropriate action so that the young Kenyans from the universities and colleges can get employment. It is their right. I think we have been kind enough to the non-Kenyans. They have no reason at all to grumble. I would only appeal that the Ministry clears the teachers who have been discontinued quickly and neatly

I would also like to appeal to the teachers, particularly from Uganda, who have been discontinued to show gratitude by clearing peacefully. This is because I come from the border and I am aware that some of them are grumbling and, in fact, talking as if they want to gang up to cause mischief. I think they should show gratitude. We have looked after them for quite a

THE ASSISTANT MINISTER FOR MANPOWER DEVELOPMENT AND EMPLOYMENT (Mr. Otwani) (Ct

good number of years. It could have been worse. Some of them could have been dead by now. So, they should show gratitude to the Government and not gang around for mischief, but our Ministry should hurry up in clearing them so that they can go away happily.

Mr. Speaker, Sir, in this House during this Session, I remember most hon. Members while debating on the ^{Vote of} Ministry of Public Works indicated that many roads in the districts in our nation could best be maintained by labour units. So, I would like to remind the Minister that as the new year draws near to see if he can organise labour-intensive road maintenance units so that some sections of our roads can be maintained continuously well. I am sure this would offer employment to the local people and ensure that our roads are motorable throughout the year.

Mr. Speaker, Sir, I would also like to thank our beloved President, His Excellency ^{Samuel arap Moi} for bringing tractors to Siaya and Busia Districts. The tractors have already arrived. So, I would like to take this opportunity to call upon our people to start using the tractors immediately and plough the bushes that are all around the two districts.

Mr. Speaker, Sir, I beg to support.

THE MEMBER FOR BUTERE (Mr. Okwara): Thank you, Mr. Speaker, Sir, for ^{your} 'catching' my eye for the first time since I came in here.

I wish to thank our beloved President for having made this country prosperous through peace, love and unity. It is this Nyayo Philosophy that enabled the people of Butere to hold a by-election peacefully.

Mr. Speaker, Sir, I would like to thank the people of Butere for having elected me. The people of Butere and myself would like to condemn, without any reservations, the self-exiled dissidents who are bent to destabilise our beloved country. We would like to tell their god-fathers to leave Kenya alone.

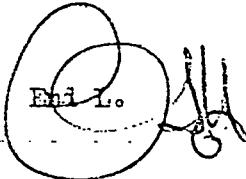
Mr. Speaker, Sir, I would like to make a few remarks on matters pertaining to development of Butere. I would like to make an appeal to the

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THE MEMBER FOR BUTERE (Mr. Okwara)(Contd.):

Ministry of Health to improve the medical services in Butere Constituency, and in particular, I would like to appeal to the Ministry to re-open the nursing training centre at Mwhila.

End L.



THE MEMBER FOR BUTERE (Mr. Okwara)(Ctd.):

The maternity wing of Butere Health Centre was built sometime back, but it has not been functioning because it has not yet been opened. I would like to appeal to the Ministry of Health to re-open this health centre and supply it with enough drugs for the benefit of the people of Butere.

Mr. Speaker, Sir, Butere is an area that has never got even an inch of tarmac road. Those people there, who have never been outside the area, do not know what ^atarmac road looks like. I wish to appeal to the Ministry of Public Works to seriously consider implementing the tarmacking of the roads from Mumias, through Omusalaba, to Buyangu and Butere to Bukura. I know that as I say this my colleague hon. Members who neighbour me are rejoicing because if these roads are tarmacked, they will benefit from them. In any case, Butere has been without good road communication for some time now. It is very difficult for the people there to travel because most matatus do not serve Butere. For this reason, young people who are supposed to travel to the district headquarters for recruitment are usually late for interviews. We have a lot of unemployment in Butere, and I would request that, if possible, recruitment for employment should be carried out at divisional headquarters. This will assist those job-seekers who have no fare to travel to the district headquarters.

I would like to mention here that Butere—

(Time was up before Mr. Okwara concluded his speech)

MR. SPEAKER: Could you conclude your speech, Mr. Okwara?

AN. HON. MEMBER: Say "thank you" to the President

THE MEMBER FOR BUTERE (Mr. Okwara): Finally, Mr. Speaker, Sir, I

thank His Excellency our beloved President for helping this country to develop to the present stage. Thank you.

MR. KYONDA: Thank you, Mr. Speaker, Sir, for giving me this opportunity to join my colleagues in supporting this Motion. I would like to start by thanking His Excellency the President for the manner in which he has been leading this country. His is a leadership of action, vision and a sense of direction. In his efforts to continue developing this country, His

MR. KYOHDA (CTD.):

Excellency the President visited my constituency recently. He visited a place called Kalamba, where he ignited the hearts of the people of Makueni. Their hearts are now burning with regard to things that pertain to development. I would like to sincerely thank His Excellency the President for this.

As the Government continues to make efforts to bring services nearer to the people, we hope that the proposed new Makueni District will receive the necessary services soon and a district commissioner or district officer I posted to ^{there} ~~Makueni~~ so that work may start immediately.

The question of untrained teachers was raised here earlier on. I would like to come back to it and say that Machakos has the biggest number of teachers in the country in over 1,200 schools. This means that the district has many untrained teachers. I know teachers there who have taught as untrained teachers for more than 20 years. I think this is unfair. As the Ministry for Education continues to implement the training of untrained teachers, I appeal to it to consider training those teachers who have been teaching for a long time.

I asked a Question here in connection with the roads in my constituency. Some of these roads are impassable, and certain places cannot be reached. People there walk about 30 kilometres to catch the nearest bus or matatu. There are places to which vehicle owners have refused to serve because the roads there are impassable. I said earlier on that we are told on ~~paper~~ paper that we are supposed to have nine road graders to level our roads, but there are only two that are in working condition. I would like to appeal to the Minister concerned to look into this problem because we are really suffering. As my colleagues here and I said earlier on, Makueni is a constituency in Kenya today and I think it is somewhat unfair that it has no tarmac road. I appeal to the Minister concerned to ensure that there is, at least, one ^{major} ~~big~~ tarmac road from Machakos to Makueni and another from Enali to Makueni. This will help us a lot.

As we all know, people experience a lot of problems when they have

MR. KYONDA (CTD.):

no medicine. We have one district hospital, Makueni, which is suffering a lot due to lack of drugs. We are supposed, on paper again, to have four log books in the hospital, but there is no vehicle there at all. Patients are transferred to Machakos District Hospital by public means of transport. I hear that a vehicle was donated to ~~the~~ Makueni District Hospital the other day, but I do not know for how long it is going to serve the hospital or whether it will soon be taken back. I would like to appeal to the Minister concerned to give us several ~~more~~ vehicles to serve this hospital. Likewise, we are supposed to have four doctors ~~in~~ because of the size of the hospital, but we have only one at the moment. A Question in respect of a surgeon there was raised here earlier on. We have no surgeon in the hospital. To say the least, this is unfair to the many people there who are supposed to be served by this hospital.

We have one of the most modern health centres in the area, which is called Matiliku. This area has a big catchment area, but there is no vehicle in the health centre. We were promised a vehicle, but nothing has happened up to now. I would like to appeal to the Minister concerned to give Matiliku Health Centre a vehicle.

Makueni is relatively dry, and we have drought there time and again.

With these few remarks, Mr. Speaker, Sir, I beg to support.

THE MEMBER FOR KACHELIBA (Mr. Kangole): Thank you very much, Mr. Speaker, Sir, for giving me this opportunity. I would like to start by thanking His Excellency the President for the wise way in which he has led this country in the last 10 years. I wish him ~~an~~ success in leading this country for the next Nyayo Era. I also wish him a good time as we look forward to celebrating 25 years of our Independence.

I also would like to take this ^{opportunity} ~~time~~ to thank the people of Kacheliba Constituency for having elected me as their Member of Parliament in the last by-election we had there. I want to assure them that as I remain in this House,

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THE MEMBER FOR KACHELIBA (Mr. Nangole)(Ctd.):

I will represent their interests at all times. I wish to assure them of my loyalty to His Excellency the President, our ruling Party, Kanu, and our Government.

END M



THE MEMBER FOR KACHELIBA (Mr. Nangole)(ctd.):

Mr. Speaker, Sir, I would like to take this opportunity to bring the image of Kacheliba Constituency to this House.

Kacheliba Constituency is ~~at~~ lagging behind in many things. The constituency ^{which} is about 17 years old, ^{is part and parcel of} ~~under~~ our beloved country, Kenya. When this ~~area~~ constituency was being administered by the Uganda ~~gov~~ government, it suffered ^{a lot} ~~some problems~~, and that is why it has lagged behind. The people of Kacheliba constituency are also enjoying the peace and stability that is existing in the country. They have also started having good schools, and security. This is a constituency which has been ~~is~~ experiencing a lot of problems because of bordering the neighbouring country which does not have peace at ~~these~~ the moment.

Mr. Speaker, Sir, I would like to appeal to the hon. Members of this House to give a helping hand to the people of Kacheliba especially where development is concerned. I would particularly wish to appeal to the Minister for Education to focus ~~to~~ his attention to the people Kacheliba who still lack education. We have also problems, as far as communication is concerned. I would like to thank the Government for the efforts it has put in improving some roads, but there are some roads which are ~~impassa~~ almost impassable, especially the road to Kopoit. This road is ^{at} ~~very~~ very bad ^{road} and it needs to be tarmacked. As you go on to

THE MEMBER FOR KACHELIBA (Mr. Nangole)(ctd.):

Alale, ^{you find that} the bridge at Kanyareng' River is also damaged. At times, and especially during the rainy season, it is impossible to travel from Alale Division to the neighbouring divisions.

Mr. Speaker, Sir, I would also like to thank the Government for the many things that it has done for Kacheliba Constituency. It was only recently when the Kacheliba Division was divided ~~into~~ to form both Kacheliba and Galale Divisions, and a number of locations. What we need now ~~is~~ are leaders to lead the people. I would like to appeal to the Ministry of Livestock Development to take some extension officers to Kacheliba Constituency. They should be taken to locations and sub-locations to ^{advise} ~~advise~~ the people on livestock because the mainstay of Kacheliba people is livestock. I know ^{that} all the hon. Members are aware of this fact.

With those few remarks, I beg to support.

(Mr. Speaker left the Chair)

(Mr. Deputy Speaker took the Chair)

THE MINISTER FOR WATER DEVELOPMENT (Mr. Ayah): Mr. Deputy Speaker, Sir, may I first of all say how wonderful it is that we have come to ^{the} closure of this Session of Parliament, which was opened by His Excellency the President in early March, 1988.

Mr. Deputy Speaker, Sir, this has been a great Session, because personally, I have had an opportunity to meet some ~~of~~ of the finest Kenyans, and it has been a privilege for me to

THE MINISTER FOR WATER DEVELOPMENT (ctd.):

know them. It has been a very happy occasion for me, and I feel that going home at this particularly time will give all of us a chance to rejuvenate ~~our~~ ourselves. This We shall have time to look at our constituencies, ^{and} ~~look~~ at some of the things that _{and} we have been saying here, /implement them, so that our country ^{can} is run the way we want it to be run.

(END.....N)

THE MINISTER FOR WATER DEVELOPMENT (CTD):

Mr. Deputy Speaker, Sir, let me make three requests. First, I would like to plead with my hon. colleagues that since His Excellency the President has succeeded so well in mobilising and marshalling the people of this country to the philosophy of peace, love and unity and to the idea that nobody else is going to build our nation except ourselves that we, as hon. Members of this august House, now take it upon ourselves to be 'missionaries' among our people, and even among foreigners if there may be any when we go to our constituencies, ^{we should} and spread the word that this country is determined to be led by one President, under one philosophy, under one Party and in the ^{belief} belief that without peace and unity we cannot develop. I think that it is important that we take the responsibility of being 'missionaries' among our people because quite often it is the leaders who start things off by generating controversies in various ways, like by naming some people and making careless statements that some people are this or that and so on. If we are 'missionaries', and know what we and the President ^{who} who has wasted not time in telling ^{us} what is good for this country, ^I want, I believe that we should spread the word among our people that we need to have peace, love and unity in this country.

Secondly, I would like to thank hon. Members who have given me the opportunity to meet them in my office to talk about the supply of water in various parts of the country. I want to assure hon. Members ^{that} we, in the Ministry of Water Development, will do all we can within the means available to us to supply water to Kenyans in their places of residence. But let me ask hon. Members one thing: I plead with them to spread that word that we must conserve our sources of water; we must conserve and preserve our rivers and all other sources of water we have in various areas. It is important to do that because while going round the country, I have noticed that in

THE MINISTER FOR WATER DEVELOPMENT (CTD):

some cases springs are drying up because people are grazing cattle and making paths across them ^{water} and other sources. So, I would like ask hon. Members to take it upon themselves to spread the word that in order to be able to utilise the water resources that we have, it is important that we preserve water sources such as springs, rivers and any other ~~is~~ God-given water source in this country.

Mr. Deputy Speaker, Sir, this is important because if we are not careful, the Ministry of Water Development will not be able to have any water to supply to the people of this country. I would like to make this request to the hon. Members because, as leaders who are in touch with the people, they should be able to convince Kenyans that we need to conserve the sources of water of this country.

Let me now come to my third point. Members of the Press in this country are our fellow citizens, personal friends and in some cases relatives. In many cases pressmen have done a wonderful job; they have helped us to spread the word about Kanu, the Government and about what we do. However, in some cases, as we would have in every society, there are a few pressmen who would wish to sow seeds of discord; who would like to spread evil spirit among us. Let all members of the Press try to help us in nation building.

With those few remarks, I beg to support.

THE ASSISTANT MINISTER FOR NATIONAL GUIDANCE AND POLITICAL AFFAIRS (Mr. Nassir): Bw. Naibu Spika, ningependa kumshukuru Mungu kwanza kwa kutuweka hai tangu tulipochaguliwa kuingia katika Bunge hili hadi sasa. Nina furaha kwa sababu Mungu alitujalia ^{Kuchaguliwa} ~~kuwa na~~ Wabunge wengi wazuri sana, wenye bidii, wenye kuisaidia Serikali na watu ambao ^{mbali} ~~hali~~ na kutoa michango katika mawakilisho yao, wanaenda katika sehemu nyingine za Kenya na kutoa michango kwa sababu ya uzalendo, uungwana, utu wema wao na mapenzi yao ^{kwa} taifa la Kenya.

THE ASSISTANT MINISTER FOR NATIONAL GUIDANCE AND POLITICAL AFFAIRS (Mr. Nassir) ctd

Naibu

Bw. Spika, sisi Wabunge tuna bahati kwa sababu wakati huu kazi ya yetu

imerahisishwa. Zamani ilikuwa ~~ix~~ ikilazimisha mtu kusafiri mpaka Nairobi kutafuta chochote kinachohitajika kule nyumbani kwa mawakilisho yetu. Kwa mfano, kukikoseka maji au nafasi za shule, ~~kuwa tukikwira kule safari~~ kusafiri mpaka ~~Nairobi~~ Nairobi kutatua matatizo hayo. Siku hizi Mtukufu rais Daniel Arap Moi ameturahisishia kazi ~~ya~~ Wabunge kwa ~~sz~~ kuanzisha mwongozo wa kuzifanya wilaya kuwa chanzo cha ~~sz~~ maendeleo. Mwongozo huu umetawezesha kutatua matatizo yetu kule tunapoishi mashambani badala ya kulazimika kuja ~~mpaka~~ mpaka Nairobi au kwingineko. Mwongozo huu ni kama baraka kwetu kutoka kwa Mungu.

Njia za kueneza habari kwa magazeti na redioni imeimarishwa. Siku hizi ~~maneno~~ maneno yanayotangazwa ni ya kweli na porojo imekwisha. Mwaka huu ningewauliza Wabunge wenzangu tuwe tukitembeleana kwenye mawakilisho yetu.

Inawezekana je tukawaambia wananchi kuwa ~~sisi~~ tuwe kitu kimoja kote nchini Kenya ili hali sisi & Wabunge hatutembeleani kwa mawakilisho yetu? ~~Ingefaa~~ Ingefaa tufanye yanayotupesa kufanya. ~~Ingefaa~~ Ingefaa tuwaambie wananchi waliotuchagua yale yanayowapasa ~~tuwatembelee~~ tuwatembelee

kufanya. Hata ingawa hatua pesa za kupatiana ingefaa ~~wale~~ wale ~~wabunge~~ wananchi wa mawakilisho ya Wabunge wenzetu na ~~Order~~ ~~kuwaeleza~~ jua ya umoja katika nchi yetu ~~na hata kuwaeleza~~ ~~jua~~ ~~ya~~ mipango ya Serikali yetu. Mwenendo kama huu wa ~~ku~~ kutembeleana ni mzuri sana.

Naibu

Bw. Spika, Makamu Wa Rais, ambaye pia ni Waziri wa Mambo ya Nchini

na Urithi wa Taifa akizungumza juu ya jarida la "Financial Review"

Kabla ya gazeti lolote kuanzishwa hapa nchini, ni lazima lipate idhini ya Serikali ya kulikubalia lianze kuchapishwa. Kwanza ni lazima litoe orodha ya mambo ambalo linakusudia kuchapisha. ~~Ex~~ Jarida la "Financial Review" lilipatiwa na Mkuu wa Sheria ~~kiuchumi~~ kiuchumi, kibiashara na hali ya kifedha leseni ya kulikubaliwa kuchapisha habari ya ~~wabunge~~, katika nchi hii. Wakati huu gazeti jarida hili limefanya ~~kisa~~ kinyume ~~ka~~ cha yale lililokusudiwa kuchapisha. Limeanza kutukana, kuwasaliti, kusema hata uwongo juu ya watu wengine hata Mtukufu Rais wetu mwenyewe. Wakati fulani lilichapishwa kuwa Mtukufu Rais aliniambia kuwa nilisema maneno ~~ni~~ fulani mahali fulani na akanionya kuwa si vizuri. Sijasikia Mtukufu Rais akiniambia hivyo. Nikikosa, Mtukufu Rais humionya mara moja. Sijasikia akiniambia kuwa nimefanya makosa fulani.

THE ASSISTANT MINISTER FOR NATIONAL GUIDANCE AND POLITICAL AFFAIRS (Mr. Nassir) cti:

— Ingefaa
 Tunapotoa leseni ya magazeti kama haya, ~~inafaa~~ ^{inafaa} uyachunguze sana. Pengine magazeti mengine kama haya huenda yakapatiwa pesa kutoka ~~mtu~~ nje ili yaweze kufuruga watu wetu. Wachochezi wa nchi za ~~nchi~~ huenda wakayatumia magazeti katika uchochezi wao kuliko kutumia sana za kivita. Wakati mwingine gazeti hili lilianza kumsaliti Makamu wa Rais na watu wengine na sasa limeanza kufanya hivyo baina yangu na Serikali. Ikiwa gazeti hili la "Financial Review" ni la kisiasa, ingefaa tuelezwe hivyo. Kama limepatiwa leseni ya kuchapisha mambo ya ~~kibiashara~~ kibiashara, mambo ya kiuchumi na kadhalika, inafaa lichapishe mambo ~~yake~~ hayo peke yake. Ninasema ~~hivi~~ hivi kwa sababu mambo haya yanaendelea kwa njia mbaya.

Bw. Naibu Spika, waandishi wengine wa habari wana nia ya kuona kuwa kuna mchafuko hapa nchini. Ukisoma habari walizoziandika kwa makini utaona ~~kuwa wanataka~~ kuwa wanataka kuleta fitina kati ya watu fulani au kati ya kabila fulani na fulani. Bunge hili linafaa kufanya k liwezavyo kuchunguza mambo magazeti yetu yanachapisha. Pia, ni jukumu la chama cha Kamu kuwa macho juu ya ~~zila~~ mambo kama haya.

Kwa hayo machache, Bw. Naibu Spika, namga mkono.

END P....

MR. LOTIM: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity. I would like to thank the hon. Members for the way they welcomed me to this august House.

I will straightaway comment on the Ministry of Water Development. It is a known fact that 85 per cent of West Pokot is arid and water is a scarce commodity. The Ministry should supply water to the hard hit areas in West Pokot like Kikwomo Location, Gigwo, Nagei and Soi Location. The wananchi in these locations suffer most during dry spells. During dry weather, seasonal river dry up and the people travel between five to seven kilometres to fetch water. I would like to request the Ministry to ~~sink~~ ^{construct} dams particularly in these locations where population is high. In this way, the wananchi and livestock can get water at a near distance.

It is the policy of the Government that by the year 2000, all wananchi will have clean tapped water near their houses. If the Ministry can ~~re~~construct dams in the places that I mentioned, I think the people of West Pokot will be able to enjoy the fruits of Uhuru like other wananchi in the whole of Kenya.

I would like to make a request to the Ministry of Information and Broadcasting. Now that the Kenya Broadcasting Corporation ~~is~~ is going to be established, the Ministry should ensure that at least a few people are recruited from West Pokot to serve in that Corporation. We may not be having very highly learned people like in ~~in~~ other places, but the Ministry can consider us in various fields.

I would now like to turn to the Kenya Grain Growers Co-operative Union which is under the Ministry of Supplies and Marketing, and the Kenya National Trading Corporation. Offices of these two bodies were opened in West Pokot two to three years ago but surprisingly, they later moved their offices and employees to (?). They should have used the District Focus for Rural Development system of employing the local people and not to come with their workers. The local people ~~is~~ should also be considered for employment in these organisations.

Turning to the Ministry of Tourism and Wildlife, I would like to say that ~~the~~ the wild animals are destroying people's crops and killing their livestock. It is known that the Ministry takes too long to compensate the victims of wild animals. For people to realise why they should ~~not~~ conserve wildlife, they should be compensated immediately. For example, in West Pokot where I come from, a person can wake up in the morning and find a lion in his boma. This lion may have killed about three animals. What is such a person expected to do? The only alternative before him is to take a spear - call other people to his aid - and kill the lion. If compensation can be effected immediately, I think it will encourage the people to realise the importance of wildlife conservation.

I would like to request the Ministry of Public Works to repair the Sok/ (?) because it is impassable. After the recent rains, most roads were washed away.

Thank you, Sir.

MR. KAMUYU: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support this Motion of Adjournment which is very timely indeed. This Parliament has been sitting since April and the time is now ripe for us to go back to our ~~our~~ constituencies and join our people not only in the Christmas ~~festivities~~ festivities but also for the 25th Anniversary of our Independence. This is a ~~xx~~ very important period indeed because ^{those} /of us who have seen what Kenya has achieved in the last 25 years both economically and politically, will agree that it has been a great success.

Perhaps, not all ~~xx~~ of us in this House will see the next 25 years. We are very lucky to have seen what we have achieved in the last 25 years. We should, therefore, join our constituents in these celebrations and also to continue preaching the Nyayo Philosophy of Peace, Love and Unity.

Parliament is the highest club in the land and our co-operation in this House will be emulated by the rest of the country. I take this opportunity to commend every hon. Member for having demonstrated great unity and co-operation when, ~~say~~, passing the Motion which have been brought to this House.

I take this opportunity to thank the hon. Members who had been in this House before ~~me~~ for the way they received the now hon. Members. Since these are school holidays, I would like to say that there is something which is ~~not~~ affecting our children a lot. I have in mind the video tapes. I would like to emphasize that video tapes are very bad for the discipline of our children. It is time they were withdrawn completely from the shops to allow full censorship to take place. Our children watch these tapes during the day and at night and they can cause a lot of embarrassment. This is contrary to our social development. I urge the Ministry concerned to take action immediately and withdraw these ~~video~~ video tapes. The Ministry should ^{allow} the circulation of those video tapes which have been fully censored by the Government.

I would like to say a little bit about Dagoretti Constituency which I represent in this Parliament. This constituency is like an island because it was cut off from Kiambu District as recent as 1962/63.

END.....



MR. KAMUYU (Ctd.):

Dagoretti has never been fully ~~assimilated~~ assimilated into the City and yet it does not benefit at all from the services provided by Kambu District. We do not receive full services either from the City or from Kiambu District. Therefore, we are essentially a rural centre in an urban ^{area} ~~centre~~. For this reason, I would like to take this opportunity to invite ~~any~~ Member of Parliament who may wish to come there to tour Dagoretti ~~and~~ so as to understand what Dagoretti is all about. At the moment, about 80 per cent of our roads are still earth-roads or what we call mud-roads when it rains. We seek assistance from the Ministry ^{of Public Works}.

THE MINISTER FOR HEALTH (Mr. Kibaki): Thank you, Mr. Deputy Speaker, Sir. I want to join the Leader of Government Business in first of all, thanking His Excellency the President for the good leadership he has given us. More particularly, I am going to ^{focus} ~~focus on the field of public health~~ in the leadership he is giving us in the field of public health. During this recess, we as Members of Parliament, should make sure that we do something to promote public health because there are many things we can do.

For instance, we are just about to eliminate leprosy in Kenya; it is only a few ~~tokens~~ ^{buckets} are remaining with leprosy. ~~The~~ With the drugs that have been developed now, we can eliminate leprosy in Kenya very quickly like we did with smallpox. All we require is that those who see symptoms of the disease to report immediately so that they can be treated at once. So, hon. Members can help us ~~in~~ by mentioning this fact in all their barazas, Harambee meetings or wherever, they may address the wananchi. That should be disclosed to the community.

THE MINISTER FOR HEALTH (Ctd.):

The other area where we have been commissioned by His Excellency the President is to join in the war against mosquitos. We know that malaria is a major killer in this ~~man~~ country and we are able to join and to encourage our constituents in clearing areas near our homes and other areas where mosquitos breed. Above all, we can preach that message since it ~~costs~~ costs very little. By so doing, we would achieve much for this nation. Let us make it our business to join that war against mosquitos. This cannot be left to the few public health officers who are touring around the country.

Equally, there is a that famous programme of the Mabati Women Group of changing the roofing of people's houses ^{which} is important. Today in many areas where we have the genuine infant mortality problem, ~~it is~~ the cause of it is that the houses where the little children of about a one week old are reared are damp and full of smoke. The lungs of the little children who ^{are} only beginning to get used to breath fresh air are forced to breath foul air and that is why some of them die of pneumonia. We ~~can~~ can reduce infant mortality by encouraging the Mabati Women Group's ^{concept} ~~concept~~ or ~~replacing~~ improving the roofing of our houses which would reduce smoke in our houses. This is a very good programme which is well supported and very suitable. It would also make the Members popular in their constituencies. So, an hon. Member ~~would~~ ^{have} promote public health as ~~well as have~~ a good standing in his constituency.

We could also encourage the programme which is being done by our Ministry and also by some non-governmental organizations (NGOs) on the question of breast-feeding. There is a crazy thought

THE MINISTER FOR HEALTH (Ctd.):

that breast feeding is for the rural folks or for those who do not have the means of buying manufactured foods. This is not true because breast feeding is the best protection for children. It passes the immunity from the ~~mx~~ mother to the child to make sure that the child is healthy. Above all, it is a programme which is being encouraged everywhere and we should not be left behind.

In the Ministry, we are carrying on the immunization of children to protect them against the six main diseases. This year, we are particularly immunizing them ^{against} ~~of~~ polio. When one is infected by polio, he is incapacitated for life - he cannot utilize his limbs. By making sure that a child is ~~incapacitated~~ immunized ~~the~~ he or she is protected for life and we should join this programme which is international. Kenya is also being sponsored by the Lions Club of Kenya ~~and the Ministry~~ and the Ministry of Health. Let us join so that we can make sure that every child is immunized and protected for life.

Let us also join in another programme that we have started - the deworming of children. This means giving children tablets which remove worms from their stomachs so that they become healthier and able to understand their school lessons better. This is a very cheap programme because we have the drugs and we ~~we~~ only require the programme to be supported by the Parent/Teachers Association.

Finally, let us join in the discipline which we are preaching ^{over} ~~in~~ the radio in the fight against the Acquired Immune Deficiency Syndrome (AIDS). Today, ~~i~~ as you know, is the World AIDS Day. Let us all join in the programme by showing a sense of discipline which we are telling other people to show. I hope

MR. CHEPKOK (Ctd.):

"The Kenya Co-operative Creameries was registered under the Company Act (Cap.486) in 1926. Seven years later, KCC was registered under the Co-operatives Act (Cap.490)-----"

Huo ni wakati wa Kenya k ilikuwa chini ya serikali ya mkoloni na mpaka leo, katika ofisi ya Mkuu wa Sheria KCC iko vile vile.

It was registered under the Co-operatives Act, yet the said Act does not allow the registration of the ~~company~~ organization.

MR. DEPUTY SPEAKER: Order! Mr. Kabingu-Muregi wants to raise a point of order.

END R. J. J.

MR. KABINGU-MUREGI: On a point of order, Mr. Deputy Speaker, Sir. Hon. Kamau has raised a very important point of order in the sense that he asked for substantiation that Kenya Co-operative Creameries (K.C.C.) has lost shs. 160 million. K.C.C. is a very important industry to us particularly in Nyandarua District. If that is true, we would like to know the details and some facts and if possible lay documents on the Table of the House so that we can follow it up because it is our money.

MR. CHEPKOK: I said that that information is in the report and anybody can go and read it.

MR. KAMAU: On a point of order, Mr. Deputy Speaker, Sir.

MR. DEPUTY SPEAKER: He is on a point of order. Can you respond to that point of order, Mr. Chepkok? In fact, you have very little time left.

MR. CHEPKOK: Mr. Deputy Speaker, Sir, if they want the report, I will lay it on the Table, but let me finish my contribution first.

MR. DEPUTY SPEAKER: Order! Did I understand you Mr. Chepkok to say that you have the report available?

MR. CHEPKOK: I said that the report about K.C.C. is there and anybody interested in it can read it.

HON. MEMBERS: Where is it?

MR. DEPUTY SPEAKER: Order! Yes, Mr. Ngaruro.

THE ASSISTANT MINISTER FOR AGRICULTURE (Mr. Ngaruro): On a point of order, Mr. Deputy Speaker, Sir. I think what hon. Chepkok is talking about is a trading deficit which is in their accounts it is not money picked up and lost.

MR. DEPUTY SPEAKER: Can you proceed, Mr. Chepkok?

MR. CHEPKOK: Maybe the time will catch up with me before I finish my contribution and so I hope I will be allowed some few more minutes because of that disturbance.

There is no legal notice from the Attorney-General's office to remove the word 'co-operative' from K.C.C. and so, K.C.C. is still a co-operative society.

MR. KAMAU: On a point of order, Mr. Deputy Speaker, Sir. The K.C.C. has got its constitution and memorandum of association and it is quite clearly stated as that one. Therefore, I do not think there is anything really which has been done against the law.

MR. DEPUTY SPEAKER: Next speaker, please. Mr. Keah.

MR. CHEPKOK: On a point of order, Mr. Deputy Speaker, Sir.

MR. DEPUTY SPEAKER: That point of order is overruled. Mr. Keah can you proceed.

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah): Thank you very much, Mr. Deputy Speaker, Sir....

MR. CHEPKOK: On a point of order, Mr. Speaker, Sir.

MR. DEPUTY SPEAKER: Order! For the benefit of hon. Chepkok, we are following strictly what this House does debate. Every hon. Member has exactly five minutes. I gave you some indulgence by giving you an extra two or three minutes so I cannot allow you to proceed. So can Mr. Keah please proceed with his contribution.

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah): Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to—

MR. CHEPKOK: On a point of order, Mr. Deputy Speaker, Sir.

MR. DEPUTY SPEAKER: Order, Mr. Chepkok. Can you allow Mr. Keah to proceed?

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah): Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this debate on the ^{motion for the} adjournment. First of all I would like to thank you, seated on the Chair, and all the hon. Members for the contributions. You particularly for the guidance and the protection such this protection you have just given me, Mr. Deputy Speaker, Sir.

Here I would like to thank hon. Members for the very constructive ~~criticisms~~ criticisms and in particular, I would like to commend this country for its one party ^{system} ~~system~~ and the maturity which has been ^{exhibited} ~~exhibited~~ in this House for the last

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah) (Ctd.):

eight months in which I have been ^{here} to show the world that a one party system is as good as any multi-party system because the level of debates ^{here} has been very good indeed. ^{This has happened} In a one party state where you have the Front-bench and the Back-benchers debating very, very constructively ~~xxx~~ indeed. I would like to particularly commend the Back-benchers here for fearlessly asking the questions they have been asking and for the contribution they have made on the various ~~xx~~ Motions et cetera. But I would only like to appeal that perhaps, and this is an observation, some of the points of order can be a little bit more constructive than they have been and this is merely an appeal.

But on the adjournment, I have several things which I hope to accommodate-

MR. MANG'OLI: On a point of order, Mr. Deputy Speaker, Sir. We are contributing on a Motion of Adjournment. Is the hon. Assistant ~~xx~~ Minister in order to ^{attribute} ~~put~~ words ^{to} ~~in~~ us who raise points of order and tell us to make clearer points of order in future? How does he want us to raise our points of order?

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah): Mr. Deputy Speaker, Sir, because I have very important points to make, I wish to withdraw ^{the remarks} for his benefit but I have made the point and so I would like to carry on.

I would like first of all to thank the Government for a number of very important projects indeed. ~~xxxx~~ The first one is the Kilifi Bridge which is costing the Government over shs. 700 million.

MR. MAKAU: On a point of order, Mr. & Deputy Speaker, Sir. It was the Chair which should have cleared the point of order which was raised by ~~xxxx~~ hon. Mang'oli. So is it in order for the Assistant Minister who is on the Floor to clear himself?

MR. DEPUTY SPEAKER: Order! Mr. Makau, hon. Members have exactly five ^{quad} minutes ^{to} make some very useful suggestions. I think if you could just bear with ~~xx~~ the hon. Members - In fact, hon. Keah had just withdrawn the ~~xxx~~ remark and that is very much in order. Can you proceed, Mr. Keah.

THE ASSISTANT MINISTER FOR FINANCE (Mr. Keah): Thank you once more for the protection, Mr. Deputy Speaker, Sir. I was saying that I thank the Government for the shs. 700 million Kilifi Bridge which will indeed open up the north-coast of Kilifi, Malindi and as far as Lamu et cetera. I would also like to thank His Excellency the President for the Coast Development Authority which is a very, very welcome authority indeed which I understand the Ministry of Regional Development is in the process of establishing.

I would like to share an experience I have had with the district development committee (D.D.C.) and here I would like to appeal to hon. Members to be part and parcel of the deliberations of those D.D.C.s. In particular they should be the eyes of the Ministry of Finance in so far as development projects are concerned. It is by fully participating in the D.D.C.s that hon. Members can make a contribution to the Government in one aspect by ensuring that development projects are properly constructed and the funds for which they have been voted and which have been sent to the D.D.Cs are well utilized. This is an appeal I am making to all hon. Members to ensure that money voted for a project has been well spent by them actually physically visiting and verifying those development projects. They should also call for progress reports.

Thank you very much, Mr. Deputy Speaker, Sir.

THE ASSISTANT MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES (Mr. Said-Memed): Asante sana Bw. Naibu Spika kwa kunipa nafasi hii. Kwanza ninataka kuishukuru Serikali na Mtukufu Rais kwa ^{kutuongoza} ~~katengeneza~~ vyema na kwa kazi nzuri na bora zaidi ambayo anaifanyia nchi yetu.

Pili, ninataka kuzungunza juu ya mambo ya afya na ^{ninataka} ~~kuwa chakuru~~ kwa sababu Waziri wa Afya yuko hapa. Mimi ninataka kuzungunza juu ya Coast General Hospital kule kwetu Mombasa. Hospitali ^{hii} ~~ya Coast General~~ ina hudumia Mkoa wa Pwani wote na si Wilaya ya Mombasa peke yake lakini hali yake ni mbaya sana. Kwa hivyo ninamuomba Waziri wa Afya aende huko Mombasa ili aweze kujionea vile hali ilivyo. Siwezi ^{kueleza} ~~kuwona~~ vile hali ilivyo lakini ni mbaya.

THE ASSISTANT MINISTER FOR THE ENVIRONMENT AND NATURAL RESOURCES (Mr. Said-Hemed)

(Ctd.):

Kupita

Kuchukua
~~W~~ kiasi. Kwa hivyo ninaiomba Wizara ijaribu iwezavyo na ~~to~~ hatua
na kuziangalia wakati
ya haraka. Nyumba zimejengwa mpya lakini umienda ~~aliyaka~~ hivi sasa *hali*
yake ~~hivi~~ sasa ni mbaya sana. Mgonjwa akipelekwa katika hospitali hii anapewa
kwenda
prescription ya ~~kat~~ *kuenda* kununua ~~mda~~ dawa nje. Mh hii ni hatari
upasaji
kubwa sana kwa sababu wakati mwingine hata kama ~~sazam~~ amefanyiwa ~~upasuaji
pia anatakiwa kununuliwa dawa kutoka nje. Karatasi ambayo inaandikiwa ni
ile ya mifuko ya saruji.~~

END S.....

THE ASSISTANT MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES (Mr. Hemed) (ctd.):

Sijui kama kuna watu wanaofanya mipango hii wakiwa na nia ya kuliharibu jina la Serikali au kama kweli hakuna vifaa katika hospitali ile. Ukweli ni kwamba hali katika hospitali ile ni mbaya sana. Tunayasema haya kwa uchungu mwingi kwa sababu hospitali ni nzuri na ni yetu na ina chohitaji ni kuangaliwa vizuri. Hali yake kwa sasa haitoshelazi wagonjwa bata kidogo.

Bw. Naibu Spika, barabara nyingi Mombasa si nzuri. Mombasa ni mji mkubwa wa pili wa nchi hii. Kwa wakati huu hali ya barabara zak si nzuri. Barabara hizi ni zile ambazo zinaelekea Mwakirunge ukipitia Nguu Tatu. Barabara hizi hazipitiki. Kwa sababu hiyo wakulima hawawezi kusafirisha mazao yao hadi mjini. Pia kwa kuwa magari hayawezi kupitia barabara hizi watu hulazimika kwenda kwa miguu. Hakuna bas au matatu kwa kuwa wenye mabas na matatu wamekataa kuyatumia magari yao kwenye barabara hizi. Wanafanya hivyo wakisema kuwa ikiwa watatumia mabas yao kwenye barabara hizi kusafirishia abiria, basi baada ya siku mbili ^{watatumia} watumia pesa nyingi sana kuyarekebisha. Kwa hivyo, watu wa sehemu hizi wanapata taabu sana. Utaona kuwa hata mazao yao yanaharibika kwa kuwa hakuna magari ya kuyasafirishia. Pia watu hawawezi kuyabeba mapakacha ya maembe, machungwa na bidhaa nyingine na kuyleta hadi Mombasa. Kwa hivyo, Wizara inayohusika inafaaa kuliangalia jambo hili. Ikiwa hawawezi kuweka lami katika barabara hizi, basi wanaweza ^{kuyatanga ziwel} kuzitanga barabara ambazo zinaweza kupitika wakati wowote ili watu waweze kusafirisha bidhaa zao hadi Mombasa.

Jambo la pili ni kuhusu mikopo inayotolewa kwa wafanyabiashara wadogo wadogo ambayo hupelikwa kila mahali nchini hii. Lakini ninaona kama mikopo hii haifiki Mombasa kwani wafanyabiashara wa huko huwa hawaipati mikopo hii. Sisi tunapopendekeza wapewe mikopo hii wao hungojea kwa muda mrefu sana hata wengine huzeoka bila kupata mikopo hiyo. Kwa hivyo, mambo haya yanahitaji kuchunguzwa ili ijulikane

THE ~~MR~~ ASSISTANT MINISTER ~~FOR~~ ENVIRONMENT AND NATURAL RESOURCES (Mr. Hemed)(ctd.)

ni nani kule Mombasa ambaye huwa anapata pesa hizi kwani wenyeji wa Mombasa huwa hawazipati pesa hizo na hivyo wao hushindwa kuendeleza maisha yao ya familia zao. Kwa hivyo, pesa kamhizi zinapoletwa kule Mombasa inafaa iangaliwe kuwa wale watu wa asili wa Mombasa wanazipata pesa hizi. Hifai kuwapatia watu wasio wa Mombasa pesa hizi.

Kwa hayo machache, ~~mtangaz~~ naunga mkono.

THE MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES (Mr. Nyaga):

Mr. Deputy Speaker, Sir, I ~~am~~ thank you for giving me the opportunity to ~~make~~ contribute towards this Motion. First of all, I would like to thank our President for the way he has conducted this country for the period that he has been at the helm - that is 10 years. This year we are celebrating the 25th Anniversary of Kenya's attainment of ~~the~~ Independence. We are witnessing that we——

(noise)

MR. DEPUTY SPEAKER: Order! Order, hon. Members! Can we hear hon. Nyaga in silence.

THE MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES (Mr. Nyaga):

Mr. Deputy Speaker, Sir, before I was interrupted I was saying that we are celebrating 25 years of our Independence; free from the colonial yoke and ready to build a nation of the kind that we want.

There were people who came before us in politics who fought and struggled with the colonialists in order to create a Kenya of our pride. It is that Kenya of our pride that we want to create today by following ~~the~~ the teachings of Nyayo Philosophy of Peace, Love and Unity.

We are lucky to have had ~~a~~ two eminent sons of Kenya and Africa in the form ^{of} Hayati Mzee Jomo Kenyatta, the founder of this nation, and President Daniel ~~a~~ Toroitich arap Moi who is following the footsteps of

THE MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES (ctd.):

the former President has even made Kenya stride further and further towards the ideals that we fought the colonialists to leave us for.

Mr. Deputy Speaker, Sir, ~~ex~~ we have a country to look after. I like to call it God's choice in that we hear of calamities in other countries of wind, storms, floods and of all sorts. Fortunately, we have been spared all these. For this we have to thank God. We have also heard of civil wars. We do not have this kind of thing too. For all this we ought to be very thankful to God's choice of the leader ^{who} ~~that~~ joins us together and exhorts us to behave in the way that any human being that needs to progress behaves.

I am sure that ~~z~~ with the unity of purpose, dedication and honesty, we can make Kenya even a greater country. This Kenya which I described as God's choice, has got practically everything that one would wish ^{to have} ~~for~~. We have a beautiful countryside, wildlife and natural resources that we must take care of. We must ^{not} allow this wealth to be destroyed by people ^{for} ~~with~~ their own selfish reasons. We, therefore, must condemn the activities of the poachers, of people who allow ~~their~~ ^{to take place} soil erosion in their areas and also people who say things about Kenya which are not true, to people outside this country. Kenya is a country that is democratically governed and a country in which everybody is trying to build a nation and not tribalism. It is also a country where there is a chance for everybody to contribute towards national development. ~~It~~

It is ~~th~~ with this in mind that I think ^{of it} ~~all~~ us from the 188 geographical units called constituencies, we ^{should} ~~will~~ go back to the people who elected ^{us and} work with them to realise that we have a Kenya to build and a leader ^{whom} ~~that~~ we must help and ^{that} we also have people who will be tomorrow's generation which will have to look after this country. Above all, we have, in President Daniel arap Moi a leader who knows what he is talking about. I listened to him over the radio taking this

THE MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES (ctd.):
 afternoon to his live speech from Arusha. In that speech he was
 telling Africans how they should behave. He also condemned South
 Africa where Africans are killing each other and people who do not
 contribute towards the unity of the regions that are covered by the
 Preferential Trade Area and the Organisation of African Unity. If
 our President keeps on with the same policies ^{of} exhorting Africa to do
 what he has exhorted us to do, where we ^{have} for the past 25 years, we have
 been free and progressive, then we shall have a continent of people
 who can contribute towards the world's peace.

With these few remarks, I beg to support.

MINISTER OF STATE, OFFICE OF THE PRESIDENT (Mr. Nabwera):

Thank you very much, Mr. Deputy Speaker, Sir, for giving me this
 opportunity to support the Motion for the Adjournment. I would like
^{to} make a few points. First of all I would like to thank all hon.
 Members, at the end of this Session, for the part that they have played
 in demonstrating their support and their loyalty to the President.
 This is especially during the ^{recent} demonstrations that were carried out
 by various constituencies and ~~in~~ districts ^{throughout} throughout this Republic.

The demonstrations have shown our national unity. It
 should be our duty during the recess ^{for} each and every one of us
~~to~~ try and enhance that national unity so that our people can
 remain united. This would allow them to concentrate on developing
 our country.

END T....

THE MINISTER OF STATE, OFFICE OF THE PRESIDENT (Mr. Nabwera)(Ctd.):

Mr. Deputy Speaker, Sir, the few dissidents who have escaped from this country, should not detract our attention from our development process. What has been demonstrated beyond doubt is that the people of Kenya are united as a nation under one leader, President arap Moi and this should be the most important message that the world should understand. The few individuals who may hold a different views are not the representa_tives of the people of Kenya. I would like to emphasize ~~that~~ that all of us should preach that message and should remain united. We should not try to attack each other ^{unnecessarily} ~~unnecessary~~ and cause despondency where it does not exist.

Therefore, Mr. Deputy Speaker, Sir, as we go for the recess, this should be the message that we should take with us. Secondly, Sir, I would like to say that the Kenya Press should also preach the same message. When the Government says that this or that is the Government policy, it is of no value for any newspaper or a weekly magazine to cast doubt on what the Government has stated. I am saying this because if we are to remain as one nation, we have to accept the leadership of the Government. I was horrified to read in The Financial Review, a statement which ^{the impression} gave that although the Government had said that the goods which had entered the Port of Mombasa were not destined for this country, that what the Government had said, was not true. ^{Earlier} This afternoon when I was answering a Question in this House, on another matter, I said that it is the Government policy to make sure that imported goods which do not belong to this country, are moved to their destination. This would be done by making sure that the importers actually come out and are identified as the importers for such goods.

Mr. Deputy Speaker, Sir, it is useless for a few Kenyans to try to import goods into Kenya illegally by pretending that those goods belong to Uganda, Rwanda or Burundi importers. Since the Government has devised water tight measures to ensure that these goods are escorted across our borders and seen to enter the destined country, I do not see why the Financial Review, should take it upon itself to cast doubts in the minds of

THE MINISTER OF STATE, OFFICE OF THE PRESIDENT (Mr. Nabwera)(Ctd.):
 Kenyans that these goods were not Kenyan goods. This is trying to
 create despondency in the minds of our people by saying that what the
 Government said may not be true. We cannot continue along those lines
 and I therefore would like to appeal to The Financial Review and to all
 other newspapers and magazines to make sure that they inform our people
 correctly so that we can remain united in this country. I am quite sure,
 Sir, that I speak for all Kenyans by saying that Kenyans are united under
 the leadership of His Excellency President Daniel arap Moi and we shall
 forge ahead accordingly.

With those few remarks, I beg to support.

THE MINISTER FOR CULTURE AND SOCIAL SERVICES (Mr. Ngei): Thank
 you, Mr. Deputy Speaker, Sir, for allowing me this chance to contribute
 to this Motion which was moved by the Vice-President, Minister for Home
 Affairs and National Heritage. First of all, I would like to talk about
 Turkwell ^{Gorge} ~~Gorge~~ Project which His Excellency the President inaugurated
 its inception. Sir, we all know that the President has done well in
 initiating this project under which huge acreage of irrigation is ~~is~~
 going to be undertaken, and this is a great job. When you go there
 and see the cliff^s that make the embankment of River Turkwell, you will
 find it amazing. When you see the buildings where the people live, you
 will be surprised. I was surprised when I asked the Deputy Leader of
 Government Business how they built the road there, because the way it
 has been done was very amazing to me. He told me that they built this
 road by using ordinary road machinery.

Mr. Deputy Speaker, Sir, His Excellency the President has ~~seen~~
 seen it fit to grant a lot of Turkanas and Pokots the benefits of this
 huge irrigation scheme. I was told that the irrigation scheme comprises
 of 750,000 acres. This is a tremendous effort in/a country where food
 is not easily obtainable. You cannot get food easily in Turkana at the
 moment and therefore, 750,000 ^{acres} ~~acres~~ of irrigated land will go a long way
 in providing the Turkana people with enough food.

THE MINISTER FOR CULTURE AND SOCIAL SERVICES (Ctd.):

Mr. Deputy Speaker, sir, I would also like to express my thanks to His Excellency the President for inaugurating the Fokker 50 the other day. He told Dr. Gecaga that they must sell the 747 aircraft, and buy a new Airbus or add more Fokker ^{friendships} ~~friendships~~. This is ^a great achievement and I was very much thrilled by this. The aim of our President is to develop our country and it is in this view that I am supporting him. I am sure that every hon. Member of this House, be he a Minister, an Assistant Minister or a M Back-Bencher is supporting the President. I would like to thank hon. Members for the way they have been supporting the President and appeal to them to be truthful to themselves. We should know that we have a Government which want^s to run this country well.

Mr. Deputy Speaker, Sir, I see a lot of development now being done through ~~the~~ Government Ministries. Recently, I witnessed many Ministers attending a dinner ~~in~~ hosted in favour of our Olympic team. They came and greeted me and said, "Oh it ~~x~~ was very good of you to host this dinner and inviting us to attend". I said that I was very much pleased that they were able to come. This is what the President has always said to us, namely that, we must always love each other and strive to make the Government machinery to run well. I have heard the President asking the Members from Turkana and Pokot areas to get together in order to bring about greater development in their areas.

Mr. Deputy Speaker, Sir, I would like to appeal to hon. Members from Machakos District to make sure that from today - - -

MR. DEPUTY SPEAKER: Your time is up, Mr. Ngei.

THE MINISTER FOR CULTURE AND SOCIAL SERVICES (Mr. Ngei): Thank you, Mr. Deputy Speaker, Sir. With those few remarks, I beg to support.

MR. MAIHU: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to join other hon. Member^s in supporting this Motion ~~on~~ for ^{the} Adjournment. As you are aware, Sir, we are soon going to celebrate 25 years of Independence and it is important that this House should pay

U.4.——1.12.88.

MR. MAITHU (Ctd.):

great tribute to the Founding Father of this Nation for what he did
zi for the achievement of our Independence. We should also pay tribute
to all the freedom fighters who struggled and sacrificed their lives for
the freedom of this country. We should also pay tribute to all those
who struggled and lost their lives. Sir, 1988, has been a year of great
zi achievements in Kenya. Our President has spearheaded a few issues
which I would like to mention.

END U

JMK

MR. MAHUU (ctd.):

We have also had the Kanu general elections and other things that have happened within this year. So, we should take stock of our achievements during this year and appreciate what our President has ~~xxxx~~ done for us. Therefore, in order ~~of~~ for us to conclude the Nyayo Era properly, it is not wrong for us to erect two statues, one of President Moi next to the one of the late Mzee Kenyatta and another one of President Moi near the Kenyatta International Conference Centre. That way, ~~xxxx~~ we will have concluded the Nyayo Era properly. Indeed, erecting two more ~~ix~~ statues will not cost us a lot of money.

Mr. Deputy Speaker, Sir, the other point I want to mention is that there should be set a forum for a dialogue. We have an executive President, and we should have an opinion organisation so that we understand our own Constitution properly. Our ~~xxx~~ Constitution does not provide for opinion organisations so that we can have a chance to tell the President, "Come, let us talk". So, I join ~~x~~ hands with those who have said that our media should take care so that they do not excite our people on small matters. All Kenyans who took part in the ~~xx~~ struggle for Uhuru are happy that we are now celebrating the 25th year of our Independence. As we go out on recess we should go and cement the peace, love and unity which are our guiding factors. Those of us who are Christians ~~xx~~ know that the biggest commandment in the Bible is that of love; we should all love each other.

With those few remarks, Mr. Deputy Speaker, Sir, I beg to support the Motion.

MR. SALAT: Thank you very much, Mr. Deputy Speaker, Sir, for giving me a chance to contribute to ~~xxxx~~ this Motion.

First of all, I wish to congratulate His Excellency the President for the able manner in which he has ~~xxxx~~ conducted the affairs of this ~~xxxx~~ nation during the First Nyayo Decade. I want to also wish the President good health so that he can lead this nation into greater heights of prosperity during the next Nyayo Decade.

MR. SALA(ctd.):

Secondly, Sir, I wish to commend our security forces for the able manner in which they are conducting the affairs of ~~maintaining~~ safeguarding the security of the people of this nation and the ~~the~~ security of our animals. We have read in newspapers that the Government is taking strong actions against the poaching menace that has become rampant in this country. I am sure that ~~ix~~ if that action continues, the poaching menace is going to be eradicated once and for all.

Mr. Deputy Speaker, Sir, I want to ask the Minister for Livestock Development to expedite the revitalisation of the Kenya Meat Commission because 90 per cent of my constituents depend on livestock. It is now the right time when the Kenya Meat Commission should be revitalised. That institution should come up and buy the fat animals we have so that the money can be used for nation building.

The other point I want to make is that Ministers should fulfil the promises they have made in this House in relation to hon. Members' ~~q~~ Questions. A lot of Questions have been put to Ministers and Ministers have undertaken to do something about what hon. Members want. Therefore, we want to see those promises fulfilled because wananchi have heard them. It will be very frustrating ~~ix~~ if nothing is going to happen towards the implementation of the various promises we have been given by hon. Members.

Mr. Deputy Speaker, Sir, at this juncture, I would like to call upon Ministers to visit various constituencies during this ~~long~~ long recess so that they can acquaint themselves with the problems facing the people of this nation, particularly the remote areas. When we talk about people's problems in this House, we talk of what we know. Probably, some Ministers just know some places on record. For instance, Fafi Constituency has just been created and Ministers should try and know that area. It is incumbent upon Ministers to know every corner of this area because they do not represent only where they come from.

Lastly, Sir, let me take ~~ka~~ this opportunity to wish all hon. Members a nice time during this coming recess. It is during the recess that we should go home and explain Government policies to our constituents. I wish everyone of us a merry Christmas and a happy new year.

I beg to support the Motion.

END.... V.

THE ASSISTANT MINISTER FOR SUPPLIES AND MARKETING

(Mr. Chesire): On a point of order, Mr. Deputy Speaker, Sir. I do not want to interrupt, ^{but} ~~in his contribution~~, in his contribution to this Motion, hon. Mahihu talked about erecting two statues, one outside Parliament Buildings and the other one outside the Kenyatta International Conference Centre. If I am not wrong, he said that those ~~2~~ statues should be erected to conclude the Nyayo Era. I do not know whether that is what he meant, but ~~it~~ ^{is} not, could he correct that impression?

MR. MAHIHU: Mr. Deputy Speaker, Sir, I think the hon. Member got me wrong, but ~~it~~ if that is what I meant, I withdraw.

MR. MANG'OLI: Thank you Mr. Deputy Speaker, Sir, for allowing me ~~me~~ to contribute to this Motion for the adjour- nment. I will make three or four points, but before I do that, I would like to talk about reports ^{that appeared} appearing in two of our daily newspapers yesterday which were to the effect ~~that~~ ^{that bus} fares would be hiked by ^{over} ~~200~~ 100 per cent. This move by the Kenya Country-bus Owners Association (KCBOA) amounted to ~~exciting~~ ^{waiting} the public against the Government and it should be condemned. We want the root cause of their announcement. They know the channels they should have ~~followed~~ followed in ~~a~~ making that announcement; they ~~it~~ should not have made the announcement before clearing the issue with the Minister for Transport and Communications. Therefore, they should be told, in no uncertain terms, that in future, they should not announce ~~a~~ fare hikes before they have cleared the issue with the Government. I am saying so because these people could be termed as 'Mwakenya'

MR. MANG'OLI (ctd.):

because they were inciting the public against the Government. What can be more 'Mwakenya' than that? We woke up yesterday and found that somebody ^{had} announced that people ^{would} be paying Sh.200 to travel to Webuye by bus. I call upon the Minister for Transport and Communications to investigate this particular organization. Since the price of petrol has ~~h~~ not been increased, this organization must be re-examined so that their cause and purpose in this ~~xxx~~ country are known.

The other area I would like to touch on is the medical scheme for civil servants. I would like the Minister of State, Office of the President, who is in charge of the Directorate of Personnel Management, to re-examine the current medical scheme. ~~Civil Servants~~ Wananchi spend more money in buying medicine than they do in buying human food, which is ~~xxx~~ normally not budgeted for. The amount of Sh.4,000, which is allocated to each civil ~~x~~ servant per year for medical expenses is so low that the Government should come up with a new policy on this medical scheme. The ~~x~~ civil servants are crying for an increase in the allocation.

Mr. Deputy Speaker, Sir, on Tuesday this week, we passed the Kenya Broadcasting Corporation Bill which intends to make the Voice of Kenya a parastatal body. I hope that the salaries of those who are going to work in the parastatal body will be based the scales of parastatal bodies rather than ~~that~~ ^{those} of the Civil Service. They are going to do a good job, and so they should be properly rewarded.

The other thing I want to talk about concerns the Ministry of Transport and Communications. The Ministry appointed a contractor to build the road between Webuye and Malaba. I have ~~insisted~~ ~~that~~ persistently said that this contractor is not

MR. MANG'OLI (ctd.):

forthcoming. I am rightly told that he has been suspended. Since this contract is of an international nature, I would like the Minister to move faster and appoint another contractor to build the road. Since the contractor had already started doing the ground work, I am sure the Minister will make sure that this is done.

The other area concerns the Ministry of Health. Medicine is not available in all clinics. Even here in Nairobi, where I live, there is no medicine. Can the Minister do something to know where the medicine is? There is also the issue of prescription cards. It is a shame for us to have our prescriptions written on the paper used for packing cement. Time has come when the ~~Minis~~ Ministry of Health should allocate money for buying stationery. It is a shame for a visitor to notice that our medicine is prescribed on the paper used for packing cement. I am sure that is going to be corrected.

Mr. Deputy Speaker, Sir, the other thing I would like to talk about is the buying of maize by the National Cereals and Produce Board from the farmers. The Ministry of Supplies and Marketing should check on how the farmers selling maize to the National Cereals and Produce Board are treated. The ~~farmers~~ farmers are being frustrated by the Board's employees because they - the Board's employees - ask for kick backs. The maize cannot be bought by the Board without kick backs. The Minister should check whether these people are being honest. You might find, for example, a farmer who ^{was} had taken his maize to the Board for sale ^{being sent} is sent back with it, but when he goes back there and gives the employees a tip, the maize is bought. The farmers should not be frustrated any more. I am sure this is going to be checked, especially in Webuye,

MR. MANG'OLI (ctd.):

where the matter is serious.

With those few remarks, I beg to support.

THE MINISTER FOR PUBLIC WORKS (Mr. J.K. arap Koech):

Thank you Mr. Deputy Speaker, Sir, for giving me this chance to join my colleagues in contributing to this Motion for the Adjournment.

At the outset, I would like to congratulate His Excellency the President for the way in which he has guided this country since he took over its leadership. We have completed the first Nyayo Decade - a very successful period in which we have seen quite a good number of achievements. With the type of speed the President started with, we believe that in the near future, we are going to see a lot of development in this country.

Ltrs Mr. Deputy Speaker, Sir, I believe ~~that~~^{it} is very important for all us of Kenyans to take some time and have a look at the achievements we have had in this country. We should move ~~round~~ round the country to have ~~at~~ a look at what is going on every day. Project after project ~~are~~^{is} coming up because we have good leadership and a good Government.

At times, we may be tied down by a few problems, but if a number of Kenyans have ~~had~~ a chance to go to some other countries, they can see for themselves that what is being done in this country is a lot, and more is going to be done in future. So, we must count our blessings; as we read in the Bible. The blessings we have had in this country, through the good leadership of his Excellency the President, are quite enormous.

At times, we have been ~~subjected~~ subjected to very poor coverage by the international media. The international media

THE MINISTER FOR PUBLIC WORKS (ctd.):

cannot understand us. We ~~xx~~ are not going to bow down to the international media or to the international community in order to move in this country. Kenya is for Kenyans, and Kenyans know what is good for them. It is good ~~for~~ on the part of the hon. Members of this House to explain to the people ^{that} what the Government is doing is quite okay; we have ~~got~~ a good Government. Through the dedication of the hon. Members of this House, Kenyans will be able to know that we have ~~got~~ to work for ourselves; we should not wait for anybody from outside to understand our problems.

We have introduced the queuing method of voting, which has proved ~~xxx~~ very successful. We are not going to anybody to ask him to approve it for us. Kenyans have accepted it, and we are going to do our things in our own way.

Mr. Deputy Speaker, Sir, I would like to thank the hon. Members for the level of debate in this House ^{which} has become very high because the hon. Members who are here this time are very understanding. In the past, ~~some hon. Members used to~~ a few misguided people used to ~~the~~ think that one becomes a good Parliamentarian by being critical, just for the sake of it. In the African setting, the African has always lived in harmony with ^{his} ~~is~~ environment. Africans have always been unanimous in making decisions. So, the question of urging on irrelevancies is alien to the African way of thinking.

END W.

THE MINISTER FOR PUBLIC WORKS (Cont.)

Mr. Deputy Speaker, the way we are moving is in the right direction. ~~The hon. Members in his House,~~ ^{the hon. Members in this House} the way they approach matters is very mature. I am very happy and I can even look to the future that as we continue like this, then we have a great ~~future~~ ^{future} in this country. This is where people or hon. Members of Parliament agree, or where the Kenyans agree in harmony on what they want to do. ~~This is because some people have criticised us. They say with one party system, it always fails.~~ ^{by saying that one party system} But we all know that with one party system ~~is what~~ has become successful in an African setting, and it can be proved that this is true in African countries. So, we in this country, we have already agreed on a one-party system and we shall continue to develop when we follow the pattern that we have seen.

Mr. Deputy Speaker, it would be good for the hon. Members to explain ^{in detail} to our electorate ~~when we go on recess what we have come to do in Parliament,~~ ^{here} ~~here.~~ We have come to support the Government here, and I am very happy that the people of this country, as it was shown recently during the demonstrations that they are all behind His Excellency the President and the Government. So, anybody else who may think otherwise is just misleading himself.

With those few remarks, Sir, I beg to support.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot):

Mr. Deputy Speaker, I would like to join the Leader of Government Business in the House for having thanked His Excellency ^{The President} for the good work he has done ~~during the life of this Parliament.~~ ^{this session.}

Mr. Deputy Speaker, His Excellency the President, through his visits to all provinces and most of the districts of Kenya, has enabled many hon. Members of Parliament to see their country, and we are all very, very grateful to him. On that note, I would like to support hon. Mahihu for having suggested that statues of His Excellency be erected here in Nairobi for the people and children of this country to appreciate the good work that His Excellency the President has done for us during the Ten Years of Nyayo Era which has been celebrated this year.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot) (Ctd.):

Mr. Deputy Speaker, we know that His Excellency the President is very modest. He is God-fearing and a man of peace. But nevertheless, Kenyans would like to see the statues of His Excellency the President as soon as possible in several parts of Nairobi, and where possible, in the provinces.

Mr. Deputy Speaker, I would like to request hon. Members of Parliament as we go for recess, ^{to do} a very special favour on disabled children. Kenya has a very elaborate programme for the --

MR. DEPUTY SPEAKER: Order, Mrs. Ogot.

The Chair wishes to draw the attention of the hon. Members to the fact that the debate on this Motion ~~which~~ ^{what} commenced at 4.10 p.m., and I would probably like to quote one of the resolutions of the House on 20th April was:--

"That, the debate on any Motion for the Adjournment of the House to a day other than the next normal Sitting Day shall be limited to a maximum of two hours with not more than five minutes for each Member speaking;"

Now, if we were to follow that strictly, then the House has to adjourn at 6.10 p.m. This is a mandatory provision unless somebody wishes to move that we extend time.

HON. MEMBERS: No! No! No!

MR. DEPUTY SPEAKER: Okay. Continue, Mrs. Ogot.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot):

Mr. Deputy Speaker, I would like to appeal to all hon. Members to assist us during the barazas to explain to the parents - mothers and fathers - not to hide their disabled children. It is good to start assisting them early for training in school as well as assisting them in areas of physiotherapy. I am, therefore, appealing to all hon. Members of Parliament ⁱⁿ barazas, churches, and in all Harambee meetings ^{to appeal to} for the parents not to hide their disabled children because the Government and the Ministry of Culture and Social Service under our hon. Paul Ngei, has very elaborate programmes for the disabled children.

Mr. Deputy Speaker, I would like to request the Ministry of Health

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot) (Ctd.):
 to assist in providing an X-Ray machine in good working condition at Naivasha Hospital. On the same note, I want to thank him for the excellent work which is being done by the X-Ray Department at Kenyatta National Hospital. But because Naivasha area is accident prone, and for a long time the X-Ray equipment has not been in good working condition, they need one. On two occasions I have had to take patients to that hospital following road accidents and on both occasions the X-Ray machine was not in good working condition. I am glad now that the hon. Minister for Health is here. If he can kindly agree to get the machine in good working condition prior to Xmas, it would assist us a lot.

With those few remarks, I beg to support.

(Question put and agreed to)

ADJOURNMENT

MR. DEPUTY SPEAKER: ^{Hon. Members} / The House is adjourned sine die.

The House rose at ten minutes past Six o'clock.

End X. 