PARLIAMENT
OF KENYA
LIBRARY

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

ORDERS OF THE DAY 1998

DEPUTY SPEAKER

Eighth Parliament
(No.1)



Second Session
(1)

PARLIAMENT OF KENYA LIBRARY

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY, MARCH 31ST, 1998 AT 2.30 P.M.

1. **PRAYERS**

   By the Spiritual Leaders

2. **ADDRESS OF WELCOME**

   By Mr. Speaker

3. **PRESIDENTIAL ADDRESS**

   By His Excellency the President

4. **NOTICE OF MOTION**

   By the Leader of Government Business

5. **ADJOURNMENT OF THE HOUSE**

Eighth Parliament

(No.2)



Second Session
Morning Sitting
(2)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, APRIL 1ST, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7Ø. **Procedural Motion** - (The Leader of Government Business)

THAT, this House orders that the Business appearing on to-day's Order Paper be exempted from the provisions of Standing Order No.33, being a Wednesday Morning, a day allocated for Private Member's Motions.

8Ø. **Motion** - (The Leader of Government Business)

THAT, the following Members be appointed as Members of the House Business Committee:-

The Hon. N.K. Ngala, M.P. - Chairman
The Hon. S. Nyachae, M.P.
The Hon. W.M. Mudavadi, M.P.
The Hon. K.N.K. Biwott, M.P.
The Hon. S.K. Musyoka, M.P.
The Hon. J.J. Kamotho, M.P.
The Hon. Kipkalia Kones, M.P.
The Hon. Maj.(Rtd.) M. Madoka, M.P.

The Hon. J.L. Sunkuli, M.P.
The Hon. Moody Awori, M.P.
The Hon. A.M. Noor, M.P.
The Hon. S.P. Leshore, M.P.
The Hon. Mwai Kibaki, M.P.
The Hon. D. Mwiraria, M.P.
The Hon. M. Karua, M.P.
The Hon. N.M.G.K. Nyagah, M.P.
The Hon. Raila A. Odinga, M.P.
The Hon. P. Oloo Aringo, M.P.
The Hon. M.K. Wamalwa, M.P.
The Hon. (Prof.) Anyang' Nyong'o, M.P.

Ø Denotes Government Procedural Motions
* Denotes Government Orders of the Day

Eighth Parliament
(No.3)



Second Session
(4)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, APRIL 2ND, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7~~0~~. **Motion** - (The Leader of Government Business)

THAT, the following Members be appointed as Members of the House Business Committee:-

The Hon. N.K. Ngala, M.P. - Chairman
The Hon. S. Nyachae, M.P.
The Hon. W.M. Mudavadi, M.P.
The Hon. K.N.K. Biwott, M.P.
The Hon. S.K. Musyoka, M.P.
The Hon. J.J. Kamotho, M.P.
The Hon. Kipkalia Kones, M.P.
The Hon. Maj.(Rtd.) M. H. Madoka, M.P.

The Hon. J.L. Sunkuli, M.P.
The Hon. Moody Awori, M.P.
The Hon. A.M. Noor, M.P.
The Hon. S.P. Leshore, M.P.
The Hon. Mwai Kibaki, M.P.
The Hon. D. Mwiraria, M.P.
The Hon. M. Karua, M.P.
The Hon. N.M.G.K. Nyagah, M.P.
The Hon. Raila A. Odinga, M.P.
The Hon. P. Oloo Aringo, M.P.
The Hon. M.K. Wamalwa, M.P.
Prof. the Hon. P. Anyang' Nyong'o, M.P.

Denotes Government Motions

Eighth Parliament
(No.4)



Second Session
(6)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY, APRIL 7TH, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7~~8~~. **Procedural Motion:** (Leader of Government Business)

(a) **THAT,** the House may, on a Motion made by any Member in accordance with the provisions of this Standing Order, impose a limit in respect of the debate on any particular Motion by allotting a limited period of time for such debate or by limiting the time during which Members may speak in such debate or by imposing both such limitations.

(b) **THAT,** such Motion may be made without notice;

Provided that such Motion shall not be made in the course of the debate to which it refers unless it is moved after an adjournment of such debate and before the debate is resumed.

...../Motions

8Ø. **Procedural Motion** - (The Leader of Government Business)

THAT, the debate on the Motion of Presidential Address be limited to a maximum of Seven Days, with not more than ten minutes for each Member speaking excluding the Mover in moving and replying who shall be limited to twenty minutes in either case.

9Ø. **Procedural Motion** - (The Leader of Government Business)

THAT, the debate on Private Members Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

10Ø. **Procedural Motion** - (The Leader of Government Business)

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 three hours with not more than five minutes for each Member speaking.

11Ø. **Motion** - (The Leader of Government Business)

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on 31st March, 1998.

Ø Denotes Government Motions
* Denotes Government Orders of the Day

Eighth Parliament

(No.5)

Second Session
Morning Sitting
(8)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, APRIL 8TH, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7ø. **Procedural Motion** - (The Leader of Government Business)

THAT, this House orders that the Business appearing on to-day's Order Paper be exempted from the provisions of Standing Order No.33, being a Wednesday Morning, a day allocated for Private Member's Motions.

8ø. **Motion** - (The Leader of Government Business) - (2nd Day)

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on 31st March, 1998.

(Resumption of dabate interrupted on 7th April, 1998)

ø Denotes Government Motions
* Denotes Government Orders of the Day

...../Notice

NOTICE

LIMITATION OF DEBATE ON THE PRESIDENTIAL ADDRESS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on the Motion of Presidential Address be limited to a maximum of Seven Days, with not more than ten minutes for each Member speaking excluding the Mover in Moving and replying who shall be limited to twenty minutes in either case, provided that the Responder on behalf of the Opposition shall be limited to twenty minutes.

Eighth Parliament

(No.6)

Second Session
Afternoon Sitting
(10)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, APRIL 8TH, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

Ø **Motion** - (The Leader of Government Business) - (3rd Day)

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on 31st March, 1998.

(Resumption of debate interrupted on April 8, 1998 - Morning Sitting)

Ø Denotes Government Motions

NOTICE

LIMITATION OF DEBATE ON THE PRESIDENTIAL ADDRESS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on the Motion of Presidential Address be limited to a maximum of Seven Days, with not more than ten minutes for each Member speaking excluding the Mover in Moving and replying who shall be limited to twenty minutes in either case, provided that the Responder on behalf of the Opposition shall be limited to twenty minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for Kisauni (Mr. E.K. Maitha) to ask the Minister for Education and Human Resource Development:-

(a) Could the Minister inform the House what caused the fire that destroyed the dormitory of Bombolulu Girls Secondary School, on Thursday 26th March, 1998, killing over twenty five (25) students?

(b) What arrangements is the Ministry making to meet the medical expenses that are being incurred by the students admitted in various hospitals in Mombasa?

(c) What urgent assistance is the Ministry providing to ensure that the school resumes normal teaching sessions, particularly for the fourth formers who are due to sit for the National Examinations later this year?

(d) What measures has the Ministry put in place in all schools in the republic to prevent the recurrence of such tragedies?

Eighth Parliament
(No.7)

Second Session
(12)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, APRIL 9TH, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7Ø **Motion** - (The Leader of Government Business) - (4th Day)

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on 31st March, 1998.

(Resumption of debate interrupted on 8th April, 1998)

Ø Denotes Government Motions

N O T I C E

LIMITATION OF DEBATE ON THE PRESIDENTIAL ADDRESS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on the Motion of Presidential Address be limited to a maximum of Seven Days, with not more than ten minutes for each Member speaking excluding the Mover in Moving and replying who shall be limited to twenty minutes in either case, provided that the Responder on behalf of the Opposition shall be limited to twenty minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for Kisauni (Mr. E.K. Maitha) to ask the Minister for Education and Human Resource Development:-

(a) Could the Minister inform the House what caused the fire that destroyed the dormitory of Bombolulu Girls Secondary School, on Thursday 26th March, 1998, killing over twenty five (25) students?

(b) What arrangements is the Ministry making to meet the medical expenses that are being incurred by the students admitted in various hospitals in Mombasa?

(c) What urgent assistance is the Ministry providing to ensure that the school resumes normal teaching sessions, particularly for the fourth formers who are due to sit for the National Examinations later this year?

(d) What measures has the Ministry put in place in all schools in the republic to prevent the recurrence of such tragedies?

Eighth Parliament
(No.8)

Second Session
(14)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY, APRIL 14TH, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7Ø **Motion** - (The Leader of Government Business) - (***5th Day***)

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on 31st March, 1998.

(Resumption of debate interrupted on 9th April, 1998)

Ø Denotes Government Motions

NOTICE

LIMITATION OF DEBATE ON THE PRESIDENTIAL ADDRESS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on the Motion of Presidential Address be limited to a maximum of Seven Days, with not more than ten minutes for each Member speaking excluding the Mover in Moving and replying who shall be limited to twenty minutes in either case, provided that the Responder on behalf of the Opposition shall be limited to twenty minutes.

Eighth Parliament

(No.9)



Second Session
Morning Sitting
(15)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, APRIL 15TH, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7Ø. **Procedural Motion** - (The Leader of Government Business)

THAT, this House orders that the Business appearing on to-day's Order Paper be exempted from the provisions of Standing Order No.33, being a Wednesday Morning, a day allocated for Private Member's Motions.

8Ø. **Motion** - (The Leader of Government Business) - (***6th Day***)

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on 31st March, 1998.

(Resumption of dabate interrupted on 14th April, 1998)

Ø Denotes Government Motions

...../Notice

NOTICE

LIMITATION OF DEBATE ON THE PRESIDENTIAL ADDRESS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on the Motion of Presidential Address be limited to a maximum of Seven Days, with not more than ten minutes for each Member speaking excluding the Mover in moving and replying who shall be limited to twenty minutes in either case, provided that the Responder on behalf of the Opposition shall be limited to twenty minutes.

Eighth Parliament

(No.10)

Second Session
Afternoon Sitting
(17)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, APRIL 15TH, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7θ **Motion** - (The Leader of Government Business) - (*7th and Final Day*)

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on 31st March, 1998.

(Resumption of debate interrupted on April 15th, 1998 - Morning Sitting)

θ Denotes Government Motion

N O T I C E

LIMITATION OF DEBATE ON THE PRESIDENTIAL ADDRESS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on the Motion of Presidential Address be limited to a maximum of Seven Days, with not more than ten minutes for each Member speaking excluding the Mover in moving and replying who shall be limited to twenty minutes in either case, provided that the Responder on behalf of the Opposition shall be limited to twenty minutes.

Eighth Parliament
(No.11)



Second Session
(18)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, APRIL 16TH, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7℔ **Motion** - (Chairman of Public Accounts Committee)
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Kenya Government for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

℔ **Denotes Government Motions**

Eighth Parliament
(No.12)



Second Session
(19)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY, APRIL 21ST, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7. **COMMITTEE OF SUPPLY**

MOTION - (The Minister for Finance)

(a) **THAT,** a sum not exceeding K£870,892,291 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1998, in respect of Supplementary Estimates of 1997/98 (Recurrent) having regard to the reduction of K£389,784,549, therein appearing.

(b) **THAT,** a sum not exceeding K£39,380,874 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1998, in respect of Supplementary Estimates of 1997/98 (Development) having regard to the reduction of K£281,251,422, therein appearing.

(***His Excellency the President has signified his consent to these Motions***)

...../Motion

8ø **Motion** - (Chairman of Public Accounts Committee)
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

ø Denotes Government Motions

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

007 - The Member for Migori (Mr. Owino Achola) to ask a Minister of State, Office of the President:-

(a) What was the cause of the clashes that affected the Likoni area in 1997?

(b) Could the Minister table a list of all the victims of the clashes?

(c) How many people were arrested, charged and convicted for the offence of masterminding and executing these clashes?

003 - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Agriculture:-

(a) Is the Minister aware that Mumias Sugar Company is fraudulently escalating deductions from cane collected from farmers leading to high profits for the company and its contractors while impoverishing the farmers?

(b) What measures is the Minister planning to take to make this factory a source of prosperity and not poverty for the farmers of the area?

006 - The Member for Kajiado Central (Mr. David ole Sankori) to ask the Minister for Water Resources:-

Considering that the water supplied to Loitokitok, Kajiado, Machakos and Athi River through the Nol-Turesh Water Pipeline is not treated, what steps is the Minister taking to safeguard the lives of the users?

001 - The Member for Kangema (Mr. John N. Michuki) to ask the Minister for Water Resources:-

(a) Is the Minister aware that Kangema Township area has lacked clean drinking water for several years now?

(b) What does the Minister intend to do to provide sufficient water to the over 10,000 inhabitants of the area both for their consumption and sanitation?

(c) When is he going to take action on the issues raised in "a" and "b" above?

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...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. **Question By Private Notice - The Member for Ugenya (Mr. James Orengo) to ask the Minister for Finance:-**

Could the Minister confirm or deny that the African Tours and Hotels Limited is being placed under receivership despite having substantial security for loans because it is the target of private investors who want to acquire the hotel chain at a throw away price?

2. **Question By Private Notice - A Nominated Member (Dr. Richard Leakey) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) Why was ***Kaya Tiwi***, which is a historical site, de-gazetted as per Gazette Notice No.1552 of 18th February, 1998?

(b) Who is or are the owners of the land?

Eighth Parliament

(No.13)

Second Session
Morning Sitting
(20)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, APRIL 22ND, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **MOTION** - (Mr. Raila Odinga)
(Office of the President)

THAT, considering the increasing levels of crime and its negative impact on growth and development in our Nation, this House urges the Government to formulate a National Crime Prevention Strategy (NCPS) with a view to reducing the levels of crime in the Kenyan Society.

8* **MOTION** - (Mr. Mwai Kibaki)
(Office of the President)

THAT, while noting that Kenya is by virtue of its Constitution a multiparty democracy; considering that viable political parties are critical for the existence and survival of any multiparty democracy; and thanking the Government for accepting the proposal that parliamentary political parties be funded directly by the State from the Consolidated Fund with effect from July 1998; this House resolves:

(a) that Annual grants be made to parliamentary parties through the budget in each financial year.

(b) that the amount of such grants be the number of presidential votes secured by the parties in the immediately preceding general elections multiplied by Kshs.100/= each.

...../Motions

(c) that the Government, as a matter of urgency, establishes a clear legal framework to ensure transparent, fair and just financing of all political parties.

9* **MOTION** - (Mr. Peter Oloo Aringo)
(Office of the President)

THAT, in view of the fact that the resurgence of ethnic violence has caused the death of thousands of innocent Kenyans, the destruction of property and the displacement of hundreds of thousands of Kenyans from their homes, farms and places of business and schools; and considering the adverse effects of persistent ethnic violence on the economy and the socio-political development of our Nation, this House urges the Government to facilitate the establishment of a Truth and Reconciliation Commission with judicial powers and authority to carry out extensive investigations into this matter in order to establish its root cause(s) and remedy.

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

*** Denotes Party Motion**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

019 - A Nominated Member (Dr. Richard Leakey) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-

How many convicts and inmates in both prisons and remand institutions have died as a result of illness in 1995, 1996 and 1997?

017 - The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Local Authorities:-

(a) Is the Minister aware that Councillors of Meru County Council have not been paid their allowances since they were elected in December, 1997?

(b) What urgent measures is the Minister taking to ensure that the said Councillors and all Councillors country-wide who have not been paid their allowances are paid promptly?

021 - The Member for Langata (Mr. Raila Odinga) to ask the Minister for Local Authorities:-

(a) Is the Minister aware that all the foot bridges in Kibera Estate in Langata Constituency have been washed away by the ***El Nino*** floods, thus causing great difficulties to the residents including school children?

(b) If the answer to "a" above is in the affirmative, what urgent steps is he taking to ensure that the bridges are repaired?

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Eighth Parliament

(No.14)

Second Session
Afternoon Sitting
(23)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, APRIL 22ND, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

76 **COMMITTEE OF SUPPLY**

MOTION - (The Minister for Finance)

(a) **THAT,** a sum not exceeding K£870,892,291 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1998, in respect of Supplementary Estimates of 1997/98 (Recurrent) having regard to the reduction of K£389,784,549, therein appearing.

(b) **THAT,** a sum not exceeding K£39,380,874 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1998, in respect of Supplementary Estimates of 1997/98 (Development) having regard to the reduction of K£281,251,422, therein appearing.

(***His Excellency the President has signified his consent to these Motions***)

(Resumption of debate interrupted on 21st April, 1998)

...../Motion

80 **Motion - (Chairman of Public Accounts Committee)**
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

Ø Denotes Government Motions

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

016 - The Member for Kitutu Masaba (Mr. George Anyona) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that on 7th April, 1997, the Assistant Chief of Nyachichi Sub-Location in Kitutu Masaba allegedly demanded and received Kshs.400/- each from the following widows: Annah Onkoba; Pauline Omurwa; Teresa Omosa; Jane Maroti; Rose Cosmas; Eunice Momanyi; Gladys Moturi and Teresia Michira, purportedly to be allowed by him to brew traditional liquor for sale?

(b) Could the Minister investigate this corruption by the Assistant Chief and take necessary disciplinary and legal measures?

018 - The Member for Nithi (Mr. Njoka Mutani) to ask the Minister for Health:-

(a) Is the Minister aware that Chuka District Hospital has no surgical, radiography and laundry services?

(b) If the answer to "a" above is in the affirmative and since these services are essential for any medical institution, what arrangements does the Ministry have to ensure that the services are provided as a matter of urgency?

035 - The Member for Lagdera (Mr. Mohammed Shidiye) to ask the Minister for Education and Human Resource:-

(a) Could the Minister explain under what circumstances were the 1997 Kenya Certificate of Secondary Education examination results for the Garissa High School, County High, North Eastern Province Girls and Umma Salama Girls schools cancelled?

(b) Is the Minister aware that the blanket cancellation of the Kenya Certificate of Secondary Education examination results have affected more than 360 students, majority of whom are innocent and their long term dreams and ambitions in life nipped in the bud?

(c) In view of the above, could the Minister urgently order the remarking of the exams and release the results thereof?

—0—

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, APRIL 23RD 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7* **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney-General)

First Reading

8ø **Motion - (Chairman of Public Accounts Committee)**
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

9ø **Motion - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the State Corporations laid on the Table of the House on 22nd April, 1998.

ø Denotes Government Motions
*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

030 - **The Member for Kamukunji (Mr. Norman Nyagah) to ask a Minister of State, Office of the President:-**

(a) How many expatriates have been issued with work permits in the last three years, i.e. 1995, 1996 and 1997?

(b) What action does the Minister intend to take to ensure that work permits are issued when it is absolutely necessary?

036 - **The Member for Kisauni (Mr. Karisa Maitha) to ask the Minister for Lands and Settlement:-**

(a) Why was the land at Ribe/Kikomani owned by Ribe Property Committee adjudicated and allocated without the Committee's approval?

(b) Could the Minister nullify the allocations to enable the Committee allocate the land to genuine residents?

004 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Natural Resources:-**

(a) What is the actual expenditure on eradication of water hyacinth from Lake Victoria?

(b) What future plans does the Government have to ensure that the weed is completely eradicated?

017 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that Councillors of Meru County Council have not been paid their allowances since they were elected in December, 1997?

(b) What urgent measures is the Minister taking to ensure that the said Councillors and all Councillors country-wide who have not been paid their allowances are paid promptly?

021 - **The Member for Langata (Mr. Raila Odinga) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that all the foot bridges in Kibera Estate in Langata Constituency have been washed away by the ***El Nino*** floods, thus causing great difficulties to the residents including school children?

(b) If the answer to "a" above is in the affirmative, what urgent steps is he taking to ensure that the bridges are repaired?

Eighth Parliament
(No.16)



Second Session
(29)

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY, 28TH APRIL, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7ℳ **Motion - (Chairman of Public Accounts Committee)**
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

(Resumption of Debate interrupted on 23rd April, 1998)

8ℳ **Motion - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the State Corporations laid on the Table of the House on 22nd April, 1998.

ℳ Denotes Government Motions

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

009 - The Member for Kajiado Central (Mr. David ole Sankori) to ask the Minister for Agriculture:-

(a) When will the now renovated Kenya Meat Commission become operational to enable farmers sell their livestock?

(b) What alternative plans has the Minister for livestock farmers in the event of further delay in opening the factory?

023 - The Member for Nithi (Mr. Njoka Mutani) to ask the Minister for Agriculture:-

(a) Is the Minister aware that all tea factories bordering Nithi Constituency in both Embu and Imenti are congested and that tea leaves in Nithi is going to waste owing to delays in transportation from collection centres to the factories?

(b) If the answer to "a" above is in the affirmative, when will the new Weru Tea Factory in Nithi Constituency be completed in order to ease congestion in the other factories?

002 - The Member for Kangema (Mr. John N. Michuki) to ask the Minister for Water Resources:-

(a) When will the rehabilitation of Kahuti Water Project Phases I, II and III be implemented?

(b) Why has the project taken so long to be brought into effect, despite the fact that the Government is aware of the acute shortage of water prevailing in the area?

037 - The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Local Authorities:-

(a) Which local authorities had opened accounts with the Trade Bank, and how much money had each of the said local authorities deposited before it (Trade Bank) was placed under receivership?

(b) What action does the Minister intend to take to retrieve the money since most of the local authorities are in financial crisis?

020 - **A Nominated Member (Dr. Richard E. Leakey) to ask the Minister for Health:-**

(a) What is the current government estimates for the number of Kenyans who are in need of artificial limbs?

(b) What provision of prosthentic aid to this category of the physically challenged has the Ministry put in place?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Dagoretti (Mrs. Beth Mugo) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that Riruta Muthiora combined Women's Group, with over eight hundred members, was allocated Plot No.L.R.No.Dagoretti/Riruta S707 and that L.R. Dagoretti/Riruta S961, has been reserved for ***Jua Kali sheds,*** primary school and stadium?

(b) Is he further aware that L.R.No.S707 has been earmarked for a proposed maternity hospital, the expansion of the existing nursery school and other social amenities for the local community?

(c) In view of the above facts:

(i) Under what circumstances was the said plot, S707, allocated to East African Union S.D.A. Church?

(ii) In order to avert imminent blood shed and loss of lives, could the Minister direct the Commissioner of Lands to issue title deeds of the said Plot No.S707 to the sixteen Women's Groups in Dagoretti and Plot No.S961 to the Ndurarua Primary School in accordance with the recommendations of the Sub DDC of Dagoretti and the DDC, Nairobi and as per our discussion of 8th April, 1998?

2. - **Question By Private Notice - The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Education and Human Resource Development:-**

(a) What caused the fire at Voi Secondary School on 2nd April, 1998, which destroyed the physics laboratory, several classrooms and a store and what was the cost of the damage?

(b) What steps does the Ministry intend to take to avoid occurrences of such incidents?

(c) Could the Government consider assisting in the renovation and equipping of the physics laboratory to relieve the over-burdened parents who struggled over the years to equip it?

3. - **Question By Private Notice - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Natural Resources:-**

(a) On what gounds did the Minister issue Legal Notice No.44 on 3rd April 1998, de-gazetting over 53.68 hectares on L.R.No.23256 of Ngong Forest?

(b) In view of the environmental value of this forest to the public, could the Minister cancel the said notice with immediate effect?

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 29TH APRIL, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

70. **MOTION** - (Mr. Mwai Kibaki)
(Office of the President)

THAT, while noting that Kenya is by virtue of its Constitution a multiparty democracy; considering that viable political parties are critical for the existence and survival of any multiparty democracy; and thanking the Government for accepting the proposal that parliamentary political parties be funded directly by the State from the Consolidated Fund with effect from July 1998; this House resolves:

(a) that Annual grants be made to parliamentary parties through the budget in each financial year;

(b) that the amount of such grants be the number of votes secured by the parties in the immediately preceding general elections multiplied by Kshs.100/= each; and

(c) that the Government, as a matter of urgency, establishes a clear legal framework to ensure transparent, fair and just financing of all political parties.

(Resumption of Debate interrupted on 22nd April, 1998)

...../Motions

8ø **MOTION** - (Mr. Peter Oloo Aringo)
(Office of the President)

THAT, in view of the fact that the resurgence of ethnic violence has caused the death of thousands of innocent Kenyans, the destruction of property and the displacement of hundreds of thousands of Kenyans from their homes, farms and places of business and schools; and considering the adverse effects of persistent ethnic violence on the economy and the socio-political development of our Nation, this House urges the Government to facilitate the establishment of a Truth and Reconciliation Commission with judicial powers and authority to carry out extensive investigations into this matter in order to establish the root cause(s) and remedy.

9ø **MOTION** - (Mr. Musikari Kombo)
(Office of the President)

THAT, while appreciating the Government's efforts to stamp out corruption both in public and private sectors and noting with concern that rampant corruption has become so pervasive that it threatens any further socio-economic development and the future of the country; aware that corruption has become so entrenched that the existing legal framework under the Prevention of Corruption Act (Cap.65) and the Anti-Corruption Authority are not adequate to significantly reduce it or eradicate it; and noting further that corruption has kept away potential investors, and eroded the good image of Kenya; this House resolves to set up a Select Committee to study and investigate the causes, nature, extent and impact of corruption in Kenya; identify the key perpetrators and beneficiaries of corruption; recommend effective immediate measures to be taken against such individuals involved in corruption and recover public property corruptly appropriated by them; recommend enactment of a Bill to provide for stiff penalties on all corrupt related offences and further that the following be members of the said committee:

ACHOLA, G.H.O
AYOKI, W.O.
GALGALLO, M.A.
KAMOLLEH, S.M.
KARIUKI, I.N.
KARUA, (MS) M.W.
KIHORO, W.
KOMBO, M.N.
LESHORE, S.P.
MURUNGI, K.
NYONG'O, PROF. P.A.
OBWOCHA, H.O
OSUNDWA, W.W.
SAMOEI, W.R.
SANKORI, D.L.

ø Denotes Party Motions

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

063 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Finance:-**

(a) How many tonnes of sugar and rice have been imported into Kenya between January 1998 and 31st March 1998?

(b) How much have importers paid for the produce?

(c) How much duty have the importers paid to the Kenya Revenue Authority?

005 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Water Resources:-**

What plans does the Government have to rehabilitate water projects in Kogore and Obware divisions to alleviate the sufferings the people in the area continue to face?

059 - **The Member for Kisauni (Mr. Karisa Maitha) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that land allocated to the Ribe Primary School by the Methodist Missionaries was re-allocated to individuals?

(b) Could the Minister take urgent steps to revoke the allocations?

031 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that between 30th July, 1996 and 30th April, 1997, the Chairman and Committee Members of Girango Farmers Co-operative Society Limited in Kitutu Masaba misappropriated and misused Kshs.643,464/- belonging to coffee farmers in the area?

(b) What measures has the Minister taken against those involved in the fraud?

(c) When will the farmers be paid this money with interest?

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...../QUESTION BY PRIVATE NOTICE

QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Education and Human Resource Development:-

(a) What caused the destruction of the Girls' dormitory at Mwagogo Secondary School in Tausa Division of Voi Constituency on 31st March, 1998?

(b) What was the estimated cost of the damage?

(c) What action does the Ministry intend to take towards the rebuilding and refurbishing of the dormitory to relieve the over-burdened parents?

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 29TH APRIL, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7. **MOTION- (Leader of Government Business)**

That, pursuant to sections 19 and 20 of the Parliamentary Pensions Act, this House:

(a) appoints:-

(i) The Hon. Joab H.O. Omino, M.P.,

(ii) The Hon. Mathews A. Karauri, M.P.,

(iii) The Hon. John N. Michuki, M.P., to be members of the Management Committee;

(b) appoints the Hon. Joseph K. Ombasa, M.P., to be a member of the Appeals Tribunal.

8. **MOTION - (Chairman of Public Accounts Committee)**
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

(Resumption of Debate interrupted on 28th April, 1998)

...../Motion

9ø **MOTION - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

ø Denotes Government Motions

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

133 - The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that the Assistant Chief of Kimatuni Sub-Location of Bumula Location and his four village elders assaulted and injured Messrs Justus Marango Kong'ani and Kong'ani Lumbasi Wakhungu on 1st November, 1997?

(b) Is the Minister further aware that P.3 forms were issued, filled-in by the District Medical Officer on 5th and 6th November, 1997, but no action has been taken against the Assistant Chief, though the matter was reported at Bungoma Police Station on 2nd November, 1997?

(c) When will the Assistant Chief and his four village elders be taken to court?

163 - The Member for South Imenti (Mr. Kiraitu Murungi) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that Mr. Kinyuru Maingi of Kothine Village, Igoki Location in South Imenti disappeared from his home on 5th December, 1997 and has not been seen to date?

(b) What were the circumstances surrounding the disappearance?

(c) What steps has the Government taken to confirm whether Mr. Kinyuru Maingi is dead or alive?

064 - The Member for Migori (Mr. Owino Achola) to ask the Minister for Agriculture:-

(a) Is the Minister aware that Sony Sugar Company in Migori District has failed to harvest contracted farmers' sugarcane most of which is over forty-eight (48) months old?

(b) If the answer to "a" above is in the affirmative, what are the reasons for the delay in harvesting?

(c) What action is the Ministry taking to save the sugarcane farmers in Migori District from incurring further financial losses due to delayed harvesting?

...../103

103 - **The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Agriculture:-**

(a) How much pyrethrum was produced in Kisii and Nyamira districts during the Board years 1993/94, 1994/95, 1995/96 and 1996/97?

(b) What immediate steps is the Minister taking to encourage farmers to increase the production of pyrethrum in the area?

(c) Which types of pyrethrum clones are propagated at Nyosia Nursery in Kisii and when will the Pyrethrum Board set a propagation centre in Nyamira District?

128 - **The Member for Kanduyi (Mr. Wafula WaMunyinyi) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that the expansion project of Nzoia Sugar factory has stalled?

(b) What steps has the Ministry taken to ensure that this project is completed?

011 - **The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Education and Human Resource Development:-**

(a) What is the actual position of the Government on the introduction of Family Life Education in schools?

(b) Why has the Government prevaricated on the debate of sexuality among the country's youth and students?

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Eighth Parliament
(No.19)

Second Session
(41)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, 30TH ARPIL, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)
(The Minister for Health)

First Reading.

8*. THE SUPPLEMENTARY APPROPRIATION BILL (BILL NO.4)
(The Minister for Finance)

First Reading.

9*. THE SUPPLEMENTARY APPROPRIATION BILL (BILL NO.4)
(The Minister for Finance)

Second Reading.

10*. COMMITTEE OF THE WHOLE HOUSE

The Supplementary Appropriation Bill (Bill No.4)
(The Minister for Finance)

...../Motions.

11Ø **Motion** - **(Chairman of Public Accounts Committee)**
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

(Resumption of debate interrupted on 29th April, 1998)

12Ø **Motion** - **(Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

Ø Denotes Government Motions
*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

164 - The Member for Bura (Mr. M.A. Galgalo) to ask the Minister for Agriculture:-

(a) Is the Minister aware that Bura Irrigation Settlement Scheme has stalled and that it has not been of any assistance to the residents for the last eight (8) years?

(b) Is he further aware that due to the failure of this project the residents have been rendered virtual destitutes since they are unable to pay school fees for their children?

(c) What programmes have been put in place to revive the scheme and to assist the residents to pay fees for their children?

021 - The Member for Langata (Mr. Raila Odinga) to ask the Minister for Local Authorities:-

(a) Is the Minister aware that all the foot bridges in Kibera Estate in Langata Constituency have been washed away by the ***El Nino*** floods, thus causing great difficulties to the residents including school children?

(b) If the answer to "a" above is in the affirmative, what urgent steps is he taking to ensure that the bridges are repaired?

037 - The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Local Authorities:-

(a) Which local authorities had opened accounts with the Trade Bank, and how much money had each of the said local authorities deposited before it (Trade Bank) was placed under receivership?

(b) What action does the Minister intend to take to retrieve the money since most of the local authorities are in financial crisis?

059 - The Member for Kisauni (Mr. Karisa Maitha) to ask the Minister for Lands and Settlement:-

(a) Is the Minister aware that land allocated to the Ribe Primary School by the Methodist Missionaries was re-allocated to individuals?

(b) Could the Minister take urgent steps to revoke the allocations?

...../157

157 - **The Member for Ugenya (Mr. James Orengo) to ask the Minister for Information and Broadcasting:-**

(a) What are the basic conditions and requirements for electronic media licensing?

(b) How is the Government controlling domination and cross ownership of the media to ensure that no single interest overwhelms the press?

002 - **The Member for Kangema (Mr. John N. Michuki) to ask the Minister for Water Resources:-**

(a) When will the rehabilitation of Kahuti Water Project Phases I, II and III be implemented?

(b) Why has the project taken so long to be brought into effect, despite the fact that the Government is aware of the acute shortage of water prevailing in the area?

005 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Water Resources:-**

What plans does the Government have to rehabilitate water projects in Kogore and Obware divisions to alleviate the sufferings the people in the area continue to face?

———————0———————

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Education and Human Resource Development:-**

(a) What caused the destruction of the Girls' dormitory at Mwagogo Secondary School in Tausa Division of Voi Constituency on 31st March, 1998?

(b) What was the estimated cost of the damage?

(c) What action does the Ministry intend to take towards the rebuilding and refurbishing of the dormitory to relieve the over-burdened parents?

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Machakos Town (Mr. Jonesmus Kikuyu) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the Kimutwa Bridge on the Katumani-Wote Road and the Machakos Girls School Bridge on the Machakos-Kusyomuomo Road are in very precarious conditions and very dangerous to the roads' users?

(b) What urgent action is the Minister taking to rehabilitate the said bridges in order to avert possible accidents?

3. - **Question By Private Notice - The Member for Juja (Mr. Stephen Ndichu) to ask the Minister for Health:-**

(a) Is the Minister aware that there is acute shortage of anti-snake venom in most government hospitals?

(b) Is he further aware that most victims of snake bites, especially in Machakos, Kitui and most parts of Nyanza Province are being amputated in a bid to save their lives as a result of lack of drugs to treat these bites?

(c) What immediate measures is the Minister taking to provide anti-snake venom in all government hospitals?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY, 5TH MAY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7Ø **Motion - (Chairman of Public Accounts Committee)**
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

(Resumption of debate interrupted on 30th April, 1998)

8Ø **Motion - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

Ø Denotes Government Motions

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

133 - The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that the Assistant Chief of Kimatuni Sub-Location of Bumula Location and his four village elders assaulted and injured Messrs Justus Marango Kong'ani and Kong'ani Lumbasi Wakhungu on 1st November, 1997?

(b) Is he further aware that P.3 forms were issued, filled-in by the District Medical Officer on 5th and 6th November, 1997, but no action has been taken against the Assistant Chief, though the matter was reported at Bungoma Police Station on 2nd November, 1997?

(c) When will the Assistant Chief and his four village elders be taken to court?

107 - The Member for Kamukunji (Mr. Norman Nyagah) to ask a Minister of State, Office of the President:-

(a) What action was taken against the three policemen who were allegedly involved in the murder of Mr. Charles Ireri of Karaba, Gachoka Constituency, Mbeere District, on 30th March, 1995?

(b) What were the results of the post-mortem done on the deceased?

(c) Has the mother been compensated for the loss of her son?

010 - The Member for Kajiado Central (Mr. David ole Sankori) to ask the Minister for Agriculture:-

(a) Is the Minister aware that an ***El Nino*** induced disease called ***blue tongue*** has nearly decimated sheep and goats in the country?

(b) What steps has the Minister taken to control the disease?

(c) What plans does the Minister have for assisting the farmers to re-stock the affected livestock?

111 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the Riuki-Ikinu-Githiga-Gitiha Road is classified in the category of tarmacked roads?

(b) If the answer to "a" above is in the affirmative, why then, has the road which traverses some of the most agriculturally productive areas of Kenya never been tarmacked?

(c) What happened to the funds set aside for the tarmacking of the road and when will it be tarmacked?

015 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Public Works and Housing:-**

(a) When will the Ministry gravel Masara-Karungu Road to make it passable?

(b) When will Migori-Muhuru Road be tarmacked?

(c) How much money has the Ministry used in Nyatike Constituency for the maintenance of roads during the last two years?

086 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Health:-**

In view of the serious malaria upsurge in Bomet, Gucha, Kisii, Trans Mara, Wajir and Nyamira districts, could the Minister inform the House:

(a) The number of beds in the district hospitals and health centres in each district and the total number of out-patient malaria cases handled and treated at each hospital, health centre and dispensary in the respective districts between January and March, 1998?

(b) The total number of deaths of malaria cases at each hospital and health centre in the respective districts in the said period?

(c) The measures taken by the Ministry to combat the malaria menace in the said districts and the country in general?

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...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. **Question By Private Notice - The Member for Gatundu South (Mr. Moses Muihia) to ask a Minister of State, Office of the President:-**

   (a) Is the Minister aware that Messrs Kennedy Gitau and Gachoka Mariba were killed by thugs in Kiganjo Sub-Location of Kiganjo Location, Gatundu South Constituency on the night of 17th March, 1998?

   (b) Is he further aware that a suspect was arrested by police officers from Gatundu Police Station and subsequently died in police custody on 24th March, 1998, before he was taken to court and that the Deputy Headmaster of Kiganjo Primary School was murdered at Kiganjo Town on the night of 4th/5th April, 1998?

   (c) If the answers to "a" and "b" above are in the affirmative, could the Minister inform the House whether any suspect(s) have been arrested and charged in a court of law and if not, what steps is he taking to arrest all the suspects and have them charged in a court of law?

2. **Question By Private Notice - A Nominated Member (Mr. M.M. Galgalo) to ask the Minister for Public Works and Housing:-**

   (a) Is the Minister aware that ten (10) houses built by the National Housing Corporation in Marsabit Town have been sold?

   (b) What criteria was used to choose the buyers?

   (c) Could the Minister cancel the said sale and advertise the sale in order to give equal chances to all residents of Marsabit Town?

3. **Question By Private Notice - The Member for Mandera East (Mr. Shaaban Ali Isaac) to ask the Minister for Public Works and Housing:-**

   (a) Is the Minister aware that since August 1997 to date, Mandera and Wajir districts have been cut-off from the rest of the country due to the collapse of Garissa-Wajir-Mandera Road?

   (b) Is he further aware that all the socio-economic activities and movements in the affected areas have come to a standstill resulting in serious epidemics and starvation?

   (c) What urgent measures has the Ministry taken to rehabilitate the Garissa-Wajir-Mandera Road and other infrastructural facilities in the affected areas?

Eighth Parliament
(No.21)

Second Session
(50)

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, 7TH MAY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7Ø **MOTION - (Chairman of Public Accounts Committee)**
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

(Resumption of Debate interrupted on 5th May, 1998)

8Ø **MOTION - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

Ø Denotes Government Motions

...../Notices

NOTICES

1. **ADJOURNMENT OF THE HOUSE TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY**
(The Leader of Government Business)

Mr. Speaker will to-day call upon the Leader of Government Business to move the Motion for the Adjournment of the House to a day other than the next normal Sitting Day, **not later that 3.30 p.m.**

MOTION - (The Leader of Government Business)

THAT, this House do now adjourn until Tuesday 9th June, 1998.

2. **LIMITATION OF DEBATE ON THE ADJOURNMENT OF THE HOUSE**

The House resolved on Tuesday 7th April, 1998 as follows:-

THAT, 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 **three hours** with not more than **five minutes** for each Member speaking.

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

104 - The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Planning and National Development:-

What plans, if any, have been put in place in anticipation of the 1999 National Population Census?

164 - The Member for Bura (Mr. M.A. Galgalo) to ask the Minister for Agriculture:-

(a) Is the Minister aware that Bura Irrigation Settlement Scheme has stalled and that it has not been of any assistance to the residents for the last eight (8) years?

(b) Is he further aware that due to the failure of this project, the residents have been rendered virtual destitutes since they are unable to pay school fees for their children?

(c) What programmes have been put in place to revive this scheme and to assist the residents to pay fees for their children?

012 - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Education and Human Resource Development:-

(a) What is the rationale of lowering the entry marks for part-time students wishing to take professional courses like medicine at the University of Nairobi?

(b) Could the Minister assure the House that in future all part- time students will be subject to the same criteria as those applicable to the regular students?

022 - The Member for Langata (Mr. Raila Odinga) to ask the Minister for Local Authorities:-

When will the dualing of Langata Road begin and how does the Ministry intend to deal with structures that have been irregularly constructed on the Road reserve?

024 - The Member for Nithi (Mr. Njoka Mutani) to ask the Minister for Public Works and Housing:-

When will the Mutongo Bridge near Kaare Market in Mwimbi Division linking Nithi and Tharaka constituencies be completed?

...../115

115 - **The Member for Kisauni (Mr. Karisa Maitha) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) Is the Minister aware that the Archaeological Department of the Museum in Mombasa does not have a vehicle?

(b) What plans does the Minister have to provide the said Department with a vehicle so as to facilitate greater efficiency in research activities in the coastal region?

071 - **A Nominated Member (Dr. Richard Leakey) to ask the Minister for Natural Resources:-**

(a) Could the Minister confirm whether six white rhino imported from South Africa to a private ranch in Narok District have died as a result of neglect and inadequate veterinary care?

(b) What plans does the Minister have to safeguard the remaining rhino?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Ntonyiri (Mr. Maoka Maore) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that an Administrative Policeman, a Mr. Charles Mutiria, assigned as a driver for the Lare District Officer assaulted Mr. Muthee Ngecho on 23rd March, 1998 and the matter reported at Maua Police Station on 25th March, 1998?

(b) Could the Minister state the steps he has taken against the officer given that the victim has since been hospitalised at Kenyatta National Hospital, Ward 5, Bed No.28, for specialised surgery?

(c) What measures is the Minister taking to discipline administration policemen who take law into their own hands and harass innocent citizens?

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Sirisia (Mr. John B. Munyasia) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that the Managing Director of Chemilil Sugar Company is continuing to victimise senior managers, despite the just ended strike by the company workers?

(b) If the answer to "a" above is in the affirmative, what is the Minister doing to ensure that the Personnel and Training Manager, who has been sent on compulsory leave, is recalled immediately to resume his duties?

(c) Could the Minister direct the Board of Directors of this company to investigate the activities of the Managing Director and restrain him from destabilising the smooth running of Chemelil Sugar Company?

3. - **Question By Private Notice - The Member for Webuye (Mr. Musikari Kombo) to ask the Minister for Agriculture:-**

In view of the current severe economic difficulties and bearing in mind that the availability of food to the **wananchi** is of paramount importance, could the Minister inform the House:

(a) the impact of the El Nino phenomenon related rains on agricultural production of our staple crops especially maize, potatoes and beans?

(b) If the impact was negative, the overall food situation in the country in terms of available stocks including strategic reserves?

(c) what the Government is doing to ensure sufficient availability of food at affordable prices?

...../QPN.4

QUESTIONS BY PRIVATE NOTICE

4. - **Question By Private Notice - The Member for Dagoretti (Mrs. Beth Mugo) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) What urgent and remedial measures has the Ministry put in place to rehabilitate street children and other homeless members of the society currently roaming the streets of Nairobi?

(b) Could the Minister, as a matter of urgency, re-locate these children to the vacant Nyayo houses in Ruaraka along Nairobi-Thika Road and institute a rehabilitation centre within this estate?

5. - **Question By Private Notice - The Member for Kerugoya/Kutus (Mr. Matere Keriri) to ask the Minister for Health:-**

(a) Could the Minister explain the circumstances that led to the mysterious death of Mr. Eliud Kariuki Kiara at Kirinyaga Nursing Home on 30th April, 1998?

(b) What were the reasons for the Kerugoya District General Hospital Surgeon refusal to operate on the late Mr. Kiara at the General Hospital Theatre?

(c) What disciplinary action does the Minister intend to take against the said surgeon?

6. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that residents of Nairobi Dam Estate have not had water for many months now and that Nairobi City Council Water Department is selling water to the residents at Kshs.4,000/- per tanker and making a minimum of Kshs.30,000/- daily?

(b) Is he further aware that some senior officers of the Water Department are involved in this fraud and have acquired nine (9) green tankers for the purpose and that residents are receiving inflated bills to the tune of Kshs.120,000/- for water not supplied?

(c) What urgent measures will the Minister take to investigate and stem this rampant corruption and save the residents from exploitation and suffering?

REPUBLIC OF KENYA

EIGHTH PARLIAMENT -(SECOND SESSION)

NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, 9TH JUNE, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7* **THE KENYA COMMUNICATIONS BILL (BILL NO.3)**
(The Minister for Transport & Communications)

First Reading

8* **THE POSTAL CORPORATION BILL (BILL NO.5)**
(The Minister for Transport & Communications)

First Reading.

9~~0~~ **Motion - (Chairman of Public Accounts Committee)**
(The Minister for Finance)

THAT, this House adopts the Public Accounts Committee Reports on the Government of Kenya Accounts for the years 1993/94 and 1994/95 laid on the Table of the House on 15th April, 1998.

(Resumption of debate interrupted on 7th May, 1998)

...../ Motion

10*. Motion - (Chairman of Public Investments Committee)
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

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*Denotes Government Motions

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

016 - The Member for Kitutu Masaba (Mr. George Anyona) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that on 7th April, 1997, the Assistant Chief of Nyachichi Sub-Location in Kitutu Masaba allegedly demanded and received Kshs.400/- each from the following widows: Annah Onkoba; Pauline Omurwa; Teresa Omosa; Jane Maroti; Rose Cosmas; Eunice Momanyi; Gladys Moturi and Teresia Michira, purportedly to be allowed by him to brew traditional liquor for sale?

(b) Could the Minister investigate this corruption by the Assistant Chief and take necessary disciplinary and legal measures?

013 - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Finance:-

(a) Why did the Government revoke the licence of the Kenya Airfreight Handling Limited on the evening of 27th March 1998?

(b) What was the rationale for that particular timing of the revocation?

112 - The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Agriculture:-

(a) When will the small holder tea farmers be paid the extra bonus agreed upon as one of the conditions for the resumption of tea picking at the end of January this year?

(b) When will the same farmers be paid the monthly payment equivalent to the rate paid by private factories which was the main reason for the boycott of tea picking and the violence witnessed in some of the tea regions?

(c) In view of the hostile relationship between the tea farmers and the Kenya Tea Development Authority and considering the developments that have taken place in the liberalization of the tea sector, when will the tea factories be totally delinked from the KTDA?

...../018

018 - **The Member for Nithi (Mr. Njoka Mutani) to ask the Minister for Health:-**

(a) Is the Minister aware that Chuka District Hospital has no surgical, radiography and laundry services?

(b) If the answer to "a" above is in the affirmative and, since these services are essential for any medical institution, what arrangements does the Minister have to ensure that the services are provided as a matter of urgency?

015 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Public Works and Housing:-**

(a) When will the Government gravel Masara-Karungu Road to make it passable?

(b) When will Migori-Muhuru Road be tarmacked?

(c) How much money has the Ministry used in Nyatike Constituency for the maintenance of roads during the last two years?

038 - **The Member for Kangema (Mr. John N. Michuki) to ask the Minister for Public Works and Housing:-**

(a) When was the Kangema-Kanyenyaini-Kiruri tarmac road completed and handed over to the Ministry by the contractor?

(b) How much did it cost to construct the road?

(c) What action does the Minister intend to take to ensure that the road is properly maintained to facilitate better transportation of tea, milk and fruit, which are abundant in the area?

130 - **The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask the Minister for Water Resources:-**

(a) Is the Minister aware there is a permanent shortage of water in Bungoma Municipality?

(b) Is he further aware that the residents of the town have occasionally been supplied with dirty water which causes water-borne diseases?

(c) What action is the Minister taking to rectify these anomalies and could the Minister consider returning the management of water supply to the Municipal Council?

...../049

049 - **A nominated Member (Dr. Richard E. Leakey) to ask the Minister for Environmental Conservation:-**

(a) Could the Minister provide details of the Ministry's plans for clearing the water hyacinth from Nairobi Dam?

(b) What action is the Ministry taking to protect other water reservoirs such as those on the Tana River from being over-run by this weed?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Dagoretti (Mrs. Beth Mugo) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) What urgent and remedial measures has the Ministry put in place to rehabilitate street children and other homeless members of the society currently roaming the streets of Nairobi?

(b) Could the Minister, as a matter of urgency, re-locate these children to the vacant Nyayo houses in Ruaraka along Nairobi-Thika Road and institute a rehabilitation centre within this estate?

2. - **Question By Private Notice - The Member for Mosop (Mr. John Sambu) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that the Mayor of Eldoret has unilaterally decided to privatize the Eldoret Municipal Water Supply Department?

(b) Is he further aware that the said Mayor has formed a private company known as ***Eldoret Water and Sanitation Company*** to take over the Municipal Water Supply?

(c) If the answers to "a" and "b" above are in the affirmative, under which minute(s) of the full Council meeting was the Mayor authorised to make those important changes?

QUESTION BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Kibwezi (Mr. Onesmus Mboko) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the bridge connecting Kibwezi and Kitui districts, along the Kitui-Kibwezi Road, was washed away by the ***El-Nino*** rains?

(b) Is he further aware that as a result of the collapse of this bridge, communication has become very difficult and expensive especially from Mombasa, Mtito-Andei and Kibwezi to Kitui Town, and that a lot of business has been lost?

(c) Is he also aware that people of the area are using very precarious and risky canoes to cross the crocodile-infested River Athi?

(d) If the answers to "a", "b" and "c" above are in the affirmative, what action is the Minister taking to have the bridge replaced as a matter of urgency?

Eighth Parliament

(No.23)

Second Session
Morning Sitting
(62)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, 10TH JUNE, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **Motion** - (Mr. J. N. Michuki)
(Minister for Health)

THAT, whereas the Government admitted in an answer to a Question by Private Notice on 18th November, 1993, that the chemical components of the Cantata brew is harmful to health in that it contains the following ingredients, namely:-

Alcohol	-	12.4%;
Voltatile Acid	-	0.4%;
Total Solid (Tartaric Acid)	-	2.9%;
Sulphur Dioxide	-	50.4 PPM;
Copper	-	1.2. PPM;
Iron	-	5.4. PPM;
Organolofilic (?) taste	-	Normal;

and given the fact that many people, particularly in Central and Eastern Provinces, have died due to consumption of this and other brews known as Kamata, Kulta, Sorghum, Medusa pound and Teachers' wine with similar chemical components; and noting that the consumption of these brews causes a period of insanity and anti-social behaviour; this House urges the Government to ban the production, sale and consumption of these brews and others with similar chemical components with immediate effect.

...../Motions

8*. **Motion** - (Mr. Peter Oloo Aringo)
(Minister for Rural Development)

THAT, in view of the fact that Yala Swamp Reclamation and Development Project in Siaya and Busia districts was initiated by the Government of Kenya to increase food production and that area One comprising 2300 hectares had been reclaimed from the swamp and transformed into farmland and that the designs and plans for the reclamation of the remaining 17,000 hectares had been approved by the Government for implementation, this House urges the Government to:-

I. repair the dykes and rehabilitate area One and end the reflooding of this area;

II. implement the reclamation of the remaining part of the Yala Swamp and open up the area for agricultural settlement by the indigenous people of Siaya and Busia; and

III. extend irrigated farming to the adjacent locations of Usonga, Alego, Yimbo, Bunyala and Samia inorder to increase food production in the country.

9ø. **Motion** - (Dr. Mukhisa Kituyi)
(Minister for Lands and Settlement)

THAT, in the light of massive fraud evidenced in the allocation of plots in the Lugari Forest leading to the exclusion of most priority squatters from accessing a livelihood while benefitting many people who could normally not have been a target for the allocations, this House urges the Government to cancel the said allocations and set up a transparent mechanism through which the allocation exercise will be handled.

10ø. **Motion** - (Mr. Norman Nyagah)
(Office of the President)

THAT, this House urges the Government to provide armed security for all Members of Parliament, free housing, government vehicles and fire arms licences, particularly during this period of high insecurity being experienced in the country.

*** Denotes Party Sponsored Motions**
ø Denotes Private Members' Motions

...../Notice

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS' MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members' Motions shall be limited in the following manner:-

> A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

073 - The Member for West Mugirango (Mr. Henry Obwocha) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that construction of extensions to Nyamira Police Station has stalled for many years?

(b) Is he further aware that the only cell available in the said police station has collapsed?

(c) If the answers to "a" and "b" above are in the affirmative, what urgent steps is the Ministry taking to ensure that the new buildings are completed this year, 1998?

088 - The Member for South Imenti (Mr. Kiraitu Murungi) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that the buildings in Nkubu Police Station which were built in 1956 are unfit for human habitation?

(b) What urgent plans does the Ministry have for rebuilding this Station?

060 - The Member for Kisauni (Mr. Emmanuel K. Maitha) to ask the Minister for Agriculture:-

When will Mr. Jackson Charo Kadenge, P/No.04126000/749, who retired on 31st December, 1994, be paid his terminal benefits?

065 - The Member for Migori (Mr. Owino Achola) to ask the Minister for Finance:-

(a) What specific plans has the Minister put in place to safeguard against the collapse of all government computer systems arising from the year 2000 date crisis?

(b) How much is the plan in "a" above likely to cost?

(c) How will the plan be financed?

139 - **A Nominated Member (Mr. Mohammed Galgalo) to ask the Minister for Finance:-**

(a) What is the amount of money owed to the former Trade Bank Limited which has not been collected by the Official Receiver?

(b) Could the Minister table a list of those debtors and the amounts owed?

087 - **The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Local Authorities:-**

Since Nairobi City Council recently purchased 4 (four) mechanical shovels and 10 (ten) tippers, could they be distributed on constituency basis to keep the City and estates clean?

134 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask the Minister for Transport and Communications:-**

(a) When will the Kenya Railways Corporation introduce daily passenger train from Nairobi to Malaba?

(b) Could the Minister direct the Kenya Railway Corporation management to schedule the passenger train to be stopping at Nyanga Railway Station to serve the people of Bumula Constituency?

236 - **The Member for Mwingi South (Mr. David Musila) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that the Mwingi Telephone Exchange is constantly out of order?

(b) What steps is the Minister taking to ensure that the Mwingi Telephone Exchange is upgraded or modernised to improve communication in the District and to provide telephone services to other areas in the District such as ***Nuu, Ukasi, Mumbuni, Mui, Thitani and Nguutani*** which have hitherto been neglected?

...../158

158 - **The Member for Ugenya (Mr. James Orengo) to ask the Minister for Labour:-**

(a) What is the position of the unionisable employees of Kenya Ferry Services Limited who resigned ***en masse*** from the Transport and Allied Workers Union and applied to join the Dock Workers Union?

(b) What are the constraints or hindrances for the said employees to join the Trade Union of their choice since the Kenya Ferry Services Limited is owned by the Kenya Ports Authority, thus providing a rational basis for the Dock Workers Union to represent them?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Changamwe (Mr. Ramadhan Seif Kajembe) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that house (plot) allottees at Mikindani, Chaani and Miritini site and service schemes funded by the World Bank to give shelter to the low income groups have been given fourteen (14) days notice to repay their loan balances in full to the National Housing Corporation (NHC)?

(b) Is he further aware that the allottees have regularly repaid their loans to Mombasa Municipal Council and that it is the Council which has failed to remit the same to National Housing Corporation?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister prevail upon National Housing Corporation to withdraw the said notice and order the Council to sort out the matter with the National Housing Corporation, instead of victimising innocent allottees?

QUESTION BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Kibwezi (Mr. Onesmus Mboko) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the Sultan Hamud and Bachuma Gate Road re-alignment is leaving out all markets between Kiboko and Mtito Andei in Kibwezi Constituency?

(b) Is he further aware that the road re-alignment will adversely affect the river sources on which over 250,000 inhabitants of Kibwezi Constituency depend for domestic water if these sources dry up?

(c) Since the road re-alignment will also adversely affect the economic well-being of Kibwezi residents, whose average turnover amounts to about Kshs.350 million, could the Minister explain why the original road cannot be retained?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, 10TH JUNE, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7ø. **Motion - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

ø Denotes Government Motion

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

234 - **The Member for Nyakach (Mr. Peter Odoyo) to ask a Minister of State, Office of the President:-**

(a) Why has the Anti-Stock Theft Police Unit been unable to stop theft of livestock in Nyakach Constituency?

(b) How many suspects have been arrested over stock theft cases in the last two months and out of that number, how many have been charged and jailed?

(c) Could the Minister consider effecting regular transfers of senior police officers in the Unit to reduce possibilities of collusion with the rustlers?

170 - **The Member for Samburu East (Mr. S.P. Leshore) to ask a Minister of State, Office of the President:-**

(a) In view of the destruction of the infrastructure by the ***El Nino*** rains during the months of October, 1997 to February, 1998, what immediate plans does the Minister have to restore these services in Wamba and Waso divisions of Samburu District?

(b) How much money has the Minister allocated to rehabilitate the roads, restock and improve health facilities under the Drought Recovery Programme?

231 - **The Member for Wajir East (Mr. Mohammed A. Mahamud) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that three secondary schools in Wajir East Constituency namely; Wajir, Sabunley and Wajir Girls Secondary schools are seriously understaffed?

(b) Is he further aware that teachers were transferred from these schools without replacements and that there were no releasing letters from their respective school head-teachers?

(c) If the answers to "a" and "b" above are in the affirmative, what is the Minister doing to staff these schools adequately as per their subject requirements?

206 - **The Member for Naivasha (Mr. Paul Kihara) to ask the Minister for Energy:-**

(a) Is the Minister aware that a power line was recently constructed from Lanet in Nakuru to Ol-Jorai in Elmentaita to supply power to one person without anyone else, even the police post at Elmentaita benefitting?

(b) If the answer to "a" above is in the affirmative, what action is the Minister taking to rectify the situation?

204 - **The Member for Nyando (Mr. Paul Otita) to ask the Minister for Lands and Settlement:-**

(a) Why has it taken long for the Ministry to issue land owners in Nyando, whose land was demarcated way back in 1968 and 1980, with title deeds?

(b) What action will the Minister take against persons who have encroached on rural access roads within the villages in Nyando Constituency?

193 - **The Member for Uriri (Mr. H.O. Omamba) to ask the Minister for Public Works and Housing:-**

(a) When will the Ministry murram Uriri-Papogi-Oria-Oyani-Masai and Ogwedhi-Stella-Osogo-Sibuoche Gogo roads?

(b) What amount of cess from sugar-cane and tobacco has been used on these roads?

205 - **The Member for Juja (Mr. Stephen Ndichu) to ask the Minister for Public Works and Housing:-**

(a) Could the Minister confirm or deny that the maintenance and repairs of the Thika-Nairobi Highway has been and/or is being undertaken by Krishan Behal Contractors Ltd.?

(b) If the answer to "a" above is in the negative, could the Minister specify the name of the contractor?

(c) How much has the contractor been paid for the work to date?

211 - **The Member for Lari (Mr. P.G. Gitonga) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that Kinale, Kamae and Kereita forests in Lari Constituency are systematically being destroyed leading to the drying up of streams and wells?

(b) If the answer to "a" above is in the affirmative, what immediate remedial action is the Minister taking to stop this wanton destruction of forests and environment?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that there are fifty three (53) civil servants of former Aerodrome Department seconded to Kenya Airports Authority and who have not been re-deployed anywhere?

(b) Is he further aware that these employees have not been paid their salaries since April, 1997 and that their three representatives were harassed on 30th March 1998 when they went to inquire about their fate and dues at the office of the Head of Public Service?

(c) When will the Government re-deploy the fifty three (53) employees and pay them their salary arrears?

2. - **Question By Private Notice - The Member for Kisauni (Mr. Emmanuel K. Maitha) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that a Non-Governmental organisation called Mkomani Clinic Society in Mombasa is faced with management crisis and that the Donor Agency (USAID) supporting the project is about to pull out?

(b) Is he further aware that the Board of Management which is mainly composed of close relatives is conspiring to isolate and kick out certain Members of the Board and Management on racial grounds?

(c) If the answers to "a" and "b" above are in the affirmative, what immediate action is he taking to save the society from imminent collapse and ensure that all the interested parties are represented in the Board?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, JUNE 11TH, 1998 AT 2.30 P.M.

PRAYERS

1. PETITIONS.

2. PAPERS.

3. NOTICES OF MOTION.

COMMENCEMENT OF BUSINESS

4*. COMMITTEE OF WAYS AND MEANS

Motion - (The Minister for Finance)

THAT, Mr. Speaker do now leave the Chair.

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* Denotes Government Order of the Day

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY, JUNE 16TH, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7~~8~~. **Procedural Motion:** (Leader of Government Business)

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes.

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Motion

NOT LATER THAN 3.30 P.M.

8*. **COMMITTEE OF WAYS AND MEANS**- (1st Allotted Day)

Motion - (The Minister for Finance)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on Tuesday 11th June, 1998)

Ø Denotes Government Motion
*** Denotes Government Order of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

129 - The Member for Kanduyi (Mr. Wafula WaMunyinyi) to ask the Minister for Agriculture:-

(a) Is the Minister aware that Nzoia Sugar Company Limited has failed to harvest cane at its maturity age of eighteen (18) months?

(b) Is he further aware that the cane is now overgrown to the tune of 48 months and almost getting to waste?

(c) What steps is the Minister taking to see that this problem is alleviated and cane harvested immediately?

176 - The Member for North Imenti (Mr. David Mwiraria) to ask the Minister for Finance:-

Has the Ministry collected revenue from all sugar importers who imported sugar in 1997 without paying taxes?

086 - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Health:-

In view of the serious malaria upsurge in Bomet, Gucha, Kisii, Trans Mara, Wajir and Nyamira districts, could the Minister inform the House:

(a) The number of beds in the district hospitals and health centres in each district and the total number of out-patient malaria cases handled and treated at each hospital, health centre and dispensary in the respective districts between January and March, 1998?

(b) The total number of deaths of malaria cases at each hospital and health centre in the respective districts in the said period?

(c) The measures taken by the Ministry to combat the malaria menace in the said districts and the country in general?

...../098

098 - **The Member for Kangema (Mr. J.N. Michuki) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that there is unsatisfied demand for telephone services in Kangema Constituency?

(b) When will the following markets be provided with public telephones:- ***Kiamara, Karugia, Gacharaigu, Gitugu, Rwathia, Kanyenyaini, Kiruri, Tuthu, Wanjerere and Karurumo?***

236 - **The Member for Mwingi South (Mr. David Musila) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that the Mwingi Telephone Exchange is constantly out of order?

(b) What steps is the Minister taking to ensure that the Mwingi Telephone Exchange is upgraded or modernised to improve communication in the District and to provide telephone services to other areas in the District such as ***Nuu, Ukasi, Mumbuni, Mui, Thitani and Nguutani*** which have hitherto been neglected?

072 - **A Nominated Member (Dr. Richard Leakey) to ask the Minister for Environment Conservation:-**

(a) Could the Minister inform the House about procedures in practice for disposal of low grade radioactive waste that accumulates at hospitals, clinics and research institutions?

(b) Could the Minister also indicate the capacity and supervision of such procedures?

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...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Mwea (Mr. Alfred Nderitu) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that the National Irrigation Board Mwea Scheme is collecting money and/or farm produce from farmers in order to offer services in the scheme, in particular to supply irrigation water?

(b) Is he further aware that rice farmers in Mwea have not received their advance payment which was due in January, 1998?

(c) If the answers to "a" and "b" above are in the affirmative, what arrangements does the Ministry have to effect the advance payment due to farmers and to ensure that the scheme operates smoothly?

2. - **Question By Private Notice - The Member for Changamwe (Mr. Ramadhan Seif Kajembe) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that house (plot) allottees at Mikindani, Chaani and Miritini site and service schemes funded by the World Bank to give shelter to the low income groups have been given fourteen (14) days notice to repay their loan balances in full to the National Housing Corporation (NHC)?

(b) Is he further aware that the allottees have regularly repaid their loans to Mombasa Municipal Council and that it is the Council which has failed to remit the same to National Housing Corporation?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister prevail upon National Housing Corporation to withdraw the said notice and order the Council to sort out the matter with the National Housing Corporation instead of victimising innocent allottees?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, 17TH JUNE, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 9.30 A.M.

7*. **COMMITTEE OF WAYS AND MEANS**- (2nd Allotted Day)

Motion - (The Minister for Finance)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on Tuesday 16th June, 1998)

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes.

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

025 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Agriculture:-**

(a) Why was the livestock market at Ndhiwa in Nyatike Constituency closed down?

(b) When will it be operational?

310 - **The Member for Mwala (Mr. John Mutua Katuku) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that most of the schools in Mwala Constituency are understaffed due to mass transfers of teachers to schools in the neighbouring constituencies where teachers receive hardship allowance?

(b) If the answer to "a" above is in the affirmative, what action has the Minister taken to arrest the situation?

(c) What criteria was used to leave Mwala Constituency out in declaring the neighbouring constituencies hardship zones?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Changamwe (Mr. Ramadhan Seif Kajembe) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that house (plot) allottees at Mikindani, Chaani and Miritini site and service schemes, funded by the World Bank to give shelter to the low income groups, have been given fourteen (14) days notice to repay their loan balances in full to the National Housing Corporation (NHC)?

(b) Is he further aware that the allottees have regularly repaid their loans to Mombasa Municipal Council and that it is the Council which has failed to remit the same to National Housing Corporation?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister prevail upon National Housing Corporation to withdraw the said notice and order the Council to sort out the matter with the National Housing Corporation instead of victimising innocent allottees?

...../QPN.2

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Mosop (Mr. John Sambu) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that the Mayor of Eldoret has unilaterally decided to privatize the Eldoret Municipal Water Supply Department?

(b) Is he further aware that the said Mayor has formed a private company known as ***Eldoret Water and Sanitation Company*** to take over the Municipal Water Supply?

(c) If the answers to "a" and "b" above are in the affirmative, under which minute(s) of the full Council meeting was the Mayor authorised to make those important changes?

3. - **Question By Private Notice - The Member for Kibwezi (Mr. Onesmus Mboko) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the Sultan Hamud and Bachuma Gate Road re-alignment is leaving out all markets between Kiboko and Mtito Andei in Kibwezi Constituency?

(b) Is he further aware that the road re-alignment will adversely affect the river sources on which over 250,000 inhabitants of Kibwezi Constituency depend for domestic water?

(c) Since the road re-alignment will also adversely affect the economic well-being of Kibwezi residents, whose average turnover amounts to about Kshs.350 million, could the Minister explain why the original road cannot be retained?

Eighth Parliament

(No.28)

Second Session
Afternoon Sitting
(83)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, 17TH JUNE, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF WAYS AND MEANS**- (3rd Allotted Day)

Motion - (The Minister for Finance)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on Wednesday 17th June, 1998 - Morning Sitting)

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes.

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

014 - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask a Minister of State, Office of the President:-

(a) What is the criterion upon which the Government prioritizes interested people in the sale of ADC farms?

(b) Is the Minister satisfied that this criterion has been followed in the disposal of ADC farms?

074 - The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Planning and National Development:-

(a) Which projects, if any, has the Ministry started and completed in West Mugirango Constituency between 1993 and 1997?

(b) Which projects, if any, does the Ministry intend to start in West Mugirango Constituency between 1998 and 2002?

166 - The Member for Dagoretti (Mrs. Beth Mugo) to ask the Minister for Health:-

(a) Since Dagoretti Constituency is predominantly peri-urban, with a huge population living without bare minimum medical facilities, what plans does the Minister have to construct a district hospital in Waithaka during the 1998/99 fiscal year?

(b) What happened to the funds earmarked by the African Development Bank (ADB) for the construction of the said hospital?

061 - The Member for Kisauni (Mr. Emmanuel K. Maitha) to ask the Minister for Local Authorities:-

When will the Mombasa Municipal Council grade the roads from Bwagamoyo, Voroni to Manguja in Kisauni to enable the institutions of the area to be properly served?

...../171

171 - **The Member for Samburu East (Mr. S.P. Leshore) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that Samburu District is a potential area in the exploration and exploitation of valuable minerals and gemstones?

(b) What plans does the Minister have to urgently explore and exploit the mineral wealth of this area?

(c) Which exploration firms have been licensed to exploit the area and under what terms?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that there are fifty three (53) civil servants of former Aerodrome Department seconded to Kenya Airports Authority and who have not been re-deployed anywhere?

(b) Is he further aware that these employees have not been paid their salaries since April, 1997, and that their three representatives were harassed on 30th March, 1998, when they went to inquire about their fate and dues at the office of the Head of Public Service?

(c) When will the Government re-deploy the fifty three (53) employees and pay them their salary arrears?

2. - **Question By Private Notice - The Member for Kipipiri (Mr. Mwangi Githiomi) to ask the Minister for Finance:-**

Considering that the Official Receiver and Provisional Liquidator has invited bids from private investors for the purchase of the closed Life Fund of the Kenya National Assurance Company Limited (in liquidation), how are the former employees going to be paid their pension for the period they served the Company?

Eighth Parliament
(No.29)

Second Session
(87)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, 18TH JUNE, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF WAYS AND MEANS**- (4th Allotted Day)

Motion - (The Minister for Finance)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on Wednesday 17th June, 1998)

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes.

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

113 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask a Minister of State, Office of the President:-**

When will the ethnic clash victims of Maela be resettled and compensated for the loss of lives of their relatives and the destruction of their property?

159 - **The Member for Ugenya (Mr. James Orengo) to ask the Minister for Finance:-**

(a) Under what circumstances did the directors of the Kenya Commercial Bank manage to obtain and maintain substantial unsecured loans and overdrafts without the detection of the Central Bank of Kenya?

(b) Could the Minister assure the House that there are no such unsecured loans and overdraft facilities given to directors in banks and other financial institutions where there is considerable public investment or interest?

240 - **The Member for Nyakach (Mr. Peter Odoyo) to ask the Minister for Energy:-**

(a) Has the civil works contractor for the Sondu-Miriu Hydro-electric project been appointed?

(b) When will the resettlement programme for the people to be displaced by the said Sondu-Miriu Project begin?

219 - **The Member for Lari (Mr. P.G. Gitonga) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that Kagwe in Lari Constituency does not have a Subscriber Trunk Dialling telephone service?

(b) If the answer to "a" above is in the affirmative, what immediate plans does the Minister have to install this facility for ease of communications?

...../238

238 - **A Nominated Member (Prof. Anyang' Nyong'o) to ask the Minister for Transport and Communications:-**

(a) What is the Ministry doing to ensure that Kenya Ports Authority (KPA) acquires efficient cranes?

(b) Is it true that Kenya Ports Authority is planning to purchase post-panamax cranes worth $20 million?

(c) What rationale is there in buying new cranes when old ones can be refurbished with even better economic results?

195 - **The Member for Uriri (Mr. H.O. Omamba) to ask the Minister for Rural Development:-**

(a) What projects has the Lake Basin Development Authority initiated in Uriri Constituency between 1993 and 1998?

(b) How much money has been spent on each project?

089 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Water Resources:-**

(a) How much money has the government allocated for the completion of Gikui-Mweru Water Project in Igoji Division, South Imenti?

(b) When will the project be completed?

072 - **A Nominated Member (Dr. Richard Leakey) to ask the Minister for Environmental Conservation:-**

(a) Could the Minister inform the House about procedures in practice for disposal of low grade radioactive waste that accumulates at hospitals, clinics and research institutions?

(b) Could the Minister also indicate the capacity and supervision of such procedures?

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...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Voi (Mr. Basil Mwakiringo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that 500 families in Kimorigho Location, Taveta Division, have been displaced by floods due to the heavy rains in the month of April this year?

(b) If the answer to "a" above is in the affirmative, what action has the Minister taken to assist the flood victims who are in dire need of shelter, food and medicines?

(c) What measures has the Minister taken to avert such displacements in future?

2. - **Question By Private Notice - The Member for Changamwe (Mr. Ramadhan Seif Kajembe) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that house (plot) allottees at Mikindani, Chaani and Miritini site and service schemes, funded by the World Bank to give shelter to the low income groups, have been given fourteen (14) days notice to repay their loan balances in full to the National Housing Corporation (NHC)?

(b) Is he further aware that the allottees have regularly repaid their loans to Mombasa Municipal Council and that it is the Council which has failed to remit the same to National Housing Corporation?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister prevail upon National Housing Corporation to withdraw the said notice and order the Council to sort out the matter with the National Housing Corporation instead of victimising innocent allottees?

3. - **Question By Private Notice - The Member for Fafi (Mr. E. B. Shill) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that all schools in Jarajilla Division have been closed due to insecurity?

(b) If the answer to "a" above is in the affirmative, what measures is the Minister taking to ensure that the schools are re-opened as matter of urgency?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY, 23RD JUNE, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF WAYS AND MEANS**- (5th Allotted Day)

Motion - (The Minister for Finance)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on Thursday 18th June, 1998)

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes.

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

014 - **The Member for Kimilili (Dr. Mukhisa Kituyi) to ask a Minister of State, Office of the President:-**

(a) What is the criteria upon which the Government prioritizes interested people in the sale of ADC farms?

(b) Is the Minister satisfied that this criteria has been followed in the disposal of ADC farms?

199 - **The Member for Ugenya (Mr. James Orengo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the police officers posted at various markets like Simonya, Bar Ober and Kanyumba in Ugenya Constituency have been withdrawn thereby causing an increase of shop breaking, robberies and other crimes?

(b) Could the officers be posted back to these centres?

153 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Education and Human Resource Development:-**

(a) How many teachers graduated from Kamagambo, Nyabururu, Nyanchwa and other private teachers training colleges in the country in 1993, 1994, 1995, 1996 and 1997?

(b) How many of these teachers have been absorbed into employment by the Teachers Service Commission?

(c) In view of the shortage of qualified teachers in many schools in Kisii, Nyamira and Gucha districts, could the Teachers Service Commission absorb these teachers as severally directed by the Government?

...../310

310 - **The Member for Mwala (Mr. John Mutua Katuku) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that most of the schools in Mwala Constituency are understaffed due to mass transfers of teachers to schools in the neighbouring constituencies where teachers receive hardship allowance?

(b) If the answer to "a" above is in the affirmative, what action has the Minister taken to arrest the situation?

(c) What criteria was used to leave Mwala Constituency out in declaring the neighbouring constituencies hardship zones?

238 - **A Nominated Member (Prof. Anyang' Nyong'o) to ask the Minister for Transport and Communications:-**

(a) What is the Ministry doing to ensure that Kenya Ports Authority (KPA) acquires efficient cranes?

(b) Is it true that Kenya Ports Authority is planning to purchase post-panamax cranes worth $20 million?

(c) What rationale is there in buying new cranes when old ones can be refurbished with even better economic results?

062 - **The Member for Kisauni (Mr. Emmanuel K. Maitha) to ask the Attorney-General:-**

(a) Why has Mr. Mwaumu Mohammed Magwisho not been paid the sixty thousand shillings (Kshs.60,000/-) - AC/No.3104457, which he had deposited with the Pioneer Building Society, which has since been placed under receivership?

(b) When will he be paid his money?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Turkana South (Mr. Francis Achuka) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware of the massive destruction of the infrastructure caused by recent ***El-Nino*** rains in Turkana District?

(b) Is he further aware that the ***El-Nino*** rains killed many people and displaced others, washed away livestock and destroyed farms?

(c) If the answers to "a" and "b" above are in the affirmative, what action has the Minister taken to rehabilitate the infrastructure, assist the displaced people with food and in restocking of livestock from the ***El-Nino Disaster Funds?***

2. - **Question By Private Notice - The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Health:-**

(a) Is the Minister aware that St. Leonard's Hospital is one of the very few hospitals in Kericho Town that have assisted over the years in offering treatment to emergency cases especially road accident victims on the Nakuru-Kericho-Sotik Road?

(b) Why has the hospital not been re-instated into the Hospital Insurance Fund Scheme (NHIF) despite a court order to that effect?

(c) When will the hospital be re-registered?

3. - **Question By Private Notice - The Member for Samburu East (Mr. S.P. Leshore) to ask the Minister for Health:-**

(a) Is the Minister aware that there is an outbreak of dysentery and diarrhoea in Wamba Division of Samburu District?

(b) What urgent action is the Minister taking to station enough staff and supply drugs in all the dispensaries and health centres in the Division?

Eighth Parliament

(No.31)

Second Session
Morning Sitting
(97)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, 24TH JUNE, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 9.30 A.M.

7*. **COMMITTEE OF WAYS AND MEANS**- (6th Allotted Day)

Motion - (The Minister for Finance)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on Tuesday 23rd June, 1998)

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes.

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

014 - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask a Minister of State, Office of the President:-

(a) What is the criteria upon which the Government prioritizes interested people in the sale of ADC farms?

(b) Is the Minister satisfied that this criteria has been followed in the disposal of ADC farms?

114 - The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Finance:-

(a) How many stock brokerages were registered and were fully operational as at 31st March, 1998?

(b) Out of those, how many are owned by Kenyans of African origin?

(c) What are the requirements for establishing a stock brokerage?

349 - The Member for Wajir East (Mr. M.A. Mahamud) to ask the Minister for Health:-

(a) Is the Minister aware that Wajir District Hospital built in 1944 has only two wards with a bed capacity of 36 and that the hospital lacks a mortuary, children and recovery wards among other facilities?

(b) If the answer to "a" above is in the affirmative, what plans does the Minister have to expand the hospital and provide these essential facilities?

(c) Considering the remoteness of the area served by the hospital, could the Minister provide an ambulance and rehabilitate other hospital vehicles?

...../183

183 - **The Member for Runyenjes (Mr. Njeru Kathangu) to ask the Minister for Health:-**

(a) Is the Minister aware that Runyenjes District Hospital lacks a mortuary?

(b) When will the Ministry put up a mortuary for this hospital?

090 - **The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that Kiambiu and Kijiji villages (near Buru Buru Phase I) were once connected by a bridge across Nairobi River that has since collapsed?

(b) How much would it cost to construct this vital foot-bridge?

(c) What plans are there to construct a foot-bridge between the two slums?

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QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for Fafi (Mr. E. B. Shill) to ask the Minister for Education and Human Resource Development:-

(a) Is the Minister aware that all schools in Jarajilla Division have been closed due to insecurity?

(b) If the answer to "a" above is in the affirmative, what measures is the Minister taking to ensure that the schools are re-opened as matter of urgency?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, 24TH JUNE, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF WAYS AND MEANS**- (7th and last Allotted Day)

Motion - (The Minister for Finance)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on Wednesday 24th June, 1998 - Morning Sitting)

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes.

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

253 - Mbunge Maalumu (Bi Mariyam Matano) auliza Waziri wa Nchi Katika Afisi ya Rais:-

(a) Je, Bwana Waziri anafahamu kwamba Waislamu wana siku kuu mbili yaani ***Idd Fittr*** na ***Idd Hajj*** kwa mwaka kulingana na kalenda ya Waislamu?

(b) Je, Bwana Waziri anafahamu zaidi kwamba ***Idd Hajj*** ni sherehe ya maana katika itikadi za Kiislamu?

(c) Ikiwa ni hivyo, Bwana Waziri amefikiria kuifanya ***Idd Hajj*** kuwa siku kuu ya kitaifa ili Waislamu waweze kuwa na siku kuu mbili za kitaifa kwa mwaka humu nchini?

131 - The Member for Kanduyi (Mr. Wafula WaMunyinyi) to ask the Minister for Agriculture:-

(a) Is the Minister aware that Nzoia Sugar Company Limited has not paid sugar cane farmers for their cane harvested and delivered to the factory amounting to Kshs.300,000,000?

(b) What urgent steps is the Government taking to ensure that sugar cane farmers are paid their dues without any further delay?

208 - The Member for Nyando (Mr. Paul Otita) to ask the Minister for Public Works and Housing:-

When will the Ministry up-grade and make all-weather the road connecting Awasi Market in Nyando and Katito Market in Nyakach which has been neglected to the extent that it is no longer motorable?

189 - The Member for Kangema (Mr. John N. Michuki) to ask the Minister for Public Works and Housing:-

When will the repair and resurfacing of Murang'a-Kangema-Othaya-Nyeri Road commence?

345 - The Member for Lamu East (Mr. Mohamed Hashim) to ask the Minister for Natural Resources:-

What is the Ministry doing to improve fishing industry in Coast Province and particularly in Lamu District?

089 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Water Resources:-**

(a) How much money has the Government allocated for the completion of Gikui-Mweru Water Project in Igoji Division, South Imenti?

(b) When will the project be completed?

312 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Information and Broadcasting:-**

(a) When is the Minister planning to privatise or disband the Kenya News Agency?

(b) Is the Agency generating any revenue for the Government, and if so, how much was it between 1993 and 1997 financial years?

——————0——————

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Voi (Mr. Basil Mwakiringo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that 500 families in Kimorigho Location, Taveta Division, have been displaced by floods due to the heavy rains in the month of April this year?

(b) If the answer to "a" above is in the affirmative, what action has the Minister taken to assist the flood victims who are in dire need of shelter, food and medicines?

(c) What measures has the Minister taken to avert such displacements in future?

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Kibwezi (Mr. Onesmus Mboko) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the Sultan Hamud and Bachuma Gate Road re-alignment is leaving out all markets between Kiboko and Mtito Andei in Kibwezi Constituency?

(b) Is he further aware that the road re-alignment will adversely affect the river sources on which over 250,000 inhabitants of Kibwezi Constituency depend for drinking water?

(c) Since the road re-alignment will also adversely affect the economic well-being of Kibwezi residents, whose average turnover amounts to about Kshs.350 million, could the Minister explain why the original road cannot be retained?

3. - **Question By Private Notice - The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Health:-**

(a) Is the Minister aware that St. Leonard's Hospital is one of the very few hospitals in Kericho Town that have assisted over the years in offering treatment to emergency cases especially road accident victims on the Nakuru-Kericho-Sotik Road?

(b) Why has the hospital not been re-instated into the National Hospital Insurance Fund Scheme (NHIF) despite a court order to that effect?

(c) When will the hospital be re-registered?

4. - **Question By Private Notice - The Member for Samburu East (Mr. S.P. Leshore) to ask the Minister for Health:-**

(a) Is the Minister aware that there is an outbreak of dysentery and diarrhoea in Wamba Division of Samburu District?

(b) What urgent action is the Minister taking to station enough staff and supply drugs in all the dispensaries and health centres in the Division?

Eighth Parliament
(No.33)



Second Session
(106)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, 25TH JUNE, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY - Vote on Account - 1998/99 (1st Allotted Day)**

Motion - (The Minister for Finance)

THAT, in accordance with section 101 of the Constitution of Kenya the withdrawal from the Consolidated Fund of the sum of K£2,836,271,795 made up in the manner set out in the Vote on Account laid before the House, be authorised for the purpose of meeting expenditure necessary to carry on the services of the Government of Kenya during the year ending 30th June, 1999, until such time as the Appropriation Act for the year comes into operation.

(His Excellency the President has signified his consent to this Motion)

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes.

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

ESTIMATES showing the several services for which a Vote on Account is required for the year ending 30th June, 1999

Vote No.	Service	Total Net Estimates	Vote on Account
		K£	K£
R01	Office of the President	624,005,480	312,002,740
R02	The State House	17,085,300	8,542,650
R03	Directorate of Personnel Management	88,544,110	44,272,055
R04	Ministry of Foreign Affairs	102,958,900	51,479,450
R05	Ministry of Home Affairs, National Heritage, Culture and Social Services	166,871,860	83,435,930
R06	Ministry of Planning and National Development	18,228,980	9,114,490
R07	Ministry of Finance	151,190,840	75,595,420
R08	Department of Defence	544,662,500	272,331,250
R09	Ministry of East African and Regional Co-operation	7,330,700	3,665,350
R10	Ministry of Agriculture	163,952,410	81,976,205
R11	Ministry of Health	414,080,440	207,040,220
R12	Ministry of Local Authorities	5,411,860	2,705,930
R13	Ministry of Public Works and Housing	103,209,090	51,604,545
R14	Ministry of Transport and Communications	28,036,750	14,018,375
R15	Ministry of Labour	10,555,750	5,277,875
R16	Ministry of Tourism	17,632,470	8,816,235
R17	Ministry of Environmental Conservation	3,023,520	1,511,760
R19	Ministry of Information and Broadcasting	14,481,270	7,240,635
R20	Ministry of Water Resources	57,590,350	28,795,175
R21	Ministry of Natural Resources	47,391,950	23,695,975
R22	Ministry of Co-operative Development	15,509,720	7,754,860
R24	Ministry of Trade	23,778,580	11,889,290
R25	Office of the Attorney-General	15,789,390	7,894,695
R26	Judicial Department	10,766,250	5,383,125
R27	Public Service Commission	1,795,970	897,985
R28	Office of the Controller and Auditor General	5,663,140	2,831,570
R29	National Assembly	26,567,020	13,283,510
R30	Ministry of Energy	2,337,900	1,168,950
R31	Ministry of Education and Human Resource Development	2,207,848,810	1,103,924,405
R32	Ministry of Industrial Development	6,873,280	3,436,640
R33	Electoral Commission	14,000,000	7,000,000
R34	Ministry of Rural Development	19,995,900	9,997,950
R35	Ministry of Research and Technology	137,702,300	68,851,150
R36	Ministry of Lands and Settlement	31,989,370	15,994,685
	TOTAL K£	**5,106,862,160**	**2,553,431,080**

ESTIMATES showing the several services for which a Vote on Account is required for the year ending 30th June, 1999

Vote No.	Service	Total Net Estimates	Vote on Account
		K£	K£
D01	Office of the President	126,877,180	63,438,590
D02	The State House	908,720	454,360
D03	Directorate of Personnel Management	7,844,240	3,922,120
D04	Ministry of Foreign Affairs	2,545,100	1,272,550
D05	Ministry of Home Affairs, National Heritage, Culture and Social Services	8,957,350	4,478,675
D06	Ministry of Planning and National Development	14,687,830	7,343,915
D07	Ministry of Finance	42,226,580	21,113,290
D08	Department of Defence	10,050,780	5,025,390
D10	Ministry of Agriculture	61,031,280	30,515,640
D11	Ministry of Health	54,282,460	27,141,230
D12	Ministry of Local Authorities	9,062,990	4,531,495
D13	Ministry of Public Works and Housing	70,170,880	35,085,440
D14	Ministry of Transport and Communications	9,347,040	4,673,520
D15	Ministry of Labour	66,000	33,000
D16	Ministry of Tourism	382,110	191,055
D17	Ministry of Environmental Conservation	1,853,100	926,550
D19	Ministry of Information and Broadcasting	352,760	176,380
D20	Ministry of Water Resources	31,949,080	15,974,540
D21	Ministry of Natural Resources	32,173,190	16,086,595
D22	Ministry of Co-operative Development	2,293,330	1,146,665
D24	Ministry of Trade	1,060,720	530,360
D25	Office of the Attorney-General	2,905,870	1,452,935
D26	Judicial Department	952,980	476,490
D30	Ministry of Energy	3,125,150	1,562,575
D31	Ministry of Education and Human Resource Development	40,668,750	20,334,375
D32	Ministry of Industrial Development	1,739,890	869,945
D34	Ministry of Rural Development	11,250,310	5,625,155
D35	Ministry of Research and Technology	15,555,680	7,777,840
D36	Ministry of Lands and Settlement	1,360,080	680,040
	TOTAL K£	**565,681,430**	**282,840,715**
	GRAND TOTAL K£	**5,672,543,590**	**2,836,271,795**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

014 - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask a Minister of State, Office of the President:-

(a) What is the criteria upon which the Government prioritizes interested people in the sale of Agricultural Development Corporation (ADC) farms?

(b) Is the Minister satisfied that this criteria has been followed in the disposal of Agricultural Development Corporation (ADC) farms?

318 - The Member for Mwingi South (Mr. David Musila) to ask a Minister of State, Office of the President:-

(a) How many bags of famine relief maize or other items of relief food were delivered to Mwingi District during 1997?

(b) Could the Minister give a break-down of the number of bags issued to each location?

026 - The Member for Nyatike (Mr. Tom Onyango) to ask a Minister of State, Office of the President:-

When will Central Kadem Location currently having four (4) sub-locations be sub-divided into two locations?

349 - The Member for Wajir East (Mr. M.A. Mahamud) to ask the Minister for Health:-

(a) Is the Minister aware that Wajir District Hospital built in 1944 has only two wards with a bed capacity of 36 and that the hospital lacks a mortuary, children and recovery wards among other facilities?

(b) If the answer to "a" above is in the affirmative, what plans does the Minister have to expand the hospital and provide these essential facilities?

(c) Considering the remoteness of the area served by the hospital, could the Minister provide an ambulance and rehabilitate other hospital vehicles?

183 - **The Member for Runyenjes (Mr. Njeru Kathangu) to ask the Minister for Health:-**

(a) Is the Minister aware that Runyenjes District Hospital lacks a mortuary?

(b) When will the Ministry put up a mortuary for this hospital?

322 - **A Nominated Member (Mr. Mohamed M. Galgalo to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

When will the Minister declare Fort Hutchinson in Moyale a National Monument and secure it for rehabilitation?

177 - **The Member for North Imenti (Mr. David Mwiraria) to ask the Minister for Lands and Settlement:-**

(a) Has the Minister delegated his powers of hearing land adjudication appeals to District Commissioners?

(b) If so, under what instrument?

360 - **The Member for Malava (Mr. Peter Soita Shitanda) to ask the Minister for Environmental Conservation:-**

(a) Is the Minister aware that River Mwera in Malava Division is being polluted by effluent from West Kenya Sugar factory?

(b) What steps is the Minister taking to remedy the situation in view of the serious health implications to both human and animal life in the area?

312 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Information and Broadcasting:-**

(a) When is the Minister planning to privatise or disband the Kenya News Agency?

(b) Is the Agency generating any revenue for the Government, and if so, how much was it between 1993 and 1997 financial years?

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...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Lari (Mr. P.G. Gitonga) to ask a Minister of State, Office of the President:-**

   (a) Is the Minister aware that as a result of demolition of several hundreds of kiosks at Rukuma and Nyambari in Lari Division along the Nairobi-Nakuru Highway hundreds of small traders and their families have been left without any means of livelihood?

   (b) If the answer to "a" above is in the affirmative, what is the Government's position with regard to licensing of kiosks in the whole country?

   (c) Could the Minister consider re-locating these traders to an appropriate area adjacent to the kiosks since the land in question belongs to the Government?

2. - **Question By Private Notice - The Member for Fafi (Mr. E. B. Shill) to ask the Minister for Education and Human Resource Development:-**

   (a) Is the Minister aware that all schools in Jarajilla Division have been closed due to insecurity?

   (b) If the answer to "a" above is in the affirmative, what measures is the Minister taking to ensure that the schools are re-opened as a matter of urgency?

3. - **Question By Private Notice - The Member for South Mugirango (Mr. E.N. Magara) to ask the Attorney General:-**

   (a) Is the Attorney General aware that the Kenya School of Law has declined to admit over three hundred (300) Kenyan students of Law who graduated from foreign universities?

   (b) Is he further aware that some of the students have attempted to join the Institute for the last three years but in vain?

   (c) Could the Attorney General as a matter of urgency admit the students who have qualified?

Eighth Parliament
(No.34)

Second Session
(113)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY, 30TH JUNE, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF WAYS AND MEANS - (1st Allotted Day)**

IN THE COMMITTEE

Motion - **(The Minister for Finance)**

THAT, the proposals relating to:-

(a) Customs Tariff;
(b) Excise Duties;
(c) Value Added Tax;
(d) Income Tax; and
(e) Miscellaneous Fees and Taxes

contained in the Financial Statement for the year of Account 1998/99 be approved.

(His Excellency the President has signified his consent to this Motion)

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes.

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

135 - The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that Mr. Francis Mutambo of Box 354, Bungoma, deposited Kshs.1100/- with the District Commissioner, Bungoma in January 1968 for buying 15 acres of land in a settlement scheme?

(b) Is he further aware that the then Bungoma District Commissioner, Mr. D.A. Indwasi, confirmed to the Senior Settlement Officer, Nzoia, Box 27, Moi's Bridge, that he received the money from Mr. Mutambo under the DC's letter to the Settlement Officer, Ref.No.ADM/15/14/9/51 dated 25th January, 1968?

(c) When will the Ministry allocate Mr. Mutambo his 15 acres of land for which he paid the Government 30 years ago?

153 - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Education and Human Resource Development:-

(a) Could the Minister inform the House the number of teachers who graduated from Kamagambo, Nyabururu, Nyanchwa and other private teacher training colleges in the country in 1993, 1994, 1995, 1996 and 1997?

(b) How many of these teachers have been absorbed into employment by the Teachers Service Commission?

(c) In view of the shortage of qualified teachers in many schools in Kisii, Nyamira and Gucha districts, could the Teachers Service Commission absorb these teachers as severally directed by the Government?

350 - The Member for South Mugirango (Mr. Enock Nyankieya Magara) to ask the Minister for Local Authorities:-

Why did the Minister decline to nominate a councillor from South Mugirango Borabu/Getenya Location to South Kisii County Council (Gucha), whereas the said area qualifies for one nominee?

...../336

336 - **The Member for Embakasi (Mr. David Mwenje) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that M/s Mugoya Construction Company was supposed to have reserved a site for a primary and a secondary school in the new estate in Embakasi Village?

(b) Could the Minister ensure that the reserved land is handed over to the community for construction of the said schools?

333 - **The Member for Kasipul/Kabondo (Mr. William Oloo Otula) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that Mr. James Adero Gumbe was attacked by a leopard and lost 4 (four) teeth and that his case was heard under the chairmanship of the District Commissioner, Homa Bay, on the 12th April, 1985 which recommended compensation under MIN.20/85?

(b) What steps has the Minister taken to effect the recommendation of the Committee?

(c) If no compensation has been paid, what plans does the Ministry have to pay the victim?

360 - **The Member for Malava (Mr. Peter Soita Shitanda) to ask the Minister for Environmental Conservation:-**

(a) Is the Minister aware that River Mwera in Malava Division is being polluted by effluent from West Kenya Sugar factory?

(b) What steps is the Minister taking to remedy the situation in view of the serious health implications to both human and animal life in the area?

312 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Information and Broadcasting:-**

(a) When is the Minister planning to privatise or disband the Kenya News Agency?

(b) Is the Agency generating any revenue for the Government, and if so, how much was it between 1993 and 1997 financial years?

—————0—————

...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Mosop (Mr. John Sambu) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that over 600 families living on Metetei Hills in Nandi District are living in fear of massive landslides?

(b) Is he further aware that last week a young girl was killed and her family seriously hurt when a landslide hit the area?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister move the people living on very steep hills and settle them on the fallow land within the tea estates in the area?

2. - **Question By Private Notice - The Member for Samburu East (Mr. Sammy Leshore) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that subordinate staff in the Department of Education in Samburu District have not been paid their salaries for over six months?

(b) How much money is due to these employees?

(c) When will the Ministry pay them?

3. - **Question By Private Notice - A Nominated Member (Dr. Richard Leakey) to ask the Minister for Natural Resources:-**

(a) Could the Minister confirm that the Kenya Wildlife Service (KWS) has legal ownership of Kilaguni Lodge in the Tsavo West National Park?

(b) Could the Minister confirm that the African Tours and Hotels Limited which manages the lodge are paying rent and if so, could the Minister indicate whether all due payments have been made to Kenya Wildlife Service?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, 1ST JULY, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*8*. **MOTION** - (Mr. J. N. Michuki)
(Ministry of Health)

THAT, whereas the Government admitted in an answer to a Question by Private Notice on 18th November, 1993, that the chemical components of the Cantata brew is harmful to health in that it contains the following ingredients, namely:-

Alcohol	-	12.4%;
Voltatile Acid	-	0.4%;
Total Solid (Tartaric Acid)	-	2.9%;
Sulphur Dioxide	-	50.4 PPM;
Copper	-	1.2. PPM;
Iron	-	5.4. PPM;
Organolofilic (?) taste	-	Normal; and given the fact that

many people, particularly in Central and Eastern Provinces, have died due to consumption of this and other brews known as Kamata, Kulta, Sorghum, Medusa pound and Teachers' wine with similar chemical components; and noting that the consumption of these brews causes a period of insanity and anti social behaviour; this House urges the Government to ban the production, sale and consumption of these brews and others with similar chemical components with immediate effect.

...../Motions

80. **MOTION** - (Mr. Musikari Kombo)
(Office of the President)

THAT, while appreciating the Government's efforts to stamp out corruption both in public and private sectors and noting with concern that rampant corruption has become so pervasive that it threatens any further socio-economic development and the future of the country; aware that corruption has become so entrenched that the existing legal framework under the Prevention of Corruption Act (Cap.65) and the Anti-Corruption Authority are not adequate to significantly reduce it or eradicate it; and noting further that corruption has kept away potential investors, and eroded the good image of Kenya; this House resolves to set up a Select Committee to study and investigate the causes, nature, extent and impact of corruption in Kenya; identify the key perpetrators and beneficiaries of corruption; recommend effective immediate measures to be taken against such individuals involved in corruption and recover public property corruptly appropriated by them; recommend enactment of a Bill to provide for stiff penalties on all corrupt related offences and further that the following be members of the said committee:

ACHOLA, G.H.O
AYOKI, W.O.
GALGALLO, M.A.
KAMOLLEH, S.M.
KARIUKI, I.N.
KARUA, (MS) M.W.
KIHORO, W.
KOMBO, M.N.
LESHORE, S.P.
MURUNGI, K.
NYONG'O, PROF. P.A.
OBWOCHA, H.O
OSUNDWA, W.W.
SAMOEI, W.R.
SANKORI, D.L.

...../Motion

98. **MOTION** - (Mr. Peter Oloo Aringo)
(Ministry of Rural Development)

THAT, in view of the fact that Yala Swamp Reclamation and Development Project in Siaya and Busia districts was initiated by the Government of Kenya to increase food production and that area One comprising 2300 hectares had been reclaimed from the swamp and transformed into farmland and that the designs and plans for the reclamation of the remaining 17,000 hectares had been approved by the Government for implementation, this House urges the Government to:-

I. repair the dykes and rehabilitate area One and end the reflooding of this area;

II. implement the reclamation of the remaining part of the Yala Swamp and open up the area for agricultural settlement by the indigenous people of Siaya and Busia; and

III. extend irrigated farming to the adjacent locations of Usonga, Alego, Yimbo, Bunyala and Samia inorder to increase food production in the country.

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θ Denotes Party Sponsored Motions

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS' MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members' Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

337 - **The Member for Tharaka (Mr. Cicilio M. Mwenda) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that since the announcement of the creation of Meru East District in December, 1997, no District Commissioner (DC) has been posted to the District?

(b) If the answer to "a" above is in the affirmative, could the Minister state why the Government has not posted the DC and when will one be posted?

191 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Foreign Affairs:-**

(a) When will diplomatic relations between Kenya and Libya be resumed?

(b) Why, in the first instance, were the relations severed by the Government of Kenya?

172 - **The Member for Samburu East (Mr. Sammy P. Leshore) to ask the Minister for Health:-**

(a) Is the Minister aware that services in Wamba Health Centre and Ndonyo Wasin Dispensary have collapsed because of inadequate staff?

(b) Is he further aware that the Ministry promised to post a Clinical Officer to Wamba Health Centre and an additional nurse to Ndonyo Wasin Dispensary in the 1995/96 fiscal year?

(c) If the answer to "a" above is in the affirmative, what urgent steps is the Minister taking to provide services to the communities living in this area in order to improve their health needs?

258 - **The Member for Machakos Town (Mr. Jonesmus M. Kikuyu) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that culverts on the Kibandini-Mikuini Road have been washed away rendering the road impassable?

(b) If the answer to "a" above is in the affirmative, what is the Ministry doing to rehabilitate the road?

...../239

239 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Rural Development:-**

(a) Is the Minister aware that due to heavy rains, River Yala has burst its banks and as a result the reclaimed land in the Yala Swamp has been flooded and crops washed away?

(b) If the answer to "a" above is in the affirmative, what urgent steps is the Minister taking to control the flooding of reclaimed land in Yala Swamp to save farmers from imminent famine?

291 - **The Member for Lari (Mr. P.G. Gitonga) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that a ten (10) acre piece of land hitherto belonging to the Forest Department situated along the Nairobi-Nakuru Highway at Nyambari has illegally been allocated to a private developer?

(b) Is he further aware that on this piece of land the late Mzee Jomo Kenyatta in 1969 planted a memorial tree with a view to maintaining the area as a green belt?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister declare the tree planted by the late President as a National Monument and the ground it stands on a public park, while the remaining piece of the ten acre land be allocated to the landless?

091 - **The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that Pumwani, Shauri Moyo, Bahati and Muthurwa social halls are in a deplorable state and that major renovation is required?

(b) Is he further aware that indoor games and private functions which would otherwise bring income to the Council are affected?

(c) If the answers to "a" and "b" above are in the affirmative, what action is the Minister taking to rehabilitate/renovate these halls?

———————0———————

...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Sirisia (Mr. John B. Munyasia) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the FORD-Kenya Locational Chairman of North Bukusu, Mr. Stephen Mukhwana Wanyonyi, was murdered on the evening of 6th June, 1998, a few meters from the home of the Chief of North Bukusu Location, Mr. Felix Makasi Wekesa?

(b) Is he further aware that the late Stephen Mukhwana Wanyonyi had a long-standing land case against the said Mr. Felix Makasi Wekesa and the ruling was to be made on Monday 8th June, 1998, in a Kakamega Court?

(c) Why have the culprits of this offence not been charged in a court of law?

2. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Transport and Communications:-**

In view of the recent spate of fatal and tragic road accidents, especially in the City of Nairobi, caused by Stage Coach Buses, could the Minister:

(a) explain and investigate the root causes of these accidents?

(b) suspend operations of Stage Coach Buses until a clean bill of health on their roadworthiness and serviceability is issued?

(c) take the necessary remedial measures including insurance compensation to victims of the accidents?

Eighth Parliament

(No.36)

Second Session
Afternoon Sitting
(124)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, 1ST JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE FINANCE BILL (BILL NO.6)**
(The Minister for Finance)

First Reading

8*. **THE RETIREMENT BENEFITS (AMENDMENT) BILL (BILL NO.7)**
(The Minister for Finance)

First Reading

9* **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**
(The Minister for Finance)

First Reading

...../Motion

10ø. **Motion** - (Chairman of Public Investments Committee)
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

(Resumption of debate interrupted on Wednesday, 10th June, 1998)

*** Denotes Government Order of the Day**
ø Denotes Government Motions

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

207 - The Member for Naivasha (Mr. Paul Kihara) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that Maasai herdsmen have occupied the whole of Utheri wa Lari Farmers Company; Nyakinyua and Ereri farms in the Longonot Location of Naivasha Constituency thereby displacing the rightful owners of these farms?

(b) Is he further aware that Utheri wa Lari Primary School which was built by the shareholders of Utheri wa Lari Farmers Company has been taken over by these Maasai herdsmen and it is no longer available for use by the children of the shareholders?

(c) What is the Minister doing to avert this potentially dangerous situation?

248 - The Member for Nithi (Mr. Njoka Mutani) to ask a Minister of State, Office of the President:-

(a) Where is the Divisional Headquarters of Igambang'ombe Division situated?

(b) Since the residents of Igambang'ombe Division use a lot of money on transport to Chuka District Commissioner's office to consult their District Officer (DO), could the Minister post a District Officer to the Divisional Headquarters?

375 - The Member for Mumias (Mr. Wycliffe Osundwa) to ask the Minister for Health:-

(a) Is the Minister aware that Makunga Health Centre, in Mumias Division was built on private land belonging to Mr. Kweyu Weremba on the understanding that he would be compensated for it, and that the said Mr. Weremba still holds the title deed to this piece of land?

(b) What plans does the Ministry have to allocate alternative land to Mr. Weremba in order for him to legally surrender his piece of land to the health centre?

309 - **The Member for Tigania West (Mr. Benjamin Ndubai) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Meru-Mikinduri and Kianjai-Miathene Mikinduri roads were surveyed for tarmacking in 1989/90?

(b) Is he further aware that the same road has been allocated money for the last ten (10) years without any work being done on it?

(c) When will the said road be tarmacked?

343 - **The Member for Kipipiri (Mr. Mwangi Githiomi) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the roads in Wanjohi, Kipipiri and Geta locations are currently impassable?

(b) If the answer to "a" above is in the affirmative, what urgent steps is the Minister taking to ensure that the roads are adequately maintained?

(c) When will the Olkalau-Miharati-Njambini Road be tarmacked?

242 - **The Member for Nyakach (Mr. Peter Odoyo) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that several pumps were removed from the Nyakach Water Project and that as a result, people in the area have not had clean drinking water for the past two months?

(b) What is the Ministry doing to bring back the high powered pumps so that the supply of clean drinking water is restored?

355 - **The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask the Attorney General:-**

(a) Is the Attorney General aware that Mr. Alphonce Nyagilo Akech from Wayaga Primary School, East Kachieng' Sub-Location of West Kabuoch Location who was involved in an accident, filed a case No.HCCC2683 at the Nairobi High Court in 1987 and was awarded damages of Kshs.62,900/- twelve years ago which has not been paid to date?

(b) If the answer to "a" above is in the affirmative, could the Attorney General consider authorising this payment together with the accrued interest to Mr. Alphonce Nyagilo?

...../062

062 - **The Member for Kisauni (Mr. Immanuel K. Maitha) to ask the Attorney General:-**

(a) Why has Mr. Mwalimu Mohammed Mngwisho not been paid the Kshs.60,000/-, AC/No.3104457 which he deposited with the Pioneer Building Society which has since been placed under receivership?

(b) When will he be paid his money?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that the lives of Kenyan travellers have been put at risk by the designation of East African Air Safari Airways (EAASA) as a national carrier without first establishing its compliance with international air safety standards?

(b) Could the Minister inform the House the registration numbers and makes of the aircraft owned by it; and the number of Kenyan pilots with jet aircraft experience employed by it?

(c) Could the Minister consider introducing amendments to the Civil Aviation Act to ensure transparent licensing and safety criteria?

2. - **Question By Private Notice - The Member for South Mugirango (Mr. Nyankieya Magara) to ask the Attorney General:-**

(a) Is the Attorney General aware that the Kenya School of Law has declined to admit over three hundred (300) Kenyan students of Law who graduated from foreign universities?

(b) Is he further aware that some of the students have attempted to join the institute for the last three years but in vain?

(c) Could the Attorney General as a matter of urgency admit the students who have qualified?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 2ND JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7Ø. **Motion** - (Chairman of Public Investments Committee)
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

(Resumption of debate interrupted on Wednesday 1st July, 1998)

Ø Denotes Government Motions

APPENDIX

ORDER NO.6

QUESTION NO.

135 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Mr. Francis Mutambo of Box 354, Bungoma, deposited Kshs.1100/- with the District Commissioner, Bungoma, in January 1968 for buying 15 acres of land in a settlement scheme?

(b) Is he further aware that the then Bungoma District Commissioner, Mr. D.A. Indwasi, confirmed to the Senior Settlement Officer, Nzoia, Box 27, Moi's Bridge, that he received the money from Mr. Mutambo under the DC's letter to the Settlement Officer, Ref.No.ADM/15/14/9/51 dated 25th January, 1968?

(c) When will the Ministry allocate Mr. Mutambo his 15 acres of land for which he paid the Government 30 years ago?

079 - **The Member for West Mugirango (Mr. Henry Obwocha) to ask a Minister of State, Office of the President:-**

What has delayed the sub-division of West Mugirango Location in West Mugirango Constituency as recommended by the Nyamira District Development Committee (DDC?

377 - **The Member for Gem (Mr. Joe Donde) to ask a Minister of State, Office of the President:-**

(a) Do the Kenya Military Personnel perform other civilian duties and responsibilities in addition to their military duties?

(b) If the answer to "a" above is in the affirmative, could the Minister specify these non-military responsibilities?

209 - **The Member for Uriri (Mr. H.O. Omamba) to ask the Minister for Public Works and Housing:-**

Could the Ministry consider building a bridge or providing a ferry at Ongilo on River Kuja to open Gogo area to the rest of Uriri Constituency?

...../351

351 - **The Member for Wajir East (Mr. M.A. Mahamud) to ask the Minister for Public Works and Housing:-**

(a) Considering the economic importance of roads in development, could the Minister explain why there is no single inch of tarmac or an all-weather road in the entire North Eastern Province?

(b) What plans does the Ministry have to provide the necessary infrastructure in the province to make the area accessible and enhance development?

291 - **The Member for Lari (Mr. P.G. Gitonga) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that a ten (10) acre piece of land hitherto belonging to the Forest Department situated along the Nairobi-Nakuru Highway at Nyambari has illegally been allocated to a private developer?

(b) Is he further aware that on this piece of land the late Mzee Jomo Kenyatta in 1969, planted a memorial tree with a view to maintaining the area as a green belt?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister declare the tree planted by the late President as a National Monument and the ground it stands on a public park, while the remaining piece of the ten acre land is allocated to the landless?

178 - **The Member for North Imenti (Mr. David Mwiraria) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that most of the land set aside for the Laria Salt Lick has now been sub-divided and sold to private individuals?

(b) Is he further aware that this action has enclosed some of the salt water springs in people's plots thus removing them from public use?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister order the Land Adjudication Committee for the Ruiri adjudication area to re-possess the said land and set it aside once again as a salt lick?

239 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Rural Development:-**

(a) Is the Minister aware that due to heavy rains, River Yala has burst its banks and as a result the reclaimed land in the Yala Swamp has been flooded and crops washed away?

(b) If the answer to "a" above is in the affirmative, what urgent steps is the Minister taking to control the flooding of reclaimed land in Yala Swamp to save farmers from imminent famine?

072 - **A Nominated Member (Dr. Richard Leakey) to ask the Minister for Environmental Conservation:-**

(a) Could the Minister inform the House about procedures in practice for disposal of low grade radio active waste that accumulates at hospitals, clinics and research institutions?

(b) Could the Minister also indicate the capacity and supervision of such procedures?

336 - **The Member for Embakasi (Mr. David Mwenje) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that M/s Mugoya Construction Company was supposed to have reserved a site for a primary and a secondary school in the new estate in Embakasi Village?

(b) Could the Minister ensure that the reserved land is handed over to the community for construction of the said schools?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Mosop (Mr. John Sambu) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that over 600 families living on Metetei Hills in Nandi District are living in fear of massive landslides?

(b) Is he further aware that last week a young girl was killed and her family seriously hurt when a landslide hit the area?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister move the people living on very steep hills and settle them on the fallow land within the tea estates in the area?

...../QPN.2

QUESTION BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Transport and Communications:-**

In view of the recent spate of fatal and tragic road accidents, especially in the City of Nairobi, caused by Stage Coach Buses, could the Minister:

(a) explain and investigate the root causes of these accidents?

(b) suspend operations of Stage Coach Buses until a clean bill of health on their roadworthiness and serviceability is issued?

(c) take the necessary remedial measures including insurance compensation to victims of the accidents?

Eighth Parliament
(No.38)

Second Session
(134)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 7TH JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY (2nd Allotted Day)**

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) Vote 13 - Ministry of Public Works and Housing

MOTION: - (The Minister for Public Works and Housing)

THAT, Mr. Speaker do now leave.

(ii) Vote 11 - Ministry of Health

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

094 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask a Minister of State, Office of the President:-**

Could the Minister table the Sessional Paper on the implementation of Administrative Reforms recommended by the Inter Parties Parliamentary Group (IPPG) last year?

106 - **The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Education and Human Resource Development:-**

(a) What are the Ministry's plans in admitting those students who qualify to join the five public universities but fail due to limited vacancies?

(b) Are there any intentions to expand or build new universities?

226 - **The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) Could the Minister consider pardoning and releasing Mr. Kisilu Mutua who has been in prison since July, 1965?

(b) Is the Minister aware that many of his colleagues, who were on life imprisonment sentence, have been released under Presidential Amnesty?

361 - **The Member for Malava (Mr. Peter S. Shitanda) to ask the Minister for Health:-**

(a) Why was the medicine kit at Malava Dispensary withdrawn, leading to a marked increase of cholera and malaria cases?

(b) Could the Minister take urgent steps to replace the kit?

(c) When will the dispensary be upgraded to a fully-fledged hospital?

...../066

066 - **The Member for Kisauni (Mr. Immanuel K. Maitha) to ask the Minister for Health:-**

(a) What plans does the Ministry have to rehabilitate the Coast General Hospital?

(b) Could the Minister consider providing new facilities to the Hospital as a matter of urgency?

237 - **The Member for Runyenjes (Mr. Njeru Kathangu) to ask the Minister for Public Works and Housing:-**

(a) How many new vehicles has the Ministry purchased in the last five years?

(b) What models have they been?

264 - **The Member for Mwala (Mr. John Katuku) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that Kibauni Water Project which was meant to supply water to Ikalaasa, Kibauni and Kalawa locations has stalled?

(b) Is he further aware that the water pumping machine for the project was moved to Kathiani Constituency?

(c) In view of the above, what is the Minister doing to have the project completed to ensure constant water supply?

239 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Rural Development:-**

(a) Is the Minister aware that due to heavy rains, River Yala has burst its banks and as a result the reclaimed land in the Yala Swamp has been flooded and crops washed away?

(b) If the answer to "a" above is in the affirmative, what urgent steps is the Minister taking to control the flooding of reclaimed land in Yala Swamp to save farmers from imminent famine?

027 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Natural Resources:-**

What plans does the Ministry have to establish small scale fish processing plants along Lake Victoria in order to assist the local businessmen to process their fish in a more efficient and economic manner?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY, 8TH JULY, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*0*. **MOTION** - (Mr. Musikari Kombo)
(Office of the President)

THAT, while appreciating the Government's efforts to stamp out corruption both in public and private sectors and noting with concern that rampant corruption has become so pervasive that it threatens any further socio-economic development and the future of the country; aware that corruption has become so entrenched that the existing legal framework under the Prevention of Corruption Act (Cap.65) and the Anti-Corruption Authority are not adequate to significantly reduce it or eradicate it; and noting further that corruption has kept away potential investors, and eroded the good image of Kenya; this House resolves to set up a Select Committee to study and investigate the causes, nature, extent and impact of corruption in Kenya; identify the key perpetrators and beneficiaries of corruption; recommend effective immediate measures to be taken against such individuals involved in corruption and recover public property corruptly appropriated by them; recommend enactment of a Bill to provide for stiff penalties on all corrupt related offences and further that the following be members of the said committee:

ACHOLA, G.H.O
AYOKI, W.O.
GALGALLO, M.A.
KAMOLLEH, S.M.
KARIUKI, I.N.

...../Motions

KARUA, (MS) M.W.
KIHORO, W.
KOMBO, M.N.
LESHORE, S.P.
MURUNGI, K.
NYONG'O, PROF. P.A.
OBWOCHA, H.O
OSUNDWA, W.W.
SAMOEI, W.R.
SANKORI, D.L.

(Resumption of debate interrupted on Wednesday 1st July, 1998 - Please note the Question had not been proposed)

8Ø. **MOTION** - (Mr. Peter Oloo Aringo)
(Ministry of Rural Development)

THAT, in view of the fact that Yala Swamp Reclamation and Development Project in Siaya and Busia districts was initiated by the Government of Kenya to increase food production and that area One comprising 2300 hectares had been reclaimed from the swamp and transformed into farmland and that the designs and plans for the reclamation of the remaining 17,000 hectares had been approved by the Government for implementation, this House urges the Government to:-

I. repair the dykes and rehabilitate area One and end the reflooding of this area;

II. implement the reclamation of the remaining part of the Yala Swamp and open up the area for agricultural settlement by the indigenous people of Siaya and Busia; and

III. extend irrigated farming to the adjacent locations of Usonga, Alego, Yimbo, Bunyala and Samia inorder to increase food production in the country.

9*. **MOTION** - (Dr. Mukhisa Kituyi)
(Ministry of Lands and Settlement)

THAT, in the light of massive fraud evidenced in the allocation of plots in the Lugari Forest leading to the exclusion of most priority squatters from accessing a livelihood while benefitting many people who could normally not have been a target for the allocations, this House urges the Government to cancel the said allocations and set up a transparent mechanism through which the allocation exercise will be handled.

...../Motion

10*. MOTION - (Mr. Norman Nyagah)
(Office of the President)

THAT, this House urges the Government to provide armed security for all Members of Parliament, free housing, government vehicles and fire arms licences particularly during this period of high insecurity being experienced in the country.

11*. MOTION - (Mr. Henry Obwocha)
(Ministry of Local Authorities)

THAT, in view of the fact that Public Service has been de-linked from party and partisan politics as was recommended by the Inter-Party Parliamentary Group package and approved by this House under the Statute Law (Repeals and Miscellaneous Amendments) Act No.14 of 1997, and noting with concern that the Minister has continued to nominate Civil Servants to serve in various local authorities as per Kenya Gazette Notice No.863 of 23rd February, 1998, contrary to the IPPG resolutions, this House urges the government to introduce an amendment Bill to repeal Sections 26(b), 39(1)c and 46(b) of the Local Government Act, Cap 265, Laws of Kenya and that the nominations of Provincial/District Commissioners/District Officers gazetted as nominated councillors after the last General Elections be revoked.

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Ø Denotes Party Sponsored Motions
*** Denotes Private Members' Motions**

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS' MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members' Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

268 - **A Nominated Member (Prof. Anyang' Nyong'o) to ask the Minister for Finance:-**

With the introduction of the Tax Police at the Kenya Revenue Authority, what steps is the Ministry taking to provide a proper legal basis for this move?

033 - **The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Energy:-**

(a) Is the Minister aware that Tongaren Division of Bungoma District, an area with one of the highest agro-industrial potential in the entire Western Province and with massive growth in urban centres, does not have a single institution with electricity?

(b) If the answer to "a" above is in the affirmative, when will the Ministry replace the power transformer which was removed from Wabukhonyi Village of Tongaren Division in 1992 to enable the local people have access to electric power?

024 - **The Member for Nithi (Mr. Njoka Mutani) to ask the Minister for Public Works and Housing:-**

When will Mutongo Bridge near Kaare Market in Mwimbi Division linking Nithi and Tharaka constituencies be completed?

190 - **The Member for Kangema (Mr. John N. Michuki) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that all roads in the tea growing areas of Kangema are in a deplorable state of disrepair?

(b) Is he further aware that tea farmers are making huge financial losses due to non-delivery of their plucked tea to the factories because of unmaintained roads?

(c) If the answers to "a" and "b" above are in the affirmative, what action is the Minister taking to have these roads repaired and regularly maintained?

380 - **The Member for Mumias (Mr. Wycliffe Osundwa) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the construction of the 84 kilometre Mumias-Busia Road has stalled since last year?

(b) If the answer to "a" above is in the affirmative, what urgent steps is the Minister taking to ensure that the contractor goes back to the site and complete the construction work?

324 - **A Nominated Member (Mr. Mohamed M. Galgalo) to ask the Minister for Water Resources:-**

(a) How much money was spent on the staff residential houses in the vicinity of Holale Dam and why were these buildings left to waste?

(b) What actions were taken by the Water Department on the recommendations of the sub-committee appointed by Moyale District Development Committee (DDC) in 1996?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 8TH JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY (3rd Allotted Day)**

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) Vote 13 - Ministry of Public Works and Housing

MOTION: - (The Minister for Public Works and Housing)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on July 07, 1998)

IN THE COMMITTEE

MOTION: - (The Minister for Public Works and Housing)

THAT, a sum not exeeding K£86,689,985 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 1999 in respect of:-

(i) Vote 13 - Ministry of Public Works and Housing

(ii) Vote 11 - Ministry of Health

*** Denotes Government Order of the Day**

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

173 - **The Member for Samburu East (Mr. Sammy P. Leshore) to ask a Minister of State, Office of the President:-**

(a) How much money has been allocated to youth groups in Wamba and Waso divisions under the Presidential Youth Harambee Fund?

(b) Could the Minister tabulate all the groups which benefitted under the Fund?

132 - **The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask the Minister for Health:-**

(a) Is the Minister aware that the present mortuary at Bungoma District Hospital is too small to accommodate the number of corpses in the District?

(b) Is he further aware that the freezers at the mortuary are permanently out of order?

(c) If the answers to "a" and "b" above are in the affirmative, what urgent steps is the Minister taking to ensure that the mortuary is expanded and freezers are put in a working and serviceable condition?

244 - **The Member for Nyakach (Mr. Peter Odoyo) to ask the Minister for Health:-**

(a) Is the Minister aware that Pap-Onditi Sub-District Hospital has not had a single doctor for the last three months, a situation that has led to deaths of mothers and children from treatable diseases?

(b) How many people have died at the Pap-Onditi Sub-District Hospital over the last three months from cholera, malaria, gynaecological, obstretric and paediatrician related cases?

(c) If the answer to "a" above is in the affirmative, could the Minister, as a matter of urgency, post a doctor to the hospital?

...../277

277 - **The Member for Juja (Mr. Stephen Ndicho) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that the former Town Clerk of Ruiru Municipal Council, Mr. Joseph Mwangi and some former Councillors of the Council illegally allocated themselves Ruiru Market and later sold it to private developers?

(b) If the answer to "a" above is in the affirmative, could the Minister cancel the sale of the market to the private developers and declare it a public utility?

(c) What disciplinary measures is the Minister taking against the said Clerk since he has illegally allocated himself yet another market at Maragwa where he was posted from Ruiru?

192 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Local Authorities:-**

(a) What were the principal recommendations of the Omamo Commission on Local Authorities?

(b) Why has the report not been published to date?

(c) When will the proposals and recommendations be implemented?

309 - **The Member for Tigania West (Mr. Benjamin Ndubai) to ask the the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the Meru-Mikinduri and Kianjai-Miathene Mikinduri roads were surveyed for tarmacking in 1989/90?

(b) Is he further aware that the same road has been allocated money for the last 10 years without any work being done on it?

(c) If the answers to "a" and "b" above are in the affirmative, when will the said road be tarmacked?

241 - **The Member for Bondo (Dr. Oburu Odinga) to ask the Minister for Water Resources:-**

What plans does the Ministry have in place to rehabilitate and complete the North Sakwa Water Project which was abandoned by the Ministry after a substantial amount of public resources had been invested in the project?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY, 9TH JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7* **THE KENYA COMMUNICATIONS BILL (BILL NO.3)**
(The Minister for Transport & Communications)

Second Reading

8* **THE POSTAL CORPORATION BILL (BILL NO.5)**
(The Minister for Transport & Communications)

Second Reading.

9Ø. **Motion - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

(Resumption of debate interrupted on Thursday, 2nd July, 1998)

*** Denotes Government Orders of the Day**
Ø Denotes Government Motion

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

136 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-**

(a) What are the terms and conditions of service for the Director of Anti-Corruption Authority?

(b) How many cases has the Authority handled and disposed of since its establishment and what are these cases, if any?

396 - **The Member for Kajiado Central (Mr. David ole Sankori) to ask a Minister of State, Office of the President:-**

(a) Could the Minister inform the House how many Maasai from Kajiado District are of the rank of Inspector in the Administration Police Force?

(b) What are their names and when were they appointed to the ranks?

387 - **The Member for Alego (Mr. Oloo Aringo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the Chief of East Alego has imposed an illegal curfew in Umala and uses the Administration Police to harass and chase market users from Adhiegra Market in Umala from 6.00 p.m. everyday of the week?

(b) If the answer to "a" above is in the affirmative, what steps will the Minister take to stop these illegal orders by the Chief?

210 - **The Member for Uriri (Mr. H.O. Omamba) to ask the Minister for Energy:-**

(a) What is the Ministry's plan regarding rural electrification in Uriri Constituency?

(b) What are the social benefits for Uriri constituents from the Gogo Hydro-Electric Power Station?

...../313

313 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that Land Adjudication Committee for Amwathi and Kawiru locations in Mtuati and Ndoleli divisions, respectively are overcharging for their services?

(b) If the answer to "a" above is in the affirmative, could the Minister state how much is supposed to be paid at every stage and order urgent investigation into alleged overcharges ranging from Kshs.1,500/- to Kshs.2,000/- per complaint and order refunds to complainants?

332 - **The Member for Naivasha (Mr. Paul Kihara) to ask the Minister for Natural Resources:-**

(a) Could the Minister inform the House how many hectares of forest land has been degazetted and alienated in the last five years?

(b) Could he also inform the House the use to which such alienated land has been put?

———————0———————

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Mukurweini (Mr. Muhika Mutahi) to ask the Minister for Health:-**

(a) Is the Minister aware that since Mukurweini Sub-District Hospital was opened on 8th February, 1997, theatre machines and mortuary cold rooms have not been installed?

(b) Is he further aware that corpses bodies are usually left in the wards with sick patients for almost three (3) days due to lack of mortuary facilities?

(c) If the answers to "a" and "b" above are in the affirmative, when will the Minister, as a matter of urgency, install the theatre machines and make the mortuary cold rooms operational?

...../QPN.2

QUESTION BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Water Resources:-**

(a) Could the Minister confirm or deny that the soap solution *"JIK"* is the main detergent currently being used in various parts of Nyanza Province to purify drinking water?

(b) If the answer to "a" above is in the affirmative, could he inform the House what remedies are being taken to rectify this grave anomaly?

Eighth Parliament
(No.42)

Second Session
(151)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 14TH JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY (4th Allotted Day)**

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) **Vote 11 - Ministry of Health**

MOTION: - (The Minister for Health)

THAT, Mr. Speaker do now leave the Chair.

(ii) **Vote 31 - Ministry of Education and Human Resource Development**

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

080 - **The Member for West Mugirango (Mr. Henry Obwocha) to ask a Minister of State, Office of the President:-**

What has delayed the sub-division of West Mugirango Constituency into two divisions as recommended by the Nyamira District Development Committee (DDC?

179 - **The Member for North Imenti (Mr. David Mwiraria) to ask the Minister for Lands and Settlement:-**

(a) How many Government houses have been sold to private developers since 1992?

(b) How many Government houses were pulled down before the plots were allocated?

(c) Which authority allocated these plots?

356 - **The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask the Minister for Local Authorities:-**

When will the Minister order the re-opening of Lwala Livestock Market Auction Ring to promote livestock business within Kabuoch locations in Ndhiwa Constituency?

344 - **The Member for Kipipiri (Mr. Mwangi Githiomi) to ask the Minister for Public Works and Housing:-**

(a) When will the Gilgil-Miharati and Miharati-Ndunyu roads be repaired?

(b) What plans does the Minister have to open the Ndunyu Njeru-Mumui Road which is currently impassable?

362 - **The Member for Malava (Mr. Soita Shitanda) to ask the Minister for Public Works and Housing:-**

(a) When will the Kakamega-Webuye Road, rendered impassable by the recent ***el nino*** rains, be repaired?

(b) Could the Minister explain how the Fuel Levy Fund is disbursed as regards road maintenance?

038 - **The Member for Kangema (Mr. John N. Michuki) to ask the Minister for Public Works and Housing:-**

(a) When was the Kangema-Kanyenyaini-Kiruri tarmac road completed and handed over to the Ministry by the Contractor?

(b) How much did it cost to construct the road?

(c) What action does the Minister intend to take to ensure that the road is properly maintained to facilitate better transportation of tea, milk and fruits, which are abundant in the area?

406 - **The Member for Isiolo South (Dr. A.H. Wako) to ask the Minister for Water Resources:-**

(a) Could the Minister confirm whether under the Egyptian sponsored programme for drilling of boreholes, two boreholes are earmarked for drilling in Garissa and Madogashe in Isiolo South?

(b) When are these boreholes intended to be drilled?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Samburu East (Mr. Sammy Leshore) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that a gang of bandits have been terrorising motorists along the Isiolo-Wamba Road?

(b) In order to guarantee the safety of passengers and motorists along this route, what urgent measures is the Minister taking to contain the situation?

2. - **Question By Private Notice - The Member for Rangwe (Dr. Shem Ochuodho) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that thousands of households have been displaced by unusual flooding and rise in Lake Victoria's water level in Suba, Homa-Bay, Rachuonyo, Nyando, Kisumu, Bondo and Busia districts?

(b) If the answer to "a" above is in the affirmative, what remedies have been put in place to stem this problem and to offer immediate relief to the affected families?

...../QPN.3

QUESTION BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that the Headteacher of Kiomonso Primary School in Kitutu Masaba has sent away standard eight pupils, Jacobseen and Esther Meroka, since May 1998 on account of failure to pay Kshs.27/- for holiday coaching and Kshs.30/- for morning preps?

(b) If the answer to "a" above is in the affirmative, could the Minister investigate this case and ensure that these KCPE candidates return to school immediately to prepare for the examination?

(c) Could the Minister also make a statement regarding school charges and fees on activity, building, coaching, mock and preps?

Eighth Parliament

(No.43)

Second Session
Morning Sitting
(156)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 15TH JULY, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7~~0~~. **MOTION** - (Mr. Oloo Aringo)
(Ministry of Rural Development)

THAT, in view of the fact that Yala Swamp Reclamation and Development Project in Siaya and Busia districts was initiated by the Government of Kenya to increase food production and that area One comprising 2300 hectares had been reclaimed from the swamp and transformed into farmland and that the designs and plans for the reclamation of the remaining 17,000 hectares had been approved by the Government for implementation, this House urges the Government to:-

1. repair the dykes and rehabilitate area One and end the reflooding of this area;

II. implement the reclamation of the remaining part of the Yala Swamp and open up the area for agricultural settlement by the indigenous people of Siaya and Busia; and

III. extend irrigated farming to the adjacent locations of Usonga, Alego, Yimbo, Bunyala and Samia inorder to increase food production in the country.

(Resumption of debate interrupted on Wednesday 8th July, 1998)

...../Motions

8*. **MOTION** - (Dr. Mukhisa Kituyi)
(Ministry of Lands and Settlement)

THAT, in the light of massive fraud evidenced in the allocation of plots in the Lugari Forest leading to the exclusion of most priority squatters from accessing a livelihood while benefitting many people who could normally not have been a target for the allocations, this House urges the Government to cancel the said allocations and set up a transparent mechanism through which the allocation exercise will be handled.

9*. **MOTION** - (Mr. Norman Nyagah)
(Office of the President)

THAT, this House urges the Government to provide armed security for all Members of Parliament, free housing, government vehicles and fire arms licences, particularly during this period of high insecurity being experienced in the country.

10*. **MOTION** - (Mr. Henry Obwocha)
(Ministry of Local Authorities)

THAT, in view of the fact that the Public Service has been de-linked from party and partisan politics as was recommended by the Inter-Party Parliamentary Group package and approved by this House under the Statute Law (Repeals and Miscellaneous Amendments) Act No.14 of 1997, and noting with concern that the Minister has continued to nominate Civil Servants to serve in various local authorities as per Kenya Gazette Notice No.863 of 23rd February, 1998, contrary to the IPPG resolutions, this House urges the government to introduce an amendment Bill to repeal Sections 26(b), 39(1)c and 46(b) of the Local Government Act, Cap 265, Laws of Kenya and that the nominations of Provincial/District Commissioners/District Officers gazetted as nominated councillors after the last General Elections be revoked.

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Ø Denotes Party Sponsored Motions
*** Denotes Private Members' Motions**

...../Notice

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS' MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members' Motions shall be limited in the following manner:-

> A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

043 - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask a Minister of State, Office of the President:-

(a) How many members of the Kenya Police Reserve are operating clearing and forwarding business at the Port of Mombasa?

(b) Why has the Government allowed Police Reservists, who are supposed to help restrain clearing agents from smuggling uncustomed goods out of the Port, to run clearing business of their own?

174 - The Member for Samburu East (Mr. Sammy Leshore) to ask a Minister of State, Office of the President:-

(a) How much money has been allocated to Samburu District through the Drought Preparedness, Intervention and Recovery Programme (DPIRP) this year 1998?

(b) What project and/or programmes to alleviate poverty and ignorance have been undertaken in Wamba and Waso divisions of Samburu District?

028 - The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Energy:-

(a) How much money was collected as revenue from Gogo Hydro-electric Power Station of River Kuja by the Kenya Power and Lighting Company?

(b) How has the money been spent?

067 - The Member for Kisauni (Mr. Karissa Maitha) to ask the Minister for Local Authorities:-

(a) Why did the Mombasa Municipal Council dispose of its staff houses at Kizingo, Tononoka and Tudor estates?

(b) How much money did the Council receive from the sale of the estates and who were the buyers?

(c) What criteria did the Council use to sell these estates to private developers?

320 - **The Member for Nithi (Mr. Njoka Mutani) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that the German Technical Co-operation (GTZ) had undertaken to tarmac all the roads in Chuka Town and construct a sewage system together with bus park?

(b) If the answer to "a" is in the affirmative, how much money had the GTZ offered as a loan for that undertaking?

(c) What proportion of that loan did the Government have to contribute and how much has it released so far?

324 - **A Nominated Member (Mr. Mohamed Galgalo) to ask the Minister for Water Resources:-**

(a) How much money was spent on the staff residential houses in the vicinity of Holale Dam and why were these buildings left to waste?

(b) What actions were taken by the Water Department on the recommendations of the sub-committee appointed by Moyale District Development Committee (DDC) in 1996?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Mukurweini (Mr. Muhika Mutahi) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that about twenty one workers of Thika Primary School for the Blind have not been paid their salaries since January this year?

(b) Is he further aware that one of the victims, a Mr. William Kariuki, who is blind, has been working for the school since 1963 and that his eight children have been sent home from school for lack of school fees?

(c) If the answers to "a" and "b" above are in the affirmative, why has the Board of Governors not paid these workers and how soon are they going to be paid?

QUESTION BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Bumula (Mr. Lawrence Sifuna) to ask the Minister for Labour:-**

(a) Is the Minister aware that Bank employees country-wide are planning to strike as from 27th July, 1998?

(b) If the answer to "a" above is in the affirmative, what steps is the Minister taking to ensure that problems facing the bank workers are solved in order to avert the strike?

Eighth Parliament

(No.44)

Second Session
Afternoon Sitting
(162)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 15TH JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY (5th Allotted Day)**

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) Vote 11 - Ministry of Health

MOTION: - (The Minister for Health)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on July 14, 1998)

IN THE COMMITTEE

MOTION: - (The Minister for Health)

THAT, a sum not exceeding K£234,181,450 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 1999 in respect of:-

(i) Vote 11 - Ministry of Health

(ii) Vote 31 - Ministry of Education and Human Resource Development

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*** Denotes Government Order of the Day**

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

335 - **The Member for Nyando (Mr. Paul Otita) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the houses and plantations of the people of Wawidhi Village in Central Nyando were submerged when River Nyando overflowed its banks during the recent ***El-Nino*** rains?

(b) Is he further aware that these people are camping at Ahero Market after being displaced and are still suffering due to lack of food, clothings and shelter?

(c) If the answers to "a" and "b" above are in the affirmative, what action is the Minister taking to stop the river from overflowing its banks to alleviate the sufferings of the people camping at Ahero Market?

388 - **The Member for Alego (Mr. Oloo Aringo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that on December 24, 1997, the Chief of East Alego accompanied by his ***youth wingers*** entered the home of Mr. Samuel Sambu Otieno, carried out illegal search of the house and arrested him and his son and illegally detained them for four (4) days at his office in Umala in total disregard of the law and in complete violation of their human rights?

(b) If the answer to "a" above is in the affirmative, what steps will the Minister take to stop arbitrary and illegal arrests of innocent people in the locations of Alego and Usonga by the District Officer, Chiefs and Administration Police?

(c) Could the Minister instruct the District Commissioner, Siaya, to stop the harassment of innocent people of Alego and Usonga and to respect their legal, constitutional and human rights?

421 - **The Member for Marakwet West (Mr. David Sudi) to ask a Minister of State, Office of the President:-**

(a) Could the Minister inform the House why the Police Commissioner ordered all Marakwets serving in the Police Force, the Administration Police and the Prisons Service to appear before their station and field commanders on 24th of April, 1998?

(b) Is the Minister aware that the said officers now feel insecure and intimidated in the discharge of their duties?

352 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask the Minister for Agriculture:-**

Could the Minister consider putting up a small scale sugar factory at Nyangweta to assist farmers in the area whose sugarcane goes to waste every year leading to loss of millions of shillings?

237 - **The Member for Runyenjes (Mr. Njeru Kathangu) to ask the Minister for Public Works and Housing:-**

(a) How many new vehicles has the Ministry purchased in the last five years?

(b) What models have they been?

379 - **The Member for Machakos Town (Mr. Jonesmus Kikuyu) to ask the Minister for Environmental Conservation:-**

(a) Is the Minister aware that there is a serious environmental air-pollution being caused by the fish milling industry and tanneries in Athi River?

(b) If the answer to "a" above is in the affirmative, what does the Minister intend to do to prevent the said pollution and; could he consider closing down the said factories until they put in place measures to prevent pollution?

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...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Mwala (Mr. John Katuku) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that an illegal toll station is being operated at Kithaayoni Bridge in Kathama Location, Mwala Constituency, by ten (10) young men and a local Chief in which vehicles, bicycles and domestic animals crossing the bridge are charged amounts ranging from Kshs.10/- to Kshs.500/?

(b) Is he further aware that the local residents have reported the matter to the Provincial Administration and Mwala Police Post and that no action has been taken?

(c) If the answers to "a" and "b" above are in the affirmative, what immediate action is the Minister taking to ensure that the motorists and pedestrians using the bridge are not charged illegal fees and that the culprits are arrested and charged accordingly?

2. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that the Headteacher of Kiomonso Primary School in Kitutu Masaba has sent away standard eight pupils, Jacobseen and Esther Meroka, since May 1998 on account of failure to pay Kshs.27/- for holiday coaching and Kshs.30/- for morning preps?

(b) If the answer to "a" above is in the affirmative, could the Minister investigate this case and ensure that these KCPE candidates return to school immediately to prepare for the examination?

(c) Could the Minister also make a statement regarding school charges and fees on activity, building, coaching, mock and preps?

Eighth Parliament
(No.45)

Second Session
(167)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 16TH JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7* **THE KENYA COMMUNICATIONS BILL (BILL NO.3)**
(The Minister for Transport & Communications)

Second Reading

(Resumption of debate interrupted on Thursday 9 July, 1998)

8* **THE POSTAL CORPORATION BILL (BILL NO.5)**
(The Minister for Transport & Communications)

Second Reading.

9ø. **Motion - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

(Resumption of debate interrupted on Thursday 2 July, 1998)

*** Denotes Government Orders of the Day**
ø Denotes Government Motion

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

463 - **The Member for Muhoroni (Dr. Odongo Omamo) to ask the Minister for Agriculture:-**

(a) Could the Minister explain to the House why mismanagement order has not been served on Miwani Sugar Company for allowing over 6000 acres of the Company's Nuclear Estate to lie fallow at a time when unemployment is affecting a very large labour force in the nearby areas of Kajulu, Kano and Nandi?

(b) Could the Minister inform the House as to what extent the Government participated in the interview and final selection of the present Management Team of the said Company?

352 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask the Minister for Agriculture:-**

Could the Minister consider putting up a small scale sugar factory at Nyangweta to assist farmers in the area whose sugarcane goes to waste every year leading to loss of millions of shillings?

339 - **The Member for Kasipul/Kabondo (Mr. Oloo Otula) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that Atemo/Oyugis Water Project is not consistently supplying the area residents with water due to fuel shortage?

(b) If the answer to "a" above is in the affirmative, could the Minister ensure that electricity is supplied to the project, since the electricity transformer is just a kilometre away?

(c) What is the Minister's plan on Phases II and III of the same project?

...../470

470 - The Member for Gichugu (Ms Martha Karua) to ask the Minister for Local Authorities:-

(a) Is the Minister aware that the Kirinyaga District Commissioner is a nominated Councillor for three local authorities namely, Kirinyaga County Council, Kerugoya-Kutus Municipality and Sagana Town Council?

(b) If the answer to "a" above is in the affirmative, could the Minister confirm whether the said District Commissioner has been able to attend the sittings of the said local authorities and if he has been drawing monthly allowances from all the three local authorities?

400 - The Member for Maragwa (Mr. Mwangi Kamande) to ask the Minister for Public Works and Housing:-

(a) Is the Minister aware that currently there are no passable roads within Maragwa Constituency?

(b) Is he further aware that no bridge exists within those roads after they were washed away by ***El Nino*** rains?

(c) If the answers to "a" and "b" above are in the affirmative, when will these roads and bridges be repaired and what will be the cost?

467 - The Member for Fafi (Mr. Barre Shill) to ask the Minister for Public Works and Housing:-

(a) Is the Minister aware that the Garissa-Bura-Hulugho Road has not been maintained for the last fifteen years?

(b) Since this road is very important in Fafi Constituency, how much money has been set aside to repair it after the ***El Nino*** rains phenomena?

(c) How much money has been allocated to this road in the last five years?

...../456

456 - **The Member for Kitui South (Mr. Samuel Kiminza) to ask the Minister for Public Works and Housing:-**

When will the construction of Mutomo-Kitui Road begin and what emergency measures is the Minister taking to ensure that the worst sections of the road are repaired to ease transport problems for the people of Kitui South?

237 - **The Member for Runyenjes (Mr. Njeru Kathangu) to ask the Minister for Public Works and Housing:-**

(a) How many new vehicles has the Ministry purchased in the last five years?

(b) What models have they been?

457 - **The Member for Lamu East (Mr. Mohamed Hashim) to ask the Minister for Health:-**

(a) Could the Minister consider upgrading Faza Health Centre and Kizingitini Dispensary to a Sub-District Hospital and a full fledged Health Centre respectively?

(b) Could he also build a dispensary at Mbwajumwali in Lamu District?

———————0———————

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Embakasi (Mr. David Mwenje) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware of a stand-off between the Kenya Airports Authority and the tenants living in City Council houses in Embakasi, over houses formerly leased to the Authority by the Council?

(b) Is he further aware that the Authority is evicting the tenants and destroying their property?

(c) If the answers to "a" and "b" above are in the affirmative, what immediate action is the Minister taking to resolve the dispute between the Authority and residents of this Estate?

...../QPN.2

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Mwala (Mr. John Katuku) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that an illegal toll station is being operated at Kithaayoni Bridge in Kathama Location, Mwala Constituency, by ten (10) young men and a local Chief in which vehicles, bicycles and domestic animals crossing the bridge are charged amounts ranging from Kshs.10/- to Kshs.500/?

(b) Is he further aware that the local residents have reported the matter to the Provincial Administration and Mwala Police Post and that no action has been taken?

(c) If the answers to "a" and "b" above are in the affirmative, what immediate action is the Minister taking to ensure that the motorists and pedestrians using the bridge are not charged illegal fees and that the culprits are arrested and charged accordingly?

3. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that the Headteacher of Kiomonso Primary School in Kitutu Masaba has sent away standard eight pupils, Jacobseen and Esther Meroka, since May 1998 on account of failure to pay Kshs.27/- for holiday coaching and Kshs.30/- for morning preps?

(b) If the answer to "a" above is in the affirmative, could the Minister investigate this case and ensure that these KCPE candidates return to school immediately to prepare for the examination?

(c) Could the Minister also make a statement regarding school charges and fees on activity, building, coaching, mock and preps?

...../QPN.4

QUESTION BY PRIVATE NOTICE

4. - **Question By Private Notice - The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Water Resources:-**

(a) Could the Minister confirm or deny that the soap solution *"JIK"* is the main detergent currently being used in various parts of Nyanza Province to purify drinking water?

(b) If the answer to "a" above is in the affirmative, could he inform the House what remedies are being taken to rectify this grave anomaly?

5. - **Question By Private Notice - The Member for Starehe (Mr. Maina Kamanda) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that the former Councillor of Kilimani Ward, Nairobi, Mr. S.M. Maina is stranded in a London Hospital due to uncleared hospital bills?

(b) Is he further aware that the Nairobi City Council, under Minute No.3/128/15 of 4th July, 1995, undertook to clear the bills under ***ex-gratia*** basis?

(c) If the answers to "a" and "b" are in the affirmative, and since the former Councillor cannot be allowed to travel home before clearing the outstanding bills in London, what urgent steps is the Minister taking to instruct the Council to clear this bill?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 21ST JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY (6th Allotted Day)**

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) **Vote 31 - Ministry of Education and Human Resource Development**

MOTION: - (The Minister for Education and Human Resource Development)

THAT, Mr. Speaker do now leave the Chair.

(ii) **Vote 12 - Ministry of Local Authorities**

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

335 - **The Member for Nyando (Mr. Paul Otita) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that houses and plantations of the people of Wawidhi Village in Central Nyando were submerged when River Nyando overflowed its banks during the recent ***El Nino*** rains?

(b) Is he further aware that these people are camping at Ahero Market after being displaced and are still suffering due to lack of food, clothing and shelter?

(c) If the answers to "a" and "b" above are in the affirmative, what action does the Minister intend to take to stop the river from overflowing its banks and alleviate the sufferings of the people camping at Ahero Market?

388 - **The Member for Alego (Mr. Oloo Aringo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that on December 24, 1997, the Chief of East Alego accompanied by his ***youth wingers*** entered the home of Mr. Samuel Sambu Otieno, carried out illegal search of the house and arrested him and his son and illegally detained them for four (4) days at his office in Umala in total disregard of the law and in complete violation of their human rights?

(b) If the answer to "a" above is in the affirmative, what steps will the Minister take to stop arbitrary and illegal arrests of innocent people in the locations of Alego and Usonga by the District Officer, Chiefs and Administration Police?

(c) Could the Minister instruct the District Commissioner, Siaya, to stop the harassment of innocent people of Alego and Usonga and to respect their legal, constitutional and human rights?

...../421

421 - **The Member for Marakwet West (Mr. David Sudi) to ask a Minister of State, Office of the President:-**

(a) Could the Minister inform the House why the Police Commissioner ordered all ***Marakwets*** serving in the Police Force, the Administration Police and the Prisons Service to appear before their station and field commanders on 24th of April, 1998?

(b) Is the Minister aware that the said officers now feel insecure and intimidated in the discharge of their duties?

463 - **The Member for Muhoroni (Dr. Odongo Omamo) to ask the Minister for Agriculture:-**

(a) Could the Minister explain to the House why mismanagement order has not been served on Miwani Sugar Company for allowing over 6000 acres of the Company's Nuclear Estate to lie fallow at a time when unemployment is affecting a very large labour force in the nearby areas of Kajulu, Kano and Nandi?

(b) Could the Minister inform the House as to what extent the Government participated in the interview and final selection of the present management team of the said Company?

317 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that Nyambane District Education Board is levying Kshs.10 from every primary school pupil and Kshs.20 per secondary school student purported to be inspection fees?

(b) If the answer to "a" above is in the affirmative, could the Minister order an audit of a previous inspection in 1995/96 that spent Kshs.40,000 and in which false expenditure claims amounting to Kshs.2 million were made?

(c) Could the Minister table the list of schools inspected in the 1995/96 period, and verify the inspections for this year?

...../405

405 - **The Member for Naivasha (Mr. Paul Kihara) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that schools in Naivasha Constituency are understaffed, particularly rural schools?

(b) If the answer to "a" above is in the affirmative, what is he doing to rectify the situation?

379 - **The Member for Machakos Town (Mr. Jonesmus Kikuyu) to ask the Minister for Environmental Conservation:-**

(a) Is the Minister aware that there is a serious environmental air-pollution being caused by the fish milling industry and tanneries in Athi River?

(b) If the answer to "a" above is in the affirmative, what does the Minister intend to do to prevent the said pollution; and could he consider closing down the said factories until they put in place measures to prevent pollution?

467 - **The Member for Fafi (Mr. Barre Shill) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the Garissa-Bura-Hulugho Road has not been maintained for the last fifteen years?

(b) Since this road is very important in Fafi Constituency, how much money has been set aside to repair it after the ***El Nino*** rains phenomena?

(c) How much money has been allocated to this road in the last five years?

———————0———————

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Kiharu (Mr. Ngenye Kariuki) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that a street boy aged 14 years old, Master Peter Machaga Gatimu, was killed by a police officer attached to Muranga Police Station at Mukuyu Market within Muranga Municipality on Wednesday 24th June, 1998, and that the killer has not yet been brought to book?

(b) If the answer to "a" above is in the affirmative, what is the Minister doing to eradicate police brutality; and could he assure the House that the errant police officer mentioned in "a" will be brought to book?

...../QPN.2

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Kigumo (Mr. Kihara Mwangi) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that two students from Karega Secondary School in Kigumo Constituency, Messrs Joseph Kibugu Nduati and Stephen Maina Nduati, were suspended by the Headmaster on 10th March, 1998, and further that they have not been advised as to when to resume studies?

(b) Is he further aware that Master Stephen Maina Nduati is a KCSE Candidate this year and further that he has been refused to register for the examination despite the school having accepted part of the examination fees?

(c) If the answers to "a" and "b" above are in the affirmative, what urgent measures is the Minister taking to ensure that the students are re-admitted and further that the examination candidate is registered for the KCSE examination this year?

3. - **Question By Private Notice - The Member for Runyenjes (Mr. Njeru Kathangu) to ask the Minister for Health:-**

(a) From which firms/sources does the Ministry acquire tetanus and polio vaccines and what specific viruses are in these vaccines?

(b) Is the Minister aware that paralytic polio/flacid paralysis is often diagnosed in already vaccinated children?

(c) If the answer to "b" above is in the affirmative, could the Minister give the figures of those already vaccinated, and yet reported as having polio?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 22ND JULY, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7~~0~~. **MOTION** - (Dr. Mukhisa Kituyi)
(Ministry of Lands and Settlement)

THAT, in the light of massive fraud evidenced in the allocation of plots in the Lugari Forest (Mautuma Central Settlement Scheme) leading to the exclusion of most priority squatters from accessing a livelihood while benefitting many people who could normally not have been a target for the allocations, this House urges the Government to cancel all fraudulent and irregular allocations and set up a transparent mechanism to ensure that the land is allocated to 833 genuine squatters who were registered as such, at the onset of the allocation exercise.

(Resumption of debate interrupted on Wednesday 15th July, 1998)

8~~0~~. **MOTION** - (Mr. Norman Nyagah)
(Office of the President)

THAT, this House urges the Government to provide armed security for all Members of Parliament, free housing, government vehicles and fire arms licences, particularly during this period of high insecurity being experienced in the country.

.....Motions

9*Ø*. **MOTION** - (Mr. Henry Obwocha)
(Ministry of Local Authorities)

THAT, in view of the fact that the Public Service has been de-linked from party and partisan politics as was recommended by the Inter-Party Parliamentary Group package and approved by this House under the Statute Law (Repeals and Miscellaneous Amendments) Act No.14 of 1997, and noting with concern that the Minister has continued to nominate Civil Servants to serve in various local authorities as per Kenya Gazette Notice No.863 of 23rd February, 1998, contrary to the IPPG resolutions, this House urges the government to introduce an amendment Bill to repeal Sections 26(b), 39(1)c and 46(b) of the Local Government Act, Cap 265, Laws of Kenya and that the nominations of Provincial/District Commissioners/District Officers gazetted as nominated councillors after the last General Election be revoked.

10*Ø*. **MOTION** - (Mr. Emmanuel Maitha)
(Ministry of Home Affairs, National Heritage, Culture and Social Services)

THAT, in view of the historical and cultural significance of the Mombasa Old Town; considering the fact that the area is a centre of tourist attraction in Mombasa Island; and bearing in mind that property developers may soon invade the area, this House calls upon the Government to immediately establish the Mombasa Old Town Conservation Authority as a parastatal body under an Act of Parliament inorder to make the Authority independent from the National Museums of Kenya.

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Ø **Denotes Private Members' Motions**

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS' MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members' Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

175 - The Member for Samburu East (Mr. Sammy Leshore) to ask the Minister for Agriculture:-

(a) Is the Minister aware that the livestock sector is the backbone of the economy of Samburu community, and the people of North Eastern Province in general?

(b) If the answer to "a" above is in the affirmative, what programmes does the Ministry have for marketing and production of quality livestock products?

285 - The Member for Runyenje's (Mr. Njeru Kathangu) to ask the Minister for Agriculture:-

(a) How much money have the tea growers of Mungania and Rukuriri tea factories lost in the last six months due to uncollected tea leaves and the boycott on tea picking?

(b) What is the Minister doing to stop any such loss in future?

235 - The Member for Kangema (Mr. John N. Michuki) to ask the Minister for Energy:-

(a) Is the Minister aware that due to persistent low voltage of electric power at Kanyenyaini Tea Factory, only two of the production lines can be in operation at the same time?

(b) Is he further aware that frequent black-outs have resulted in considerable loss of income to the tea growers in the area?

(c) If the answers to "a" and "b" above are in the affirmative, when will the Minister take action to correct these anomalies?

346 - The Member for Kipipiri (Mr. Mwangi Githiomi) to ask the Minister for Energy:-

When will the Ministry provide electricity at Miharati Divisional Headquarters and also Wanjohi and Geta locations of Kipipiri Constituency?

243 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that due to poor maintenance of Kisian-Bondo-Usenge Road, the road is continuously pot-holed resulting in several fatal accidents and damage to vehicles?

(b) If the answer to "a" above is in the affirmative, what urgent steps is he planning to take to rehabilitate this road and ensure proper maintenance in future?

485 - **The Member for Kibwezi (Mr. Onesmus Mboko) to ask the Minister for Information and Broadcasting:-**

(a) Is the Minister aware that the residents of Kibwezi Constituency and the surrounding areas do not receive television transmissions?

(b) Is he further aware that there is no television booster to serve these areas?

(c) If the answers to "a" and "b" above are in the affirmative, what steps is he taking, as a matter or urgency, to ensure that Kibwezi residents and its environs have television reception like the rest of Kenyans?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Rangwe (Dr. Shem Ochuodho) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that thousands of households have been displaced by unusual flooding and rise in Lake Victoria's water level in Suba, Homa-Bay, Rachuonyo, Nyando, Kisumu, Bondo and Busia districts?

(b) If the answer to "a" above is in the affirmative, what remedies have been put in place to stem this problem and to offer immediate relief food to affected the families?

QUESTION BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Labour:-**

(a) Is the Minister aware that the Coastal Bottlers (Africa) Limited recently employed an expatriate, a Mr. Pan Raj, as General Manager and that the said Manager is harassing Kenyan employees in the Company?

(b) Is he further aware that the said expatriate has advertised the posts of Mechanical and Electrical Engineer with a view to employing people from outside the country?

(c) If the answers to "a" and "b" above are in the affirmative, what action is the Minister taking to safeguard the jobs of Kenyans in this Company?

Eighth Parliament

(No.48)

Second Session
Afternoon Sitting
(184)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 22ND JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY (7th Allotted Day)**

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) **Vote 31 - Ministry of Education and Human Resource Development.**

MOTION: - (The Minister for Education and Human Resource Development)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on July 21, 1998)

IN THE COMMITTEE

MOTION: - (The Minister for Education and Human Resource Development)

THAT, a sum not exeeding K£1,124,258,780 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 1999 in respect of:-

(i) **Vote 31 - Ministry of Education and Human Resource Development.**

(ii) Vote 12 - Ministry of Local Authorities.

*** Denotes Government Order of the Day**

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

068 - The Member for Kisauni (Mr. Karissa Maitha) to ask a Minister of State, Office of the President:-

When will the retirement benefits of the late Mr. Athumani Khamis Livayo formerly an Assistant Chief for Mtwapa-Shimo-La-Tewa Location be paid to his family?

327 - A Nominated Member (Prof. Anyang' Nyong'o) to ask the Minister for Finance:-

What arrangements is the Ministry making to ensure that the Commissioner-General of Income Tax, the Commissioner of Customs, the Commissioner of Value Added Tax and the Commissioner of Income Tax have Security of Tenure so that they can ensure efficiency and exercise independence in collecting revenue?

422 - The Member for Nyeri Town (Mr. Wanyiri Kihoro) to ask the Minister for Foreign Affairs:-

(a) Has Kenyan national interests, and especially security, been compromised by the recent nuclear tests in the Indian Sub-Continent?

(b) Could the Minister state Government's position on nuclear armaments?

(c) If the Ministry's position is one of opposition to nuclear proliferation, is the Minister prepared to move the Government with vigour, since Kenya is also a non-permanent member of the Security Council, towards an international campaign for Indo-Pakistan nuclear disarmament and also overall nuclear disarmament by the supper powers?

...../357

357 - **The Member for Ndhiwa (Mr. Joshua Ojode) to ask the Minister for Lands and Settlement:-**

What has delayed the issuance of title deeds in areas of Ndhiwa Constituency that have already been adjudicated; and when will the Minister complete survey work in areas which have not been surveyed in this Constituency?

363 - **The Member for Malava (Mr. Soita Shitanda) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that residents of Malava Town have gone without water for the past six months due to the breakdown of the water pump at River Isikhu?

(b) If the answer to "a" above is in the affirmative, could the Minister take urgent steps to either repair or replace the pump?

480 - **The Member for Mosop (Mr. John Sambu) to ask the Minister for Industrial Development:-**

(a) Is the Minister aware that the Rift Valley Textiles Company Limited, (RIVATEX) has been placed under receivership?

(b) If the answer to "a" above is in the affirmative, could the Minister give the reasons that led to the financial collapse of the Company?

(c) Could the Minister assure the workers that they will be paid all their dues?

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QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for Samburu East (Mr. Sammy Leshore) to ask the Minister for Health:-

(a) Is the Minister aware that the Swedish International Development Agency (SIDA) funds for Samburu District have been returned to the Treasury?

(b) If the answer to "a" above is in the affirmative, which projects were designated to benefit from these funds and why were they not implemented?

(c) How much money was returned and when will the projects be undertaken?

Eighth Parliament
(No.49)

Second Session
(188)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 23RD JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7* **THE KENYA COMMUNICATIONS BILL (BILL NO.3)**
(The Minister for Transport & Communications)

Second Reading

(Resumption of debate interrupted on Thursday 16 July, 1998)

8* **THE POSTAL CORPORATION BILL (BILL NO.5)**
(The Minister for Transport & Communications)

Second Reading.

9ℳ. **Motion - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

(Resumption of debate interrupted on Thursday 2 July, 1998)

*** Denotes Government Orders of the Day**
ℳ Denotes Government Motion

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

486 - The Member for Wajir East (Mr. M.A. Mahamud) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-

(a) Is the Minister aware that Wajir District does not have a branch of Kenya National Library Services?

(b) Considering the importance of libraries, could the Minister inform the House as to when library services will be provided, especially in Wajir Township?

496 - The Member for Kitui South (Mr. Samuel Kiminza) to ask the Minister for Health:-

(a) Is the Minister aware that Katilini Dispensary in Kalivu Location, Kitui South Constituency, has not been operational, due to lack of qualified staff and drugs, since it was completed in 1989?

(b) If the answer to "a" above is in the affirmative, what measures will the Minister take to ensure that a Clinical Officer/Nurse and drugs are sent to the said dispensary so as to assist the local residents who have to travel long distances for treatment?

503 - The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Health:-

(a) Is the Minister aware that Homa-Bay District Hospital, which caters for five districts but receive the same allocation as the other district hospitals, is ill-equipped and in a pathetic state?

(b) Is he further aware that cases of cholera, malaria and Aids are rampant in Rangwe Constituency, and that existing health facilities are inadequate?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister inform the House what urgent measures he intends to take to improve health services in this area?

484 - **The Member for Tharaka (Mr. Cicilio Mwenda) to ask the Minister for Health:-**

(a) Is the Minister aware that there are no qualified health workers at Kamanyaki and Ucweni dispensaries in Tharaka Constituency?

(b) Is he further aware that there is under-staffing of health workers in Chiakanga and Marimanti health centres in the same Constituency?

(c) If the answers to "a" and "b" above are in the affirmative, when will the Ministry post enough health workers to these health institutions?

504 - **The Member for Siakago (Mr. Silas Ita) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that many sections of Road No.C92 Nthagaiya-Karurumo-Kanyuambora-Ishiara-Meru have been impassable for quite sometime?

(b) Is he further aware that the Government pledged last December that Karurumo-Kanyuambora-Ishiara section of the same road would be repaired and made passable?

(c) Since this road is still not passable and considering that it is a critical commercial link between Ishiara-Embu and Meru, could the Minister appraise the House as to when the road is going to be repaired and made passable?

495 - **The Member for Ndia (Mr. James Kibicho) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that Ndia Water Project has not been serving the community as was intended and that in some sections the pipes have dried up?

(b) Is he further aware that this project was due for expansion in 1980, and that to date no work has started?

(c) If the answers to "a" and "b" are in the affirmative, what steps are in place to revive the project?

...../408

408 - **The Member for Maragwa (Mr. Peter Kamande) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that a lion killed a cow belonging to a Mr. Daniel Kamau, and two pigs belonging to a Mr. Mwangi Ng'ang'a of Gakoigo Sub-location, Nginda location, on the night of 10th October, 1996?

(b) If the answer to "a" above is in the affirmative, when will these farmers be compensated for the losses incurred due to attacks by the wild animals?

—————0—————

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Starehe (Mr. Maina Kamanda) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the former Councillor for Kilimani Ward, Mr. S.M. Maina, was shot along Kimathi Street on 19th May, 1995, and grievously wounded?

(b) Is he further aware that the incident was reported to Central Police station, Nairobi, on the same day?

(c) If the answer to "a" and "b" above are in the affirmative, what are the results, if any, of the police investigations and how many persons have been arrested over the incident?

2. - **Question By Private Notice - A Nominated Member (Mr. Mohammed Galgallo) to ask a Minister of State, Office of the President:-**

(a) What were the circumstances that led to the shooting, and consequent death of Mr. Ali Kosi Bukura in Isiolo District on 14th June, 1998, by the flying squad of the police unit, since the matter was reported to Isiolo Police Station?

(b) Could the Minister order an inquest to establish the truth and bring the culprits to book?

QUESTION BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Dagoretti (Mrs. Beth Mugo) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that there have been reports of illegal sale of houses at Joseph Kange'the Estate, Woodley, as detailed in a letter addressed to him dated 26th March, 1998?

(b) If the answer to "a" above is in the affirmative, what measures has the Minister put in place to ensure that the current occupiers who are the ***bona fide*** residents are given first priority in the event of any sale of these houses?

Eighth Parliament
(No.50)



Second Session
(193)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 28TH JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7* **THE KENYA COMMUNICATIONS BILL (BILL NO.3)**
(The Minister for Transport & Communications)

Second Reading

(Resumption of debate interrupted on Thursday 23rd July, 1998)

8* **THE POSTAL CORPORATION BILL (BILL NO.5)**
(The Minister for Transport & Communications)

Second Reading.

9Ø. **Motion - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

(Resumption of debate interrupted on Thursday 2nd July, 1998)

*** Denotes Government Orders of the Day**
Ø Denotes Government Motion

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

399 - The Member for Maragwa (Mr. Mwangi Kamande) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware of the dispute between members of Giachanjiru Self Help Group and Kakuzi Company Limited?

(b) If the answer to "a" above is in the affirmative, what is the Ministry doing in order to make the Company honour the agreement they signed in 1986 when they were exchanging their land?

(c) Could the Minister help solve the problem of public utilities such as schools, churches, commercial plots, which relates to some of the land issued by Kakuzi?

108 - The Member for Kamukunji (Mr. Norman Nyagah) to ask a Minister of State, Office of the President:-

(a) How many lives have been lost through road accidents between 1980 and 1997?

(b) Could the Minister strictly enforce the traffic laws by ensuring that ***matatus*** and buses are not overloaded?

373 - The Member for Bumula (Mr. Lawrence Sifuna) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-

(a) Is the Minister aware that the Chairman of Betting Control and Licensing Board (BC&LB) is also the Chairman and Director of **Crown, Savoy and Las Vegas Casinos**, all in Nairobi?

(b) If the answer to "a" above is in the affirmative, is the Minister satisfied with the tax revenue returns from these casinos when the Chairman of BC&LB has vested interest in these companies?

(c) Why was the Chairman allowed and given licences to operate Casinos when he is in charge of the body which controls and checks all casinos in the country?

...../165

165 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Health:-**

(a) When will the Ministry fulfil its promise to upgrade Kanyakine Nyayo wards to a sub-district hospital?

(b) How much has been allocated to the hospital this financial year 1998/99?

503 - **The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Health:-**

(a) Is the Minister aware that Homa-Bay District Hospital, which caters for five districts but receive the same allocation as the other district hospitals, is ill-equipped and in a pathetic state?

(b) Is he further aware that cases of cholera, malaria and Aids are rampant in Rangwe Constituency, and that existing health facilities are inadequate?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister inform the House what urgent measures he intends to take to improve health services in this area?

511 - **The Member for Mwala (Mr. John Katuku) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Wethanga and Kasuna bridges in Vyulya Location, Mwala Constituency, were washed away in December last year?

(b) Is he further aware that coffee farmers in the area are unable to deliver coffee to this factory, thus incurring heavy losses?

(c) If the answers to "a" and "b" are in the affirmative, what plans does the Minister have to repair these bridges?

520 - **The Member for Lagdera (Mr. Mohammed Shidiye) to ask the Minister for Natural Resources:-**

When will the Ministry compensate the family of Mr. Abdulahi Diney Abdi, P/No.5147, who was injured while working with the Kenya Wildlife Service?

...../282

282 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Co-operative Development:-**

(a) Which are the current assets and liabilities of the Kisii Farmers Co-operative Union Limited and how were they accrued?

(b) Who authorised the sale of some assets of the Union, including commercial and residential buildings in Kisii, Kisumu, Nairobi and Simbaut Farm, without the consent of the members?

(c) What measures is the Minister taking to countermand the sale of Simbaut Farm and other assets of the Union?

—————0—————

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Kabete (Mr. Paul Muite) to ask a Minister of State, Office of the President:-**

Given that Mbo-I-Kamiti Farmers Company Limited has thousands of shareholders, most of whom were former coffee pickers and that the Company has had a long history of financial mismanagement by Directors and the Provincial Administration;-

(i) Could the Minister state why the shareholders are being stopped from holding a meeting to receive the Report of the Probe Committee appointed to investigate misappropriation of the Company's assets by the directors?

(ii) What is the Minister doing to protect the interests of these poor shareholders who stand to lose their entire investment if the Company collapses and its farms and assets sold?

2. - **Question By Private Notice - The Member for Kangema (Mr. John N. Michuki) to ask the Minister for Finance:-**

On the assumption by the Government of a loan of Shs.736,959,824/= from the Industrial Development Bank (IDB) as per Sessional Paper No.1 of 1998;-

(a) To whom will the loans given by the IDB to borrowers amounting to the foregoing sum, be repaid?

(b) Why has the Minister not stated in the Paper the extent to which the proposed swap complies with Loans Act?

(c) Taking into account the assumption of the debt by the Government, how much will the National debt be thereafter; and could the Minister provide to the House a list of borrowers of the above sum?

QUESTIONS BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Kigumo (Mr. Kihara Mwangi) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) Is the Minister aware that the Hand Ball Team from the Murang'a Teachers College Primary School have qualified up to the National Level and have been invited to represent Kenya in the forthcoming East and Central Africa Junior Hand Ball Championships to be held in Zanzibar from 9th August to 16th August, 1998?

(b) Is he further aware that the Team might fail to travel to Zanzibar due to lack of funds?

(c) If the answers to "a" and "b" above are in the affirmative, how much money is required and what urgent steps is the Minister taking to ensure that the Team represents the country in Zanzibar?

4. - **Question By Private Notice - The Member for Budalangi (Mr. Raphael Wanjala) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that nine members of staff from Busia County Council, who were transferred to Port Victoria Town Council, have been dismissed from employment?

(b) If the answer to "a" above is in the affirmative, could the Minister order for their re-instatement?

Eighth Parliament

(No.51)

Second Session
Morning Sitting
(198)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 29TH JULY, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7~~8~~. **MOTION** - (Mr. Norman Nyagah)
(Office of the President)

THAT, this House urges the Government to provide diplomatic passports, armed security for all Members of Parliament and fire arms licences, particularly during this period of high insecurity being experienced in the country.

(Resumption of debate interrupted on 22nd July, 1998)

8~~9~~. **MOTION** - (Mr. Henry Obwocha)
(Ministry of Local Authorities)

THAT, in view of the fact that the Public Service has been de-linked from party and partisan politics as was recommended by the Inter-Party Parliamentary Group package and approved by this House under the Statute Law (Repeals and Miscellaneous Amendments) Act No.14 of 1997, and noting with concern that the Minister has continued to nominate Civil Servants to serve in various local authorities as per Kenya Gazette Notice No.863 of 23rd February, 1998, contrary to the IPPG resolutions, this House urges the Government to introduce an amendment Bill to repeal Sections 26(b), 39(1)c and 46(b) of the Local Government Act, Cap 265, Laws of Kenya; and that the nominations of Provincial/District Commissioners/District Officers gazetted as nominated councillors after the last General Election be revoked.

9Ø. **MOTION** - (Mr. Emmanuel Maitha)
(Office of the President)

THAT, in view of the fact that palm wine (mnazi) is a natural and unadulterated beverage tapped directly from the coconut tree; considering the cultural, traditional and economic value attached to the mnazi by the coastal communities, this House calls upon the Government to remove mnazi from the jurisdiction of the Traditional Liquor Act and liberalise the tapping and selling of the commodity in open market since it is the economic mainstay of the Mijikenda.

10Ø. **MOTION** - (Mr. Lawrence Sifuna)
(Ministry of Local Authorities)

THAT, noting with great concern the financial problems that face most of the local authorities in this country, and further noting that Councillors are elected by the tax payers, this House resolves that:-

(a) The Central Government pays salaries/allowances to Councillors and Chief Officers of Local Authorities;

(b) Revenue from the Councils and service charge be strictly used for maintaining services in the Councils and payment of salaries for junior staff; and

(c) The Chief Officers be transferred to another Council after serving three years in one Council.

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Ø Denotes Private Members' Motions

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS' MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members' Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

..../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

368 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask a Minister of State, Office of the President:-**

What measures has the Minister taken concerning an administrative boundary dispute between Chitago and Getenga locations in Etago Division which has brought conflicts amongst the area residents?

366 - **The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) Is the Minister aware that the following employees of Family Life Training Programme which is funded by Danish International Development Assistance (DANIDA), namely; Johnson Waweru; Wilfred Kungu; Larissa Kanyonga; Winnie Kamau; Lydia Njuguna; William Malonza and Rosemary Wairagu; have illegally been sacked without any notice or payment of terminal benefits?

(b) If the answer to "a" above is in the affirmative, could the Minister take urgent steps to ensure that either the employees are reinstated or paid terminal benefits which should include compensation for loss of employment resulting from wrongful dismissal?

(c) What steps is the Minister taking against the Danish adviser, a Dr. Kinsten Haremann and the Commissioner for Social Services who jointly conspired in encouraging unfair and harsh labour practices?

496 - **The Member for Kitui South (Mr. Samuel Kiminza) to ask the Minister for Health:-**

(a) Is the Minister aware that Katilini Dispensary in Kalivu Location, Kitui South Constituency, has not been operational due to lack of qualified staff and drugs since it was completed in 1989?

(b) If the answer to "a" above is in the affirmative, what measures will the Minister take to ensure that a Clinical Officer/Nurse and drugs are sent to the said Dispensary so as to assist the local residents who have to travel long distance for treatment?

...../286

286 - **The Member for Runyenjes' (Mr. Njeru Kathangu) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that the creation of Runyenjes' Municipality was against the wishes of the residents who are still opposed to it?

(b) If the answer to "a" above is in the affirmative, and because of economic inability for Runyenjes' people to pay higher taxes to maintain Municipality status, could the Minister degazette Runyenje's Municipality immediately?

069 - **The Member for Kisauni (Mr. Karissa Maitha) to ask the Minister for Transport and Communications:-**

(a) Why is the Ministry levying motorists a fee for using the Likoni Ferry?

(b) Could the Minister consider financing the Kenya Ferry Services from the petroleum levy?

514 - **The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Transport and Communications:**

(a) What steps is the Minister taking to ensure that the railway line between Nairobi and Mombasa which was adversely affected by the recent ***El-Nino*** induced rains, is inspected for any structural damages and repaired to avert accidents?

(b) What further steps is the Minister considering to take to enhance the service provided by train service to the passengers so as to attract more customers?

281 - **The Member for Juja (Mr. Stephen Ndicho) to ask the Minister for Research and Technology:-**

(a) How may acres of land was allocated for ***Jua Kali*** activities at Ruiru Town?

(b) Is the Minister satisfied that the whole parcel is still intact?

(c) If the answer to "b" is in the negative, who was allocated part of the ***Jua Kali*** land and, could the Minister order that the piece of land be returned to the ***Jua Kali*** project?

469 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that Tamani Hill Forest is in the process of being depleted through illegal massive felling of trees that began early this year?

(b) Is he further aware that Ngaya Forest is in similar danger?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister prosecute the culprits including the Meru North District Forest personnel involved?

190 - **The Member for Kangema (Mr. John Michuki) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that all roads in the tea growing areas of Kangema are in a deplorable state of disrepair?

(b) Is he further aware that tea farmers are making huge financial losses due to non-delivery of their plucked tea to the factories because of unmaintained roads?

(c) If the answers to "a" and "b" above are in the affirmative, what action is the Minister taking to have these roads repaired and regularly maintained?

358 - **The Member for Ndhiwa (Mr. Joshua Ojode) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Sori-Masara Road, D210, in Migori District is impassable and needs gravelling?

(b) Is he further aware that Angugo and Aloma bridges on this same road are damaged and need urgent repairs?

(c) If the answers to "a" and "b" above are in the affirmative, what urgent measures are in place to have this road made passable?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for South Imenti (Mr. Kiraitu Murungi) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Administration Police (APs) at Igoji Market in South Imenti have established an illegal cell, where they are unlawfully confining innocent citizens, subjecting them to torture, cruel and degrading treatment, and intimidating and extorting money from them?

(b) Is he further aware that the said APs illegally locked up Mr. Antony Gikabi in the said cells from 3rd to 10th July, 1998, during which time they tortured him and that the said APs assaulted and injured a Nation Correspondent, a Mr. Imanene Imathiu, when he went to investigate the said illegal cells?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister close the said illegal cells and have the APs arrested and prosecuted for torture and extortion?

2. - **Question By Private Notice - The Member for Naivasha (Mr. Paul Kihara) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that monies collected as cess from sand harvesting in Longonot location for construction of a health centre in Mai Mahiu has been misappropriated by Provincial Administration in Naivasha?

(b) Is he also aware that when the matter was raised with the Naivasha District Officer, he stopped the collection of the cess on 10th July 1998 thereby jeopardizing the opening of the health centre?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister inform the House how much money has been collected from this source and its whereabouts?

QUESTIONS BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Mumias (Mr. Wycliffe Osundwa) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that Mumias Sugar Company Limited is on the verge of collapse?

(b) Could the Minister explain to the House the criteria that was used in awarding the Mumias Sugar Factory modernisation contracts to Fletcher Smith and H. Young companies?

(c) What was the overall project cost?

4. - **Question By Private Notice - The Member for Kajiado South (Mr. Geoffrey Parpai) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that the National Cereals and Produce Board (NC&PD) has declined to buy maize from farmers in Loitokitok and hence left farmers to be exploited by middlemen?

(b) If the answer to "a" above is in the affirmative, could the Minister instruct the Board to purchase maize from the said farmers?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 29TH JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7* **COMMITTEE OF THE WHOLE HOUSE**

THE KENYA COMMUNICATIONS BILL (BILL NO.3)
(The Minister for Transport & Communications)

8* **THE POSTAL CORPORATION BILL (BILL NO.5)**
(The Minister for Transport & Communications)

Second Reading

(Resumption of debate interrupted on Tuesday 28th July, 1998)

9* **COMMITTEE OF THE WHOLE HOUSE**
(By Leave of the House)

THE POSTAL CORPORATION BILL (BILL NO.5)
(The Minister for Transport & Communications)

10Ø **Motion - (Chairman of Public Investments Committee)**
(The Minister for Finance)

THAT, this House adopts the Seventh Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 22nd April, 1998.

(Resumption of debate interrupted on Thursday 2 July, 1998)

*** Denotes Government Orders of the Day**
Ø Denotes Government Motion

NOTICES

1. **KENYA COMMUNICATIONS BILL (BILL NO.3)**
(Minister for Transport and Communications)

Notice has been received from the Minister for Transport and Communications of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

CLAUSE 6:

THAT, Clause 6 be amended in subclause (1) -

(a) by deleting the word "**President**" appearing in subparagraph (b) and inserting "**Minister**";

(b) by inserting the words "**and broadcasting**" immediately after the word "**information**" appearing in paragraph (f);

CLAUSE 11:

THAT, Clause 11 be amended in subclause (1) by deleting the word "**Board**" appearing in the second line and inserting "**Commission**"

CLAUSE 19:

THAT, Clause 19 be amended in subclause (2) -

(a) by inserting the words "**and members of the Board**" at the end of paragraph (a);

(b) by inserting the following new paragraph (f) -

(f) "for the payment of the salaries, allowance and other charges in respect of the staff of the National Communications Secretariat, established under section 84, and such other expenses of that Secretariat as may be approved by the Minister from time to time."

(c) by inserting the following new paragraph (g) -

(g) "for the payment of the salaries, allowances and other charges in respect of the staff of the Tribunal and such other expenses of the Tribunal as may be approved by the Minister from time to time."

CLAUSE 21:

THAT, Clause 21 be amended in subclause (1) by deleting the words "in which trustees may for the time being invest trust funds, or in other securities."

CLAUSE 22:

THAT, Clause 22 be amended by renumbering the existing clause as subclause (1) and inserting the following new subclause:-

"(2) The Minister shall lay the annual report before the National Assembly as soon as reasonably practicable after it is submitted to him."

CLAUSE 24:

THAT, Clause 24 be amended in subclause (1) by deleting the words "**issued under this Part**" and inserting "**granted under this Act.**"

CLAUSE 26:

THAT, Clause 26 be amended by inserting the following new subclause -

(2) Notwithstanding the provisions of subsection (1) any telecommunications operator aggrieved by the decision of the commission under this section may appeal to the Tribunal within fifteen days of the receipt by him of the notification by the Commission.

CLAUSE 27:

THAT, Clause 27 be amended -

(a) in subclause (1) by inserting the words "**Minister in consultation with the**" immediately before the word "**Commission.**"

(b) in subclause (2) -

(i) by inserting the words "**Minister in consultation with the**" immediately before the word "**Commission**"

(ii) by deleting the word "**secrecy**" and inserting "**privacy**" in paragraph (b) thereof.

CLAUSE 38:

THAT, Clause 38 be amended in subclause (1) by inserting the words "**Minister in consultation with the**" immediately before the word "**Commission.**"

CLAUSE 39:

THAT, Clause 39 be amended in subclause (1) by inserting the words "**Minister in consultation with the**" immediately before the word "**Commission.**"

CLAUSE 48:

THAT, Clause 48 be amended in subclause (1) by inserting the words "**or bags**" immediately after the word "**boxes.**"

CLAUSE 52:

THAT, Clause 52 be amended in subclause (1) by deleting paragraph (c).

CLAUSE 63:

THAT, Clause 63 be amended in subclause (1) by deleting the word "**may**" and inserting "**shall**".

CLAUSE 66:

THAT, Clause 66 be amended by inserting the words "**Minister in consultation with the**" immediately before the word "**Commission.**"

CLAUSE 79:

THAT, Clause 79 be amended by inserting the following proviso:-

"**Provided that where the Commission does not grant a licence it shall notify the applicant in writing of its reasons for refusal within sixty days, and the applicant may, if aggrieved, appeal to the Tribunal.**"

CLAUSE 81:

THAT, Clause 81 be amended by inserting the following proviso:-

"**Provided that where the commission does not renew the licence it shall notify the licencee in writing of the reasons for refusal within thirty days, and the licencee may, if aggrieved, appeal to the Tribunal.**

CLAUSE 82:

THAT, Clause 82 be amended in subclause (2) -

(a) by inserting the words "**in writing and by publication in the Gazette**" immediately after the word "**notice.**"

(b) in paragraph (c) by inserting the words "**by the licencee or by any interested party**" immediately after the word "**made**" on the fourth line.

(c) in subclause (4) by adding at the end thereof the words "**and the reasons therefor.**"

CLAUSE 84:

THAT, Clause 84 be amended in subclause (1) -

(a) by deleting the words "**the Minister shall establish**" and inserting "**there is established**";

(b) by inserting the word "**Communications**" immediately before the word "**Secretary**" appearing on the third line";

(c) by deleting the words "**of the Ministry as the Minister may determine**" and inserting "**as may be determined from time to time**".

CLAUSE 88

THAT Clause 88 be amended in subclause (1) by deleting the word "**occurrence**" and inserting "**declaration**".

CLAUSE 102

THAT Clause 102 be amended -

(a) by inserting the words "**for the purpose of arbitrating in cases where disputes arise between parties under this Act**" immediately after the word "**Tribunal**" in subclause (1),

(b) by inserting the following new subclause-
"**(4) The members of the Tribunal shall hold office for a period of three years but shall be eligible for reappointment for one further term of three years.**"

FIRST SCHEDULE

THAT the First Schedule be amended -

(a) in paragraph 1 by deleting the words " **A member of the Board other than an ex-officio member**" and inserting "**The chairman or a member other than an ex-officio member**";

(b) in paragraph 2(b)-

(i) by deleting subparagraph (vi) and inserting the following new subparagraph:- (vi) "**fails to comply with the provisions of this Act relating to disclosure;**

(ii) by inserting the following new subparagraph immediately after subparagraph (vi) -
(vii) is engaged in a communications organisation which operates or provides communication services or is engaged in the manufacture or distribution of communications equipment in Kenya as an owner, shareholder, partner or otherwise, whether directly or indirectly."

(c) in paragraph 3(1) by inserting the following subparagraph immediately after subparagraph (1):-
(1A) Notwithstanding the provisions of subparagraph (1), the Chairman may call a special meeting at any time where he deems it expedient for the transaction of the business of the Board.

SECOND SCHEDULE

THAT, the Second Schedule be amended in paragraph 3 by renumbering the existing paragraph as subparagraph (1) and inserting the following new subparagraph -

(2) The Chairman or a member of the Tribunal may be removed from office by the Minister if he is -

(i) unable to discharge the functions of his office by reason of mental or physical infirmity; or

(ii) an undischarged bankrupt; or

(iii) convicted of an offence involving fraud or dishonesty; or

(iv) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months or to a fine exceeding ten thousands shillings.

...../Notice

11. **KENYA COMMUNICATIONS BILL (BILL NO.3)**
(Minister for Transport and Communications)

Notice has been received from a Nominated Member (**Prof. the Hon. Anyang' Nyong'o**) of his intention to move the following amendments to the foregoing Bill at the Committee Stage:-

Clause 5(4)(b)

THAT, Clause 5(4)(b) be deleted, and the following words be inserted in place thereof:- **"Any such policy guidelines, rules and regulations issued by the Minister shall maintain the role of the Commission as provided in Section 23(2) of this Act and no monopoly or duopoly telecommunication operator licenses to run a telecommunication system or provide any telecommunication services in any region shall be granted by the minister or the commission,"**

Clause 6(1)(g)

THAT, Clause 6(1)(g) be deleted and the following be inserted in place thereof:-

"At least five other persons, not being public officers, appointed by the Minister by virtue of their knowledge or experience in matters relating to postal services, telecommunications, radio-communications, commerce and related consumer interests. The Minister shall have due regard to registered societies representing such interests in exercising his powers under the sub-section."

Clause 19(1)

THAT, Clause 19(1) be amended by deleting all the words after the word "prepared" appearing in the third line and inserting the following words in place thereof:-

"A list of activities to be undertaken in pursuit of its objectives laid down in Section 5(1) of this Act, and the resultant estimated revenue and expenditure of the Commission for that year, including the maintenance and operations of the Appeals Tribunal."

Clause 23(1)

THAT, Clause 23(1) be amended by:-

(i) deleting the comma after the word "shall" appearing in the first line

(ii) deleting all the words after the word "shall" appearing in the first line and inserting the following words in place thereof:-

"Formulate and implement methods, incentives, and conditions to ensure availability of affordable telecommunications services, particularly emergency, public payphone and directory information services, throughout Kenya."

New Sub -clause 23(f)

THAT, a new Clause 23(f) be inserted as follows:-

"(f) the Commission shall cause to be published in the Gazette a non-discriminatory and fair criteria and requirements for issuing all licenses to run any telecommunications services."

Clause 79

THAT, Clause 79 be amended by inserting new Sub-clauses (2) and (3) as follows:-

79(2) The commission shall give reasons for any refusal to grant a license to run a telecommunication system or provide any telecommunication services within thirty days from the date of decision.

79(3) An applicant for a license aggrieved by the decision of the commission may appeal to the tribunal within thirty days from the date of receipt of the refusal of a license. The tribunal shall, within sixty days give its decision to grant or refuse a license and publish the decision and reasons to grant or refuse a license in the Gazette.

...../Notice

III THE POSTAL CORPORATION BILL (BILL NO.5)
(The Minister for Transport and Communications)

Notice has been received from the Minister for Transport and Communications of his intention to move the following amendments to the foregoing Bill at the Committee Stage:-

CLAUSE 5:

THAT, Clause 5 be amended in subparagraph (ii) of paragraph (a) by deleting the word "**subscription**" and inserting "**registration for delivery of**".

CLAUSE 6:

THAT, Clause 6 be amended -

(a) in paragraph (a) by deleting the word " **President**" and inserting "**Minister**".

(b) in paragraph (b) by deleting the word "**President**" and inserting the words "**Minister in consultation with the Board**".

(c) in paragraph (e) by deleting the word "**three**" and inserting "**five**".

CLAUSE 7:

THAT, Clause 7 be amended by inserting the following new paragraph at the end thereof:-

(f) determine charges to be paid in respect of any postal service.

CLAUSE 13:

THAT, Clause 13 be amended by deleting the word "**servants**" and inserting "**staff**".

CLAUSE 20:

THAT, Clause 20 be amended -

(a) in subclause (4) by inserting the word "**written**" immediately before the word "**consent**".

(b) in subclause (II) -

(i) by deleting the word "**determined**";

(ii) by inserting at the end thereof the words "**with the approval of the Auditor-General (Corporations).**"

CLAUSE 21:

THAT, Clause 21 be amended in subclause (1) by deleting the words "**in which trustees may for the time being invest trust funds, or in any other securities**".

CLAUSE 22:

THAT, Clause 22 be amended by renumbering the existing clause as subclause (1) and inserting the following new subclause (2):-

(2) The Minister shall lay the annual report before the National Assembly as soon as reasonably practicable after it is submitted to him.

CLAUSE 23:

THAT, Clause 23 be amended by inserting the following proviso at the end thereof:-

Provided that nothing in this section shall absolve the Corporation from liability in cases where negligence is proven against it.

CLAUSE 26:

THAT, Clause 26 be amended by inserting the word "**registered**" immediately before the word "**post**" appearing in paragraph (c).

CLAUSE 27:

THAT, Clause 27 be amended by inserting the word "**registered**" immediately before the word "**post**" appearing in paragraph (c).

SCHEDULE:

THAT, the Schedule be amended -

(a) in paragraph 3 by deleting the word "**four**" appearing in subparagraph (4) and inserting "**five**";

(b) in paragraph 4 -

(i) by deleting the words "**not take part .....**" upto the end of subparagraph (1) and inserting "**shall be excluded from the meeting at which such contract, proposed contract or other matter is being considered**";

(ii) by deleting the proviso to subparagraph (1).

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...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

341 - **The Member for Kasipul-Kabondo (Mr. Oloo Otula) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Rachuonyo District is referred to as a border district by the Department of Registrar of Persons whenever the people of the said District go for identity cards?

(b) If the answer to "a" above is in the affirmative, what is the purpose of vetting these people before being issued with the identity cards?

513 - **The Member for Siakago (Mr. Silas Ita) to ask the Minister for Agriculture:-**

(a) When will the rehabilitation of Ishiara Irrigation Scheme begin?

(b) How long will the rehabilitation take and how much will it cost?

(c) When will Kathingi Irrigation Scheme, adjacent to Ishiara Scheme, become operational?

227 - **The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Finance:-**

When will the Minister establish a full comprehensive medical insurance scheme for all Members of Parliament and their immediate families?

194 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Finance:-**

When will the Government divest from the Kenya Breweries Limited as part of the privatisation programme?

...../329

329 - **A Nominated Member (Prof. Anyang' Nyong'o) to ask the Minister for Foreign Affairs:-**

(a) What plans does the Government have to reduce the running costs of Kenya's missions abroad?

(b) Is the Kenya Mission office in Rue Sima Rosa in Paris rented or bought?

(c) Why are the offices at this particular Mission mentioned in "b" above in such a sorry state of disrepair?

484 - **The Member for Tharaka (Mr. Cicilio Mwenda) to ask the Minister for Health:-**

(a) Is the Minister aware that there are no qualified health workers at Kamanyaki and Ucweni dispensaries in Tharaka Constituency?

(b) Is he further aware that there is under-staffing of health workers in Chiakanga and Marimanti health centres in Tharaka Constituency?

(c) If the answers to "a" and "b" above are in the affirmative, when will the Ministry post enough health workers to these institutions

305 - **The Member for Samburu East (Mr. Sammy Leshore) to ask the Minister for Energy:-**

What urgent plans does the Minister have to harness the waters of Uaso Nyiro River to provide electricity to Samburu, Isiolo and Laikipia districts?

381 - **The Member for Naivasha (Mr. Paul Kihara) to ask the Minister for Natural Resources:-**

a) Could the Minister confirm whether any revenue is remitted to the Kenya Wildlife Service from the Mount Longonot National Park?

(b) If so, how much money has been collected per year in the last five years?

...../294

294 - **The Member for North Imenti (Mr. David Mwiraria) to ask the Minister for Natural Resources:-**

What plans does the Minister have to sub-divide and allocate parts of the Ngong Forest between Forest Edge Road and Otiende and Ngei estates?

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QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Turkana North (Mr. John Munyes) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Kibes Sudanese People's Liberation Army (SPLA) camp, situated 40 km inside the Kenya border is posing a great security risk to Kenyans?

(b) If the answer to "a" is in the affirmative, what circumstances led to the establishment of this camp inside Kenya?

2. - **Question By Private Notice - The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the newly tarmacked Rodi Kopany-Karungu Road (C 18) has developed pot holes barely six months after its completion?

(b) How much money was allocated for the tarmacking of the entire road?

(c) If the answer to "a" above is in the affirmative, could the Minister order the contractor to reconstruct the said road immediately, and what is the Government's position on contractors who perform below expected standards and specifications?

3. - **Question By Private Notice - The Member for Lurambi (Dr. N.W. Kulundu) to ask the Minister for Labour:-**

Under what circumstances was Mr. B. Wainwright *alias* Dr. Stone allowed to practise medicine in this Country?

QUESTION BY PRIVATE NOTICE

4. - **Question By Private Notice - A Nominated Member (Mr. Joseph Munyao) to ask the Minister for Labour:-**

(a) Is the Minister aware that the following companies belong to one group:- Security Holdings; Simba Security Limited; House Guards Limited and Security Express Limited?

(b) Is he further aware that on 31st May, 1998, the four companies laid off a total of 150 employees and that they are in the process of laying off another 150 employees without paying them their terminal dues?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister, as a matter of urgency, order that these employees be paid their dues and returned to work immediately?

Eighth Parliament
(No.53)

Second Session
(219)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 30TH JULY, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOTICES

1. ADJOURNMENT OF THE HOUSE TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY

Mr. Speaker will today call upon the Leader of Government Business to move the Motion for the adjournment of the House to a day other than the next normal Sitting Day **not later than 3.30 p.m.**

MOTION - (The Leader of Government Business)

THAT, this House do adjourn until Tuesday, 6th October, 1998.

2. LIMITATION OF DEBATE ON ADJOURNMENT MOTIONS

The House resolved on Tuesday, 7th April, 1998 as follows:-

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 three hours with not more than five minutes for each member speaking.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

479 - **The Member for Fafi (Mr. Barre Shill) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the District Officer of Jara Jilla Division was transferred a year ago and no replacement has been made to date?

(b) Is he further aware that this vacuum has compromised the security situation in the area?

(c) If the answers to "a" and "b" above are in the affirmative, when is the Minister posting a District Officer and additional security personnel to the area?

497 - **The Member for Mosop (Mr. John Sambu) to ask the Minister for Industrial Development:-**

(a) Could the Minister inform the House who owns the Furfural Plant in Eldoret Town?

(b) When did the new owner acquire it from the Government, and how much did the new owner pay for it?

(c) How many acres of land does the plant have and how much did it cost the Government to put up the said plant?

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...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Naivasha (Mr. Paul Kihara) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that monies collected as cess from sand harvesting in Longonot location for construction of a health centre in Mai Mahiu has been misappropriated by Provincial Administration in Naivasha?

(b) Is he also aware that when the matter was raised with the Naivasha District Officer, he stopped the collection of the cess on 10th July, 1998, thereby jeopardizing the opening of the health centre?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister inform the House how much money has been collected from this source and its whereabouts?

2. - **Question By Private Notice - The Member for South Imenti (Mr. Kiraitu Murungi) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Administration Police (APs) at Igoji Market in South Imenti have established an illegal cell, where they are unlawfully confining innocent citizens, subjecting them to torture, cruel and degrading treatment, and intimidating and extorting money from them?

(b) Is he further aware that the said APs illegally locked up Mr. Antony Gikabi in the said cells from 3rd to 10th July, 1998, during which time they tortured him and that the said APs assaulted and injured a Nation Correspondent, a Mr. Imanene Imathiu, when he went to investigate the said illegal cells?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister close the said illegal cells and have the APs arrested and prosecuted for torture and extortion?

3. - **Question By Private Notice - The Member for Ugenya (Mr. James Orengo) to ask a Minister of State, Office of the President:-**

What is the result of the investigations into and the position of the intended prosecution regarding complaints of a banking fraud made by a Mr. Prabhulal Tejpar Haria against one, Tanuj Raja and Bullion Finance Limited?

QUESTIONS BY PRIVATE NOTICE

4. - **Question By Private Notice - The Member for Kandara (Mr. Joshua Toro) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Mr. Mwaniki Kiarie, ID/No.11106442 and Mr. Kuria Thuo were arrested on 30th June, 1998, and taken to Kabati Police Post for being in possession of fake notes of one thousand shillings?

(b) Is he further aware that the two were put under police custody until 9th July, 1998, when they were released without any charges preferred against them?

(c) If the answers to "a" and "b" are in the affirmative, what steps has the Minister taken to ensure that the two culprits are taken to court and the police officers who released them disciplined?

5. - **Question By Private Notice - The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that Nzoia Sugar Company deducted Kshs.61,893.70 from Mr. Ernest Napunyi, Field No.45303502570 as cost of seed-cane which was never supplied to him as per Company's letter of 17th September, 1997, Ref.NSC/AGR/AMN/49/VOL.IV/97?

(b) What steps is the Minister taking to ensure that this farmer is refunded money (plus interest) which was deducted illegally from his payment for cane delivered to the factory?

6. - **Question By Private Notice - The Member for Webuye (Mr. Musikari Kombo) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that many farmers who delivered cane to Nzoia Sugar Company over one year ago have not been paid?

(b) Is he further aware that some other farmers have not had their cane cut after three years?

(c) If the answers to "a" and "b" are in the affirmative, what is the Ministry doing to alleviate the problems the farmers are facing?

QUESTIONS BY PRIVATE NOTICE

7. - **Question By Private Notice - The Member for Mumias (Mr. Wycliffe Osundwa) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that Mumias Sugar Company Limited is on the verge of collapse?

(b) Could the Minister explain to the House the criteria that was used in awarding the Mumias Sugar Factory modernisation contracts to Fletcher Smith and H. Young companies?

(c) What was the overall project cost?

8. - **Question By Private Notice - The Member for Runyenjes' (Mr. Njeru Kathangu) to ask the Minister for Health:-**

(a) From which firms/sources does the Ministry acquire tetanus and polio vaccines and what specific viruses are in these vaccines?

(b) Is the Minister aware that paralytic polio/flacid paralysis is often diagnosed in already vaccinated children?

(c) If the answer to "b" above is in the affirmative, could the Minister give the figures of those already vaccinated and yet reported as having polio?

9. - **Question By Private Notice - The Member for Samburu East (Mr. Sammy Leshore) to ask the Minister for Health:-**

(a) Is the Minister aware that the Swedish International Development Agency (SIDA) funds for Samburu District have been returned to the Treasury?

(b) If the anwer to "a" above is in the affirmative, which projects were designated to benefit from these funds and why were they not implemented?

(c) How much money was returned and when will the projects be undertaken?

QUESTIONS BY PRIVATE NOTICE

10. - **Question By Private Notice - The Member for Ol Kalou (Mr. M.K. Muriuki) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that Mr. Anderson Wanyoike Kongo, ID/No.3615415 of Weru Location, Ol Kalou, was allocated Plot No.594 in Ol Joro-Orok Salient Settlement Scheme in 1982 and issued with Receipt No.V996940 after paying Kshs.325/-?

(b) Is he further aware that Mr. Wanyoike was advised by the Government Officer, who was assisting him to obtain a title deed for his land, to surrender the receipt and payment of Kshs.3,900/-, after which the Officer registered the land in her own name and is now evicting him from the land?

(c) If the answers to "a" and "b" above are in the affirmative, what action is the Minister taking, as a matter of urgency, to ensure that the land reverts to Mr. Wanyoike who is its rightful allottee?

11. - **Question By Private Notice - The Member for Sotik (Mr. Anthony Kimeto) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the following people Messrs:- David Kibet (ID.No.9436431); Paul Bett (ID.No.11528502) among others were engaged by the Ministry, through the District Roads Engineer, Bomet, as casual-workers on Road C.15 Ndanai during the recent ***El Nino*** rains?

(b) Is he further aware that each worker was to be paid Kshs.132 for every 50 metres of a diversing trench dug and that the workers have not been paid since January, 1998 to date?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister order for the payment of the said dues without further delay?

QUESTIONS BY PRIVATE NOTICE

12. - **Question By Private Notice - The Member for Gichugu (Ms Martha Karua) to ask the Minister for Co-operative Development:-**

Following the abortive farmers meeting on 23rd June, 1998, at Kabare Farmers Co-operative Society offices, during which one farmer was shot dead by police;

(a) Is the Minister aware that former officials of Kabare Co-operative Society whose term of office expired in May, 1998 are now disbursing the farmers money in spite of the fact that the farmers on 8th June, 1998, elected new officials?

(b) If the answer to "a" above is in the affirmative, what is the Minister doing to ensure that farmers' interests are protected, and that the Provincial Administration, especially the District Commissioner, Kirinyaga, does not collude with the former officials to fleece the farmers?

13. - **Question By Private Notice - The Member for Kasarani (Mr. Adolf Muchiri) to ask the Attorney General:-**

(a) Is the Attorney General aware that his office entered a **nolle prosequi** against Mr. John Msafari and others on 24th July, 1998, who were arrested by Anti-Corruption Authority and charged before the Chief Magistrate Court, Nairobi, with various offenses involving corrupt activities?

(b) If the answer to "a" above is in the affirmative, is the Attorney General's office intending to proceed with the case in the near future and if so, when?

(c) Could the Government compensate the arrested persons for unlawful arrest and malicious prosecution?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 6TH OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY (8th Allotted Day)**

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) Vote 12 - Ministry of Local Authorities

MOTION: - (The Minister for Local Authorities)

THAT, Mr. Speaker do now leave the Chair.

(ii) Vote 01 - Office of the President

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...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "**That, Mr. Speaker do now leave the Chair**" to enable Ministers to initiate debate on policy, the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

458 - **The Member for Limuru (Mr. George Nyanja) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Mr. Josephat Njuku Mungai of Misiri Estate, Limuru Division, was taken from his house on 17th December, 1997, at 5.00 a.m. by Criminal Investigations Department (CID) officers from Kikuyu Police Station and was later found dead at Ngubi Forest on the same day?

(b) If the answer to "a" above is in the affirmative, under what circumstances did Mr. Njuku die?

(c) Has anyone been arrested and charged with the murder?

505 - **The Member for Kitui South (Mr. Samuel Kiminza) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Mr. Kinyili Ndonye was abducted in 1994 by bandits who raided Mutha Town in Kitui South?

(b) If the answer to "a" above is in the affirmative, what efforts has the Minister made to find out the whereabouts of Mr. Kinyili Ndonye?

(c) What steps is the Minister taking to ensure that security is guaranteed to the residents of Mutha, Kasaala, Simisi, Ndakaini and Kanziko locations in Kitui South Constituency?

506 - **The Member for Muhoroni (Dr. Odongo Omamo) to ask the Minister for Agriculture:-**

(a) How much money is owed the Sugar Development Fund by Miwani Sugar Company Limited according to the records kept by the Kenya Sugar Authority upto 1st June, 1998?

(b) Could the Minister inform the House how much money has Kenya Sugar Authority paid to Miwani Sugar Company Limited for development of sugar-cane on the Company's nuclear estate and on the small-scale cane farmers in the Miwani Zone?

...../513

513 - **The Member for Siakago (Mr. Silas Ita) to ask the Minister for Agriculture:-**

(a) When will the rehabilitation of Ishiara Irrigation Scheme begin?

(b) How long will the rehabilitation take and how much will it cost?

(c) When will Kathingi Irrigation Scheme adjacent to Ishiara Scheme become operational?

491 - **The Member for Mumias (Mr. Wycliffe Osundwa) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that Mumias Sugar Company has not compensated sugar-cane farmers within its outgrowers scheme an amount of Kshs.300 million arising from cane fires which burnt their cane between 1995 and 1996?

(b) If the answer to "a" above is in the affirmative, what steps is the Minister taking to ensure that the affected farmers are paid?

472 - **The Member for Nithi (Mr. Njoka Mutani) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Road E758 leading from Chuka Town serves several schools, markets, coffee factories and thickly populated zone with rich agricultural potential?

(b) Is he further aware that during wet seasons the road becomes impassable?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister consider making it an all-weather road?

520 - **The Member for Lagdera (Mr. Mohammed Shidiye) to ask the Minister for Natural Resources:-**

When will the Ministry compensate the family of Mr. Abdullahi Diney Abdi, P/No.5147, who was injured while working with the Kenya Wildlife Service?

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……/QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Webuye (Mr. Musikari Kombo) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that many farmers who delivered cane to Nzoia Sugar Company over one year ago have not been paid?

(b) Is he further aware that some other farmers have not had their cane cut after three years?

(c) If the answers to "a" and "b" above are in the affirmative, what action is the Ministry taking to alleviate the problems the farmers are facing?

2. - **Question By Private Notice - The Member for Gichugu (Ms Martha Karua) to ask the Minister for Co-operative Development:-**

Following the abortive farmers meeting on 23rd June, 1998, at Kabare Farmers Co-operative Society premises, during which one farmer was shot dead by the police:

(a) Is the Minister aware that former officials of Kabare Co-operative Society whose terms of office expired in May 1998, are now disbursing the farmers money despite the fact that the farmers, on 8th June 1998, elected new officials?

(b) If the answer to "a" above is in the affirmative, what is the Minister doing to ensure that farmers' interests are protected, and that the Provincial Administration, especially the District Commissioner, does not collude with the former officials to fleece the farmers?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 7TH OCTOBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7. **MOTION** - (Mr. Henry Obwocha)
(Ministry of Local Authorities)

THAT, in view of the fact that Public Service has been de-linked from party and partisan politics as was recommended by the Inter-Party Parliamentary Group package and approved by this House under the Statute Law (Repeals and Miscellaneous Amendments) Act No.14 of 1997, and noting with concern that the Minister has continued to nominate Civil Servants to serve in various local authorities as per Kenya Gazette Notice No.863 of 23rd February, 1998, contrary to the IPPG resolutions, this House urges the government to introduce an amendment Bill to repeal Sections 26(b), 39(1)c and 46(b) of the Local Government Act, Cap 265, Laws of Kenya and that the nominations of Provincial/District Commissioners/District Officers gazetted as nominated councillors after the last General Elections be revoked.

(*Resumption of debate interrupted on 29th July, 1998*)

...../Motions

8#. **MOTION** - (Mr. Emmanuel Maitha)
(Office of the President)

THAT, in view of the fact that palm wine (mnazi) is a natural and unadulterated beverage tapped directly from the coconut tree; considering the cultural, traditional and economic value attached to the mnazi by the Coastal communities, this House calls upon the Government to remove mnazi from the jurisdiction of the Traditional Liquor Act and liberalise the tapping and selling of the commodity in open market since it is the economic mainstay of the Mijikenda.

9#. **MOTION** - (Mr. M.M. Galgalo)
(Ministry of Natural Resources)

THAT, noting that the Government has inalienable duty to create enabling environment for economic and social development, concerned that mineral rich ASAL zone is marginalised and under-developed, this House calls upon the Government to carry out immediate surveys and studies in the ASAL zones to enable the people exploit their untapped resources and set aside funds which the local residents could borrow for investing in mining industries in order to safeguard them against continued exploitation and further marginalisation.

10#. **MOTION** - (Mr. Lawrence Sifuna)
(Ministry of Local Authorities)

THAT, noting with great concern the financial problems that face most of the local authorities in this country, and further noting that Councillors are elected by the tax payers, this House resolves that;

(a) The Central Government pays salaries/allowances to Councillors and Chief Officers of Local Authorities.

(b) Revenue from the Councils and service charge be strictly used for maintaining services in the Councils and payment of salaries for junior staff; and

(c) The Chief Officers be transferred to another Council after serving three years in one Council.

 # Denotes Private Members Motions

...../Notice

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

399 - **The Member for Maragwa (Mr. Peter Kamande) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware of the dispute between members of Gaichanjiru self-help group and Kakuzi Ltd.?

(b) If the answer to "a" above is in the affirmative, what is the Ministry doing in order to make the company honour the agreement they signed in 1986 when they were exchanging their land?

(c) Would the Government help in solving the problem of public utilities such as schools, churches, commercial plots, which affects some of the land issued by Kakuzi Ltd.?

306 - **The Member for Samburu East (Mr. Sammy Leshore) to ask the Minister for Agriculture:-**

(a) In view of the high agricultural potentiality in Leroghi and Kirisia divisions of Samburu District, what urgent plans does the Minister have to enable the local community engage effectively in dairy, food and cash crop production?

(b) Could the Minister urgently consider setting up a special fund to enable the local farmers grow wheat, maize, beans and maximise dairy production?

137 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that most Agricultural companies e.g. Tea, Sugar and Coffee companies do maintain roads within their areas of operation?

(b) Is he further aware that both B.A.T. and Mastermind Tobacco companies do not maintain roads in Malakisi Tobacco zones?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister direct these companies to start maintaining roads within their areas of operation as part of cost-sharing with the Government and local authorities?

330 - **A nominated Member (Prof. Anyang' Nyong'o) to ask the Minister for Industrial Development:-**

(a) Is the Minister aware that there has been a tremendous increase in the importation of food supplements into Kenya over the past three years?

(b) If the answer to "a" is in the affirmative, what arrangements has the Kenya Bureau of Standards made to ensure that these supplements conform to international standards?

(c) Has there been any instance where these supplements have endangered the life of a Kenyan?

281 - **The Member for Juja (Mr. Stephen Ndichu) to ask the Minister for Research and Technology:-**

(a) How many acres of land were allocated for ***Jua Kali*** activities at Ruiru Town?

(b) Is the Minister satisfied that the whole parcel is still intact?

(c) If the answer to "b" is in the negative, who was allocated part of the ***Jua Kali*** land and, could the Minister order for the return of the piece of land to the ***Jua Kali*** project?

196 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Information and Broadcasting:-**

(a) How many films of international reputation have been filmed in Kenya in the last decade and of those movies, how many involved Kenyans in key roles?

(b) Is the Minister aware that Kenya, despite its comparative advantage in the region, has lost in the film making industry to other African countries?

(c) If the answer to 'b' is in the affirmative, why has this happened and what steps is the Ministry taking to restore the country as the premier film centre in Africa?

Eighth Parliament

(No.56)

Second Session
Afternoon Sitting
(236)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 7TH OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY** *(9th Allotted Day)*

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) Vote 12 - Ministry of Local Authorities

MOTION: - (The Minister for Local Authorities)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on October 6, 1998)

IN THE COMMITTEE

MOTION: - (The Minister for Local Authorities)

THAT, a sum not exceeding K£7,237,425 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 1999 in respect of:-

(i) Vote 12 - Ministry of Local Authorities.

(ii) Vote 01 - Office of the President.

*** Denotes Government Order of the Day**

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "**That, Mr. Speaker do now leave the Chair**" to enable Ministers to initiate debate on policy, the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

428 - **The Member for Rongo (Mr. Ochilo Ayacko) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that ownership of land under a single law is creating legal difficulties in Courts of Law and for conveyancing?

(b) If the answer to 'a' is in the affirmative, what steps is the Minister taking to ensure that the process of harmonising the various Laws governing land tenure is hastened?

525 - **The Member for Kiharu (Mr. Ngenye Kariuki) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that most of the leaseholds in most areas of Nairobi which were issued at the turn of the 20th Century will expire between the years 2000 and 2005?

(b) If the answer to 'a' is in the affirmative, could the Minister assure the House that he will put in place prerequisite amendments to ensure that the affected leases are automatically extended?

109 - **The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Lands and Settlement:-**

(a) How many plots have been allocated through direct land allocation within Nairobi City Council between 1988 and 1998?

(b) Could the Minister give a comprehensive list of all allottees between 1988 and 1998?

442 - **The Member for Mwala (Mr. John Katuku) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that Nairobi City Council 'askaris' are harassing licensed tyre business people who operate shops around Athusi, Kamukunji Police Station, Riverside, 'Ngorokoni', Eastleigh and along Kirinyaga Road among others?

(b) Is he further aware that the said 'askaris' are allegedly receiving bribes ranging between Kshs.100 to Kshs.5,000 from the arrested tyre businessmen?

(c) If the answers to "a" and "b" above are in the affirmative, what urgent steps is the Minister taking to ensure that innocent Kenyans are not harassed in the name of crackdown on hawking?

430 - **The Member for Ijara (Mr. Weyrah Mohamed) to ask the Minister for Public Works and Housing:-**

What remedial measures has the Minister put in place to facilitate access by road to Ijara Constituency in order to attend to the needs of the area residents who have been rendered destitutes and homeless by the Rift Valley fever and the **El-Nino** rains among other disasters?

444 - **The Member for Mwingi South (Mr. David Musila) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that land owners of a portion of the Mwingi/Kalanga corner Road namely Nguni to Kasiteni in Ukasi location of Mwingi District, were not compensated for their land used during the construction of Mwingi/Kalanga Road-contract No.0138?

(b) If the answer to 'a' above is in the affirmative, when does the Minister plan to pay these people their dues?

514 - **The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Transport and Communications:**

(a) What steps is the Minister taking to ensure that the railway line between Nairobi and Mombasa which was adversely affected by the recently induced **El-nino** rains, is inspected for any structural damages and repaired to avert accidents?

(b) What further steps is the Minister considering to take to enhance the services provided by train service to the passengers so as to attract more customers?

517 - **The Member for Budalangi (Mr. Raphael Wanjala) to ask the Minister for Labour:-**

(a) Is the Minister aware that Mr. Peter Onalo had his services terminated by the East African Bags and Cordage in 1989?

(b) Is he further aware that Mr. Onalo's terminal dues were not paid when his services were terminated?

(c) If the answers to 'a' and 'b' above are in the affirmative, when will Mr. Onalo's dues and accrued interests from 1989 be paid?

QUESTION BY PRIVATE NOTICE

Question By Private Notice - A Nominated Member (Prof. Anyang' Nyong'o) to ask a Minister of State, Office of the President:-

(a) Could the Minister explain why there has been increasing border tension between the residents of Kisumu District and those of Vihiga District at the border town of Maseno?

(b) Is the Minister aware that some Vihiga residents have claimed that three sub-locations in Maseno Division bordering Maseno Township should be transferred to Vihiga District and that officers of Kisumu County Council are being threatened not to collect market rates in Maseno Township?

(c) If the answer to "a" above is in the affirmative, what action is the Minister taking to resolve the border dispute between the two districts and avert a breach of the peace in the area?

Eighth Parliament
(No.57)

Second Session
(241)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY 8TH OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading

8*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

*** Denotes Government Orders of the Day**

...../Notice

NOTICE

1. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

CLAUSE 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) the Director of Medical Services;

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) one person nominated by the Association of Kenya Insurers; and

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of",**

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

CLAUSE 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects".**

CLAUSE 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund.**"

CLAUSE 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

CLAUSE 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

CLAUSE 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

CLAUSE 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

CLAUSE 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

——— 0 ———

……../Appendix

APPENDIX

ORDER NO. 6

QUESTION NO.

540 - **The Member for Fafi (Mr. Bare Shill) to ask a Minister of State, Office of the President:-**

(a) How much relief food is given to Garissa, Wajir, Mandera, Isiolo, Marsabit, Moyale, Samburu, Turkana and Tana River districts on monthly basis?

(b) How much money has the Government spent in purchasing and distributing relief maize in the areas mentioned in 'a' above for the last six months?

(c) Could the Minister consider reallocating part or whole of the funds meant for relief food for sustainable development projects in the said districts?

455 - **The Member for Lamu East (Mr. Mohammed Hashim) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the residents of Kiunga Division in Lamu District were attacked by bandits in 1964 and as a result thirteen villages were abandoned and that the displaced residents are now scattered all over the country?

(b) If the answer to 'a' above is in the affirmative, what plans does the Minister have to resettle these people?

448 - **The Member for Mwea (Mr. Alfred Nderitu) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that land set aside for Mwea Divisional Education office has been allocated to a private developer?

(b) If the answer to "a" is in the affirmative, could the Minister liaise with the Ministry of Lands and Settlement with a view to revoking the allocation to pave way for construction of offices and other amenities?

...../536

536 - **The Member for Laikipia East (Mr. Mwangi Kiunjuri) to ask the Minister for Health:-**

(a) Is the Minister aware that Nanyuki District Hospital has a capacity of 64 beds only?

(b) Is he further aware that as many as three patients share a single bed in the hospital, a situation which is a health risk?

(c) If the answers to 'a' and 'b' are in the affirmative, when will the Minister expand the hospital to cater for high demand of medical facilities in the area?

573 - **The Member for Ol Kalou (Mr. Karue Muriuki) to ask the Minister for Public Works and Housing:-**

(a) When will the Ol Kalou-Dundori Road, which is vital for the horticultural industry in Ol Kalou Division, be tarmacked as recommended by the District Development Committee (DDC)?

(b) Could the Minister consider gravelling the road now to make it passable as it awaits tarmacking?

541 - **The Member for Kandara (Mr. Joshua Toro) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that the members of Ikinu Home Industries of P. O. Box 184, Kiambu, held a meeting on 14th February 1998, during which the Director/Chairlady, a Mrs. Mary Nyokabi Waweru, pledged to refund members their money that had been intended for land buying?

(b) Is he further aware that on 15th May, 1998, the said Director postponed the collection date of the refunds through a radio announcement and that to date no such refunds have been made?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister order the management of the society to refund the money to its members without further delay?

...../547

547 - **The Member for Kinango (Mr. Simeon Mkalla) to ask the Minister for Labour:-**

(a) Is the Minister aware that the management of Nyari Sisal Estate, Taru, in Samburu Division, has not paid its workers their dues for a very long time?

(b) Is he further aware that the Company has not been remitting statutory deductions from workers to the relevant authorities?

(c) If the answers to "a" and "b" are in the affirmative, what action is the Minister taking to ensure that workers are paid their dues and that statutory deductions are remitted by the Company?

575 - **The Member for Kathiani (Mr. Kyalo Kaindi) to ask the Minister for Labour:-**

Since the Labour Office at Machakos Town cannot satisfactorily serve the industrial workers at Athi-River Town, could the Minister open a Labour Office at Athi-River Town?

QUESTIONS BY PRIVATE NOTICE

1. **Question By Private Notice - The Member for Sotik (Mr. Anthony Kimeto) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that the Directors of Kenya Co-operative Creameries(KCC) Ltd are in the process of borrowing a huge loan amounting to Kshs.4 billion from a foreign firm without approval from the majority of the farmers?

(b) If the answer to "a" is in the affirmative, could the Minister inform the House the terms and conditions of the said loan, the collateral offered by KCC and how the Company intends to repay it?

...../QUESTION BY PRIVATE NOTICE

QUESTION BY PRIVATE NOTICE

2. **Question By Private Notice - The Member for Gem (Mr. Joe Donde) to ask the Minister for Trade:-**

(a) Is the Minister aware that Coca-Cola Company Limited has been engaging in unorthodox trade practices, including the purchase and destruction of bottles used by rival companies, and the influencing of a Nairobi based glass manufacturing company not to produce bottles used by the rival companies?

(b) If the answer to "a" is in the affirmative, could the Minister take urgent measures to ensure that there is fair competition in the manufacture and distribution of sodas in Kenya?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 13TH OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY (10th Allotted Day)**

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) Vote 01 - Office of the President

MOTION: - (The Minister for State, Office of the President)

THAT, Mr. Speaker do now leave the Chair.

(ii) Vote 16 - Ministry of Tourism

——— 0 ———

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions **"That, Mr. Speaker do now leave the Chair"** to enable Ministers to initiate debate on policy, the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

364 - **The Member for Malava (Mr. Soita Shitanda) to ask the Minister for Local Authorities:-**

(a) Could the Minister ensure that the cess collected from Sugar cane farmers in Malava by Kakamega County Council is used to maintain roads instead of paying salaries to the Council's staff?

(b) Could the Minister also ensure that this cess is collected by Malava Town Council?

608 - **The Member for Embakasi (Mr. David Mwenje) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that hippopotamus at Ruai sewerage dam and Kamuru area of Embakasi are threatening human life and destroying crops?

(b) If the answer to "a" above is in the affirmative, could the Minister have them removed as a matter of urgency?

395 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that Kenya Posts and Telecommunications Corporation pensioners have not been paid their pension increases under the Pension (Increase Amendment) Act, of 1996 and that the Corporation owes pension contributors Kshs.4.8 billion which does not earn interest?

(b) Is he further aware that the retrenched staff of the Corporation were not adequately compensated and are now languishing in poverty?

(c) If the answers to "a" and "b" are in the affirmative, what urgent measures will he take to redress these grievances?

245 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that due to heavy rains, parts of Amoyo and Nyaguda bridges have been washed away, rendering the bridges impassable and thus making all the beaches in South Sakwa of Bondo Constituency inaccessible?

(b) If the answer to 'a' above is in the affirmative, what urgent steps is he taking to reconstruct the two vital bridges to enable fishing and other crucial businesses to proceed unhindered?

545 - **A Nominated Member (Mrs. Zipporah Kittony) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Ziwa-Kitale Road has been tarmacked up to Sibanga Centre(Maili Nane)?

(b) Is he further aware that the section between Sibanga Centre and Kitale is in a deplorable condition?

(c) If the answers to 'a" and "b" are in the affirmative, what urgent steps is the Minister taking to have the section between Sibanga Centre and Kitale tarmacked and also have the section between Sibanga Centre and Chemiron Centre opened for motorists?

330 - **A Nominated Member (Prof. Anyang' Nyong'o) to ask the Minister for Industrial Development:-**

(a) Is the Minister aware that there has been a tremendous increase in the importation of food supplements into Kenya over the past three years?

(b) If the answer to "a" is in the affirmative, what arrangements has the Kenya Bureau of Standards made to ensure that these supplements conform to international standards?

(c) Has there been any instance where these supplements have endangered the life of a Kenyan?

196 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Information and Broadcasting:-**

(a) How many films of international reputation have been filmed in Kenya in the last decade and of those films, how many involved Kenyans in key roles?

(b) Is the Minister aware that Kenya, despite its comparative advantage in the region, has lost in the film making industry to other African countries?

(c) If the answer to 'b' above is in the affirmative, why has this happened and what steps is the Ministry taking to restore the country as the premier film centre in Africa?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Sirisia (Mr. John Munyasia) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Gilbert Kasembeli Omukosi was found dead with handcuffs in the office of the Chief of Chwele Location on the morning of 21st August, 1998?

(b) If the answer to (a) is in the affirmative, what was the cause of his death?

(c) Why have the suspects not been apprehended to date?

2. - **Question By Private Notice - The Member for West Mugirango (Mr. Henry Obwocha) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that administration and regular policemen are harassing residents of Miruka sub-location in West Mugirango Constituency on the pretext of stemming illegal brewing of traditional liquor?

(b) If the answer to "a" above is in the affirmative, what action is the Minister taking to stop this harrassment?

(c) Is the current police cell in Miruka Market gazetted?

Eighth Parliament

(No.59)

Second Session
Morning Sitting
(254)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 14TH OCTOBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7. **MOTION** - (Mr. Emmanuel Maitha)
(Office of the President)

THAT, in view of the fact that palm wine (mnazi) is a natural and unadulterated beverage tapped directly from the coconut tree; considering the cultural, traditional and economic value attached to the mnazi by the Coastal communities, this House calls upon the Government to remove mnazi from the jurisdiction of the Traditional Liquor Act and liberalise the tapping and selling of the commodity in open market since it is the economic mainstay of the Mijikenda.

(Resumption of debate interrupted on 7th October, 1998)

8. **MOTION** - (Mr. M.M. Galgalo)
(Ministry of Natural Resources)

THAT, noting that the Government has inalienable duty to create enabling environment for economic and social development, concerned that mineral rich ASAL zone is marginalised and under-developed, this House calls upon the Government to carry out immediate surveys and studies in the ASAL zones to enable the people exploit their untapped resources and set aside funds which the local residents could borrow for investing in mining industries in order to safeguard them against continued exploitation and further marginalisation.

...../Motions

9~~8~~. **MOTION** - (Mr. Lawrence Sifuna)
(Ministry of Local Authorities)

THAT, noting with great concern the financial problems that face most of the local authorities in this country, and further noting that Councillors are elected by the tax payers, this House resolves that;

(a) The Central Government pays salaries/allowances to Councillors and Chief Officers of Local Authorities.

(b) Revenue from the Councils and service charge be strictly used for maintaining services in the Councils and payment of salaries for junior staff; and

(c) The Chief Officers be transferred to another Council after serving three years in one Council.

10~~8~~. **MOTION** - (Mr. David Mwenje)
(Office of the President)

THAT, taking into consideration that the population of City of Nairobi has increased tremendously, aware that the Omamo Commission recommended the division of Nairobi into boroughs, and also being aware that the constituency boundaries are also the administrative boundaries, this House recommends that the City be sub-divided into four (4) districts with respective District Commissioners.

~~8~~ Private Member's Motions

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

070 - The Member for Kisauni (Mr. Karisa Maitha) to ask a Minister of State, Office of the President:-

(a) Why has the Ministry not paid retirement benefits to Mr. Abdulrahman Juma Said, an ex-Kenya Police Corporal (No.12838/59002164), who retired on lst July, 1996?

(b) When will Mr. Abdulrahman Juma be paid the said benefits?

401 - The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask the Minister for Foreign Affairs:-

(a) Is the Minister aware that Mr. Joseph Langa Akumu of Kayambo Sub-Location, Kanyamwa West Location in Ndhiwa Division was arrested on or about 15th October, 1997 while fishing by the Ugandan Police at Police Station No.6 at Jagusi, No. 4 Island?

(b) If the answer to "a" is in the affirmative, could the Minister furnish the House with the status of Mr. Akumu's health and his release?

603 - The Member for Kasarani (Mr. Isaac Muchiri) to ask the Minister for Local Authorities:-

(a) Is the Minister aware that Nairobi City Council has employed over one thousand employees since 10th November, 1997?

(b) If the answer to "a" above is in the affirmative, what criteria was used to employ them?

044 - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Transport and Communications:-

(a) How much tax was collected on domestic and external telecommunication services by the Kenya Posts and Telecommunications Corporation between 1990 and 1997?

(b) How much of the collected taxes were surrendered to the Treasury by the Corporation?

...../601

601 - **The Member for Wajir North (Dr. Abdullahi Ali) to ask the Minister for Health:-**

(a) Is the Minister aware that Buna Health Centre is in a deplorable state and that even the Ministry of Public Works and Housing has condemned the buildings?

(b) Is he further aware that the Buna, Bute, Ajawa and Gurar dispensaries are each staffed with only one subordinate staff?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister as a matter of urgency rehabilitate the Health centres and post qualified medical personnel?

295 - **The Member for North Imenti (Mr. David Mwiraria) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that Imenti Forest is the only place East of Mt. Elgon where Elgon teak has been growing?

(b) Is he further aware that the section of the forest where this rare wood species was growing has been completely destroyed by charcoal burners in the last six months?

(c) If the answers to "a" and "b" are in the affirmative, what plans does the Minister have of replanting the Imenti Forest with Elgon teak and other indigenous tree species?

434. - **The Member for Rongo (Mr. Ochilo Ayacko) to ask the Minister for Labour:-**

(a) Is the Minister aware that the following sugar factories, namely; Mumias, Chemelil, Muhoroni, Sony and Miwani, do not provide cane cutters, cane loaders and weeders with protective devices like gloves, gumboots and dust coats?

(b) If the answer to "a" above is in the affirmative, what steps is the Minister taking to ensure that these workers who work in very dangerous environments receive protective devices?

...../541

541 - **The Member for Kandara (Mr. Joshua Toro) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that the members of Ikinu Home Industries of P. O. Box 184, Kiambu, held a meeting on 14th February,1998, during which the Director/Chairlady, a Mrs. Mary Nyokabi Waweru, pledged to refund members their money that had been intended for land buying?

(b) Is he further aware that on 15th May, 1998, the said Director postponed the collection date of the refunds through a radio announcement and that to date no such refunds have been made?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister order the management of the society to refund the money to its members without further delay?

Eighth Parliament

(No.60)

Second Session
Afternoon Sitting
(259)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 14TH OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY** *(11th Allotted Day)*

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) Vote 01 - Office of the President

MOTION: - (A Minister of State in the Office of the President)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on 13th October, 1998)

IN THE COMMITTEE

MOTION: - (A Minister of State in the Office of the President)

THAT, a sum not exceeding K£375,441,330 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 1999 in respect of:-

(i) Vote 01 - Office of the President

(ii) Vote 16 - Ministry of Tourism

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "**That, Mr. Speaker do now leave the Chair**" to enable Ministers to initiate debate on policy, the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

*** Denotes Government Order of the Day**

...../Appendix

APPENDIX

ORDER NO. 6

QUESTION NO.

082 - **The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Local Authorities:-**

When will Kebirigo Trading Centre be upgraded to the status of an urban council?

431 - **The Member for Lagdera (Mr. Mohammed Shidiye) to ask the Minister for Health:-**

(a) Is the Minister aware that Modogashe Health Centre faces an acute shortage of basic facilities?

(b) Is he further aware that there is no clinical officer nor a doctor in the Health Centre?

(c) If the answers to "a" and "b" are in the affirmative, what steps is the Minister taking to alleviate this problem?

032 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that South Kadem, West Kadem and Central Kadem locations were flooded during the recent **El-nino** rains?

(b) If the answer to "a" is in the affirmative, what long term solutions does the Minister have to control River Kuja which has perennially flooded the said locations?

514 - **The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Transport and Communications:**

(a) What steps is the Minister taking to ensure that the railway line between Nairobi and Mombasa which was adversely affected by the recently induced **El-nino** rains, is inspected for any structural damages and repaired to avert accidents?

(b) What further steps is the Minister considering to take to enhance the services provided by train service so as to attract more customers?

...../314

314 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Transport and Communications:-**

Why has the Kenya Posts and Telecommunications Corporation declined to adopt a system of itemising its bills per call detailing trunk call number dialed, duration of the call and charges arising thereof?

462 - **The Member for Kasipul-Kabondo (Mr. Oloo Otula) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that the Divisional Co-operative offices in Kasipul-Kabondo have been closed and moved to the District Headquarters?

(b) If the answer to "a" is in the affirmative, what steps is the Minister taking to re-open the same offices to render service to co-operative societies in the Division?

140 - **The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask the Minister for Labour:-**

(a) Is the Minister aware that Mr. Julius Sihundu, National Social Security Fund(N.S.S.F) No. 022820051, who retired on 14th April, 1996, has not been paid his dues?

(b) If the answer to "a" is in the affirmative, why has the N.S.S.F. failed to pay Mr. Sihundu his dues and when will he be paid?

...../QUESTION BY PRIVATE NOTICE

WEDNESDAY 14TH OCTOBER, 1998

QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for Sirisia (Mr. John Munyasia) to ask the Minister for Education and Human Resource Development:-

(a) Is the Minister aware that the following students from Namwela Secondary School, Bungoma District, were not admitted to any of the State Universities although they passed their Kenya Certificate of Secondary Education examinations in 1996 as follows:- Wanyonyi Ben Wanjala (Index No.602504076) - Grade A-; Masinde Ronald Namasake (Index No. 602504031) - Grade A-; Odera Tony - Grade A-; Wasike Dorcas - Grade A- and Wanjala Rhoda - Grade B+?

(b) If the answer to "a" above is in the affirmative, for what reasons were they denied admission?

(c) What urgent measures is the Minister taking to assist these brilliant students pursue University education?

Eighth Parliament
(No.61)

Second Session
(264)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY 15TH OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **PROCEDURAL MOTION** - (Leader of Government Business)

THAT, this House orders that the debate on the Business appearing in today's Order Paper be limited in the following manner:-

A maximum of twenty minutes for the Mover; twenty minutes for the Government Official Responder; ten minutes for each of the other Members; that five minutes before the time expires, the Mover be called upon to reply; and that the sitting of the House shall continue until Seven O'clock p.m.

8*. **MOTION** - (Mr. James A. Orengo)
(Leader of Government Business)

THAT, pursuant to the Section 59(3) of the Constitution of Kenya, this House resolves and declares that it has no confidence in the Government of Kenya.

*** Denotes Government Orders of the Day**

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 21ST OCTOBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **MOTION** - (Mr. M.M. Galgalo)
(Ministry of Natural Resources)

THAT, noting that the Government has inalienable duty to create enabling environment for economic and social development, concerned that mineral rich ASAL zone is marginalised and under-developed, this House calls upon the Government to carry out immediate surveys and studies in the ASAL zones to enable the people exploit their untapped resources and set aside funds which the locals could borrow for investing in mining industries to safeguard them against continued exploitation and further marginalisation.

(Resumption of debate interrupted on 14th October, 1998)

8. **MOTION** - (Mr. Raila Odinga)
(The Attorney-General)

That, in view of the fact that the Government is committed to the principle of transparency, accountability and good governance in the management of public affairs, and considering the high levels of corruption, tribalism and nepotism currently rampant in our society, this House urges the Government to establish the office of **OMBUDSMAN** with autonomy and strength to check these vices.

...../Motions

9*. **MOTION** - (Prof. Anyang' Nyong'o)
(The Attorney General)

THAT, this House do grant leave to introduce a Bill entitled An Act of Parliament to provide for establishment of a Presidential Retirement Benefits Fund to cater for the welfare, security, basic household, local and international travel of all retired holders of the office of the President of the Sovereign Republic of Kenya and for matters incidental thereto and connected therewith.

10*. **MOTION** - (Mrs. Charity Ngilu)
(Ministry of Labour)

THAT, in view of the critical role played by women in the socio-economic growth of this country; noting that the Government of Kenya has ratified the resolutions of International Conference on Population and Development (ICPD) and Beijing Platform of Action; being conscious that a large number of women in this country suffer from serious ante and post-natal health problems; and noting that the current maternity entitlement leave is grossly inadequate; this House urges the Government to amend Section 7(2) of the Employment Act, Cap.226 of the Laws of Kenya, in order to grant women employees, both in public and private sector, three months mandatory maternity leave, excluding the annual leave.

11*. **MOTION** - (Mr. Oloo Aringo)
(Office of the President)

THAT, in order to promote and consolidate the dignity, independence and the supremacy of Parliament, this House urges the Government to take immediate steps, including the introduction of any necessary constitutional amendments, to establish Parliamentary Service Commission which shall be directly responsible to the National Assembly.

*** Private Member's Motions**
*** Party Sponsored Motions**

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

> A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

ORDER NO.6

APPENDIX

QUESTION NO.

458 - **The Member for Limuru (Mr. George Nyanja) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Mr. Josephat Njuku Mungai of Misiri Estate, Limuru Division, was taken from his house on 17th December, 1997 at 5 a.m. by Criminal Investigation Department officers from Kikuyu Police Station and was later found dead at Ngubi forest on the same day?

(b) If the answer to "a" is in the affirmative, under what circumstances did Mr. Njuku die?

(c) Has anyone been arrested in connection with the murder?

494 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the Bungoma District Commissioner (DC) has not yet appointed Traditional Liquor Licensing Board in accordance with Section 5(a) of the Traditional Liquor Licensing Act?

(b) If the answer to "a" is in the affirmative and given that it is approaching the end of the year, when will the DC constitute the Board?

554 - **The Member for Sotik (Mr. Anthony Kimeto) to ask the Minister for Energy:-**

(a) Is the Minister aware that there is high demand for electricity in the markets and public institutions in Ndanai Division, Bomet District?

(b) If the answer to "a" is in the affirmative, when will the Minister introduce rural electrification programme in the area?

...../096

096 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Health:-**

(a) What happened to the Kshs.9 million allocated to Muuti-O-Kiama Health Centre in the 1996/97 Financial Year?

(b) What plans does the Government have to complete this Health Centre?

592 - **The Member for Turkana North (Mr. John Munyes) to ask the Minister for Natural Resources:-**

(a) How many fishing boats are operating in Lake Turkana this year(1998) compared to the year 1980?

(b) What steps is the Minister taking to improve the fishing sector in Turkana District?

558 - **The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Transport and Communications:-**

(a) Why did the Kenya Airways Limited withdraw its services from certain local routes and what was the criteria used to license alternative airlines to ply those routes?

(b) How many public aircraft currently ply the Kisumu-Nairobi route and when and where do they get routine service?

(c) Could the Minister guarantee that the withdrawal of Kenya Airways Limited from these routes will not result in loss of jobs or displacement of staff?

369 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask the Minister for Public Works and Housing:-**

When will Kamagambo Riosiri-Nyamarambe Etago-Nyamaiya Road be upgraded and tarmacked?

...../395

395 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that Kenya Posts and Telecommunications Corporation pensioners have not been paid their pension increases under the Pensions (Increase) (Amendment) Act of 1996 and that the Corporation owes pension contributors Kshs.4.8 billion which does not earn interest?

(b) Is he further aware that the retrenched staff of the Corporation were not adequately compensated and are now languishing in poverty?

(c) If the answers to "a" and "b" are in the affirmative, what urgent measures will he take to redress these grievances?

QUESTION BY PRIVATE NOTICE

Question By Private Notice - A Nominated Member (Prof. Anyang' Nyong'o) to ask the Minister for Finance:-

Considering that Kenya Reinsurance Corporation is due for public floatation by the 28th October, 1998 and taking into account the need for transparency and full disclosure in the share issue;

(a) Is the Minister aware that Kenya Reinsurance Corporation paid Kshs.600 million purportedly to buy a piece of land off Kiambu Road which was subject to a caveat without raising a court order?

(b) If the answer to 'a' is in the affirmative, what steps does the Minister intend to take to recover this money?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 21ST OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. THE FINANCE BILL (BILL NO.6)
(The Minister for Finance)

Second Reading.

8*. THE RETIREMENT BENEFITS (AMENDMENT) BILL (BILL NO.7)
(The Minister for Finance)

Second Reading.

9* THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)
(The Minister for Finance)

Second Reading.

10*. THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)
(The Minister for Health)

Second Reading.

(Resumption of debate interrupted on 8th October, 1998)

...../Notice

NOTICE

1. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

CLAUSE 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) the Director of Medical Services;

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) one person nominated by the Association of Kenya Insurers; and

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of",**

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

CLAUSE 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects".**

CLAUSE 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund.**"

CLAUSE 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

CLAUSE 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

CLAUSE 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

CLAUSE 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

CLAUSE 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

—— 0 ——

*** Denotes Government Order of the Day**

...../Appendix

APPENDIX

528 - **The Member for Mosop (Mr. John Sambu) to ask a Minister of State, Office of the President:-**

(a) How many acres of forest land within Nandi District have been planted with Tea by the Nyayo Tea Zones Development Corporation and who owns this land?

(b) Who are the Managing agents for managing the fields, processing and marketing of the tea?

(c) What was the turnover in Kenya Shillings from those plantations in the years 1995, 1996 and 1997?

507 - **The Member for Muhoroni (Dr. Odongo Omamo) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that large and medium scale sugar-cane farmers in Miwani Sugar Mills factory zone stopped supplying cane to the factory with effect from lst June, 1998, due to non-payment for their cane proceeds by the factory since September, 1997?

(b) If the answer to "a" is in the affirmative, could the Minister inform the House how much money is involved and what action is the Government taking to save the farmers from suffering financial loss?

448 - **The Member for Mwea (Mr. Alfred Nderitu) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that land set aside for Mwea Divisional Education office has been allocated to a private developer?

(b) If the answer to "a" above is in the affirmative, could the Minister liaise with the Ministry of Lands and Settlement with a view to revoking the allocation to pave way for construction of offices and other amenities?

518 - **The Member for Siakago (Mr. Silas Ita) to ask the Minister for Local Authorities:-**

(a) Could the Minister inform the House the progress made to date by the Committee on the sharing of assets of the former Embu County Council which was split up in 1995 and which continue to generate revenue for Embu and Mbeere county councils?

(b) What modalities are employed in sharing the revenue collected from the joint assets?

(c) When will the said Committee complete its task to facilitate efficient planning and use of each Council's assets?

304 - **The Member for Juja (Mr. Stephen Ndichu) to ask the Minister for Energy:-**

(a) Is the Minister aware that in November, 1997, the Kenya Power and Lighting Company started an electrification programme for the entire Gatuanyaga Location?

(b) Is he further aware that electricity posts were brought to the location and holes dug up for the project implementation?

(c) If the answers to "a'" and "b" above are in the affirmative, what made the work stop and when will it start again?

586 - **The Member for Kathiani (Mr. Kyalo Kaindi) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Kathaana bridge on Machakos-Kangundo Road was left uncompleted during the gravelling of the road?

(b) If the answer to "a" is in the affirmative, what immediate measures is the Ministry taking to complete the construction of the bridge?

438 - **The Member for Wajir East (Mr. Abdi Mahamud) to ask the Minister for Public Works and Housing:-**

(a) Could the Minister provide the House with the list of all classified and unclassified roads in Wajir East Constituency and their respective distances?

(b) What plans does the Minister have to classify the unclassified roads and also to maintain the existing ones?

...../538

538 - **The Member for Laikipia East (Mr. Mwangi Kiunjuri) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Nanyuki-Kiganjo Road is currently impassable?

(b) If the answer to "a" is in the affirmative, what urgent steps is the Minister taking to ensure that the road is adequately maintained?

QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for West Mugirango (Mr. Henry Obwocha) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that Mr. Ronald Ngara Momanyi was arrested and confined in Nyamira Police cells from 21st to 26th July 1998, where he subsequently died?

(b) If the answer to "a" is in the affirmative, who were the police officers who confined Mr. Momanyi in the cells?

(c) What action has been taken against the said police officers for unlawful confinement?

Eighth Parliament

(No.64)

Second Session
Afternoon Sitting
(278)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

SUPPLEMENTARY ORDER PAPER

WEDNESDAY 21ST OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

1. THE FINANCE BILL 1998 (BILL NO.6)

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 2:

THAT, Clause 2 be amended in paragraph (a) by inserting the words "**(excluding a motorcycle)**" immediately after the word "**vehicle**" appearing in the first line of the proviso to the proposed subparagraph (i).

Clause 9:

THAT, clause 9 be amended by deleting the expressions "**2000 cc**" and "**3000 cc**" and substituting "**3000 cc**" and "**4000 cc**" respectively.

Clause 14:

THAT, Clause 14 be amended -

(a) in paragraph (a) as follows:

(i) in subparagraph (iii) thereof, by deleting the expressions "**2000 cc**" and "**3000 cc**" in the proposed subparagraph (c) and inserting "**3000 cc**" and "**4000 cc**" respectively.

(ii) in subparagraph (iv) thereof, by deleting the expressions "**2000 cc**" and "**3000 cc**" and inserting "**3000 cc**" and "**4000 cc**" respectively;

(iii) in subparagraph (v) thereof, by deleting the expression "**2000 cc**" and inserting "**3000 cc**".

(iv) in subparagraph (vi), by deleting the existing subparagraph and inserting the following -

(vi) by deleting item 35 thereof and inserting the following new item -

35. ***Permanent Secretaries, the Financial Secretary, Provincial Commissioners, the Chief of General Staff and Service Commanders of the Armed Forces, the Controller and Auditor-General, the Comptroller of State House, the Commissioner of Police, the Clerk to the National Assembly and Judges.***

One Motor Vehicle (excluding buses and mini-buses of more than 13 passengers, load carrying vehicles of a load carrying capacity exceeding two tonnes or a passenger motor-vehicle of an engine capacity exceeding 3000 cc) imported or purchased prior to clearance through the Customs by a Permanent Secretary, the Financial Secretary, a Provincial Commissioner, the Chief of General Staff or a Service Commander of the Armed Forces, the Comptroller of State House, the Controller and Auditor-General, the Commissioner of Police, the Clerk to the National Assembly or a Judge, subject to a written recommendation of the Permanent Secretary, Secretary to the Cabinet and Head of the Public Service, and the Chief Justice in the case of a Judge.

Provided that the exemption granted under this item shall apply once every four years.

(b) in paragraph (b), -

(i) by deleting the word "**item**" appearing in subparagraph (i) thereof and inserting "**items**"; and

(ii) by inserting the following new item immediately after the proposed item 1B -

"IC Jet fuel (Kerosene type) purchased by an aircraft owner or operator for use in an aircraft engine".

(iii) by inserting the following new item immediately after the proposed item 39 in subparagraph (iv) -

40. Refined Sugar for Industrial Use

Refined sugar having a polarimeter reading of 99.8 degrees or more, colour in solution ICUMSA units (Max) 60, Invert sugar content, % mm (Max) 0.04 and moisture, % mm (Max) 0.07, imported by an industrial manufacturer (or his duly contracted supplier) gazetted by the Minister, for use as raw material in industry in such quantities and on such conditions as the Commissioner may specify.

Clause 19:

THAT, Clause 19 be amended by deleting the expressions "**2000 cc**" and "**3000 cc**" and inserting "**3000 cc**" and "**4000 cc**" respectively.

Clause 24:

THAT, Clause 24 be amended in paragraph (c) by inserting the words "**and funeral**" immediately after the word "**death**" in the last line of the proposed item 16.

Clause 29:

THAT, Clause 29 be amended -

(a) in paragraph (a) -

(i) by deleting the expression "**subparagraph (c)**" appearing in subparagraph (ii) thereof and inserting "**paragraph (1)(c) of item 9";**

(ii) by deleting the expressions "**2000 cc**" and "**3000 cc**" appearing in the same subparagraph and inserting "**3000** cc" and "**4000 cc**" respectively;

(iii) by deleting the expressions "**2000 cc**" and "**3000 cc**" appearing in subparagraph (iii) and inserting "**3000 cc**" and "**4000 cc**" respectively.

(iv) by deleting the expression "**2000 cc**" appearing in subparagraph (iv) thereof and inserting "**3000 cc**".

(v) by deleting the existing subparagraph (v) and inserting the following new subparagraph -

(v) by deleting item 28 and inserting the following new item -

28. **Permanent Secretaries, the Financial Secretary, Provincial Commissioners, the Chief of General Staff and Service Commanders of the Armed Forces, the Controller and Auditor-General, the Comptroller of State House, the Commissioner of Police, the Clerk to the National Assembly and Judges.**

One motor vehicle (excluding buses and mini-buses of more than 13 passengers, load carrying vehicles of a load carrying capacity exceeding two tonnes or a passenger motor vehicle of an engine capacity exceeding 3000 cc) imported or purchased prior to clearance through the Customs by a permanent Secretary, the Financial Secretary, a Provincial Commissioner, the Chief of General Staff or a service Commander of the Armed Forces, the Comptroller of State House, the Controller and auditor-General, the Commissioner of Police, the Clerk to the National Assembly or a Judge, subject to the written recommendation of the Permanent Secretary, Secretary to the Cabinet and Head of the Public Service, and the Chief Justice in the case of a Judge:-

Provided that the zero-rating under this item shall apply once every four years.

(b) in paragraph (b) -

(i) by inserting the words "**in item 1**" immediately after the expression "**subparagraph (3)**".

(ii) by inserting the following new subparagraph (4) immediately after the proposed subparagraph (3) -

(4) Jet fuel (Kerosene type) purchased by an aircraft owner or operator for use in an aircraft engine.

Clause 31:

THAT, Clause 31 be amended in the proposed section 12B by renumbering the proposed subsections (4), (5), (6) and 7) as subsection (3), (4), (5) and (6).

Clause 36:

THAT, Clause 36 be amended in paragraph (c) by inserting the word "resident" in the proposed paragraph (g) immediately after the expression "shall be charged at the".

Clause 38:

THAT, Clause 38 be amended -

(a) by deleting paragraph (a); and

(b) by deleting paragraph (b).

Clause 39:

THAT, Clause 39 be amended -

(a) by deleting paragraph (a);

(b) by deleting paragraph (b); and

(c) by deleting paragraph (c).

Clause 40:

THAT, Clause 40 be deleted and the following new clause inserted -

Repeal and replacement of section 92A of Cap. 470.

40. Section 92A of the Income Tax Act is amended by deleting the existing provision and inserting the following:

Due date for payment of tax under self-assessment.

92A. Where any person is required to furnish a return under Section 52B, the tax chargeable thereunder shall be due and payable on the last day of the fourth month following the end of his year of income or accounting period.

Clause 49:

THAT, Clause 49 be amended in the proposed section 5(3) by deleting the words "**twenty**" and "**is collected**" and inserting the words "**twenty-five**" and "**becomes payable**" respectively.

Clause 72:

THAT, Clause 72 be amended -

(a) in paragraph (a) -

(i) by inserting the following subparagraph immediately after subparagraph (a) of the proposed subsection (2) -

(b) the Commissioner-General; and

(ii) by renumbering subparagraphs (b), (c) and (d) of the proposed subsection (2) as subparagraphs (c), (d) and (e) respectively.

(b) by deleting the expression "**paragraph (d)**" appearing in the proposed subsection (3) and inserting the expression "**paragraph (e)**".

(c) by deleting the expression "**(b) and (c)**" appearing in the proposed subsection (5) and inserting "**(b), (c) and (d)**".

Clause 73:

THAT, Clause 73 be amended by deleting paragraph (a) and inserting the following new paragraph -

(a) by inserting a comma and the words "**other than an *ex-officio* member**" immediately after the words "**a member**".

FIRST SCHEDULE

THAT the First Schedule to the Bill be amended by inserting the amendments set out hereunder in their appropriate numerical sequence -

Heading No.	*H.S. Code*	*Tariff No.*	*Amendments to Text*	*Import Duty*	*S.I.T.C. No.*	*Unit of Quantity*
			CHAPTER 17			
			(i) by inserting the following new item (b) -			
			(b) additional national note 1. For the purpose of Tariff No. 1701.99.90 the expression "refined sugar for industrial use" means refined sugar which meets the following quantitative criteria -			
			(i) Polarimeter reading of 99.8 degrees or more.			
			(ii) Colour in solution ICUMSA Units (Max) 60.			
			(iii) Invert sugar content, % mm (Max) 0.04.			
			(iv) Moisture, % mm (Max) 0.07.			
			(ii) by renumbering the current			

Heading No.	*H.S.Code*	*Tariff No.*	*Amendments to Text*	*Import Duty*	*S.I.T.C. No.*	*Unit of Quantity*
			paragraph (b) as (c).			
			CHAPTER 48			
			Delete all reference to Tariff No. 4804.19.00 and insert the following -			
48.04						
	4804.19		Other			
		4804.19.10	Other kraftliner of a kind used for dry battery lining (battery separator)	15%	641 419 10	Kg.
		4804.19.90	Other	15%	641 419 90	Kg.
			Delete all reference to Tariff No. 4811.39.00 and insert the following -			
48.11						
	4811.39		Other			
		4811.39.10	Other paper, coated, impregnated or covered with plastics (excluding adhesives) of a kind used for dry cell battery labelling	15%	641 720 10	Kg.
		4811.39.90	Other	15%	641 720 90	Kg.

SECOND SCHEDULE

THAT the Second Schedule to the Bill be amended by inserting the following tariff numbers, descriptions and rates in their proper sequence -

Tariff No.	*Description*	*New Rate of Duty*
1005.10.00	Maize (corn) seed	25%
1005.90.00	Other maize (corn)	25%
2103.10.00	Soya Sauce	25%
2103.20.00	Tomato Ketchup and other Sauces	25%
2103.30.00	Mustard flour and meal and prepared mustard	25%
2103.90.00	Other sauces and preparations therefor, mixed condiments and mixed seasonings	25%
4804.19.10	Other Kraftliner of a kind used for dry cell battery lining	10.5%
4804.19.90	Other Kraftliner	15%
4811.39.10	Other paper coated, impregnated or covered with plastics (excluding adhesives) of a kind used for dry cell battery labelling	10.5%
4811.39.90	Other paper and paperboard coated, impregnated or covered with plastics (excluding adhesives)	15%

THIRD SCHEDULE

THAT the Third Schedule to the Bill be amended -

(i) by deleting all references to tariff numbers 4804.19.00 and 4811.39.00;

(ii) by inserting the following new tariff numbers, descriptions and rates in their proper sequence.

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
1005.10.00	Maize (corn) Seed	70%	50%
1005.90.00	Other maize (Corn)	70%	50%
1006.40.00	Broken rice	70%	50%
1101.00.10	Wheat Flour	70%	70%
1101.00.20	Meslin Flour	70%	70%
1102.20.00	Maize (Corn) flour	70%	50%
1515.90.90	Other fixed vegetable fats and oils and their fractions.	30%	15%
1516.20.00	Vegetable fats and oils and their fractions.	30%	15%
1517.10.00	Margarine, excluding liquid margarine.	30%	15%
1518.00.00	Animal or vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading No. 15.16; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included.	30%	15%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
1701.91.10	Other sugar of a polarimeter reading of 99.5 degrees but less than 99.8 degrees containing added flavouring or colouring matter.	70%	70%
1701.91.90	Other sugar of a polarimeter reading of 99.8 degrees or more containing added flavouring or colouring matter.	70%	70%
1701.99.10	Other sugar of a polarimeter reading of 99.5 degrees but less than 99.8 degrees.	70%	70%
1701.99.90	Other sugar of a polarimeter reading of 99.8 degrees or more.	70%	70%
2001.10.00	Cucumbers and gherkins, prepared or processed by vinegar or acetic acid.	30%	15%
2001.20.00	Onions, pepared or processed by vinegar or acetic acid.	30%	15%
2001.90.00	Other vegetables, fruit, nuts and other edible parts of plants prepared or preserved by vinegar or acetic acid.	30%	15%
2002.10.00	Tomatoes, whole or in pieces, prepared or preserved otherwise than by vinegar or acetic acid.	30%	15%
2002.90.10	Tomato puree, prepared or preserved otherwise than by vinegar or acetic acid.	30%	15%
2002.90.90	Tomatoes in other forms, prepared or preserved otherwise than by vinegar or acetic acid.	30%	15%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
2003.10.00	Mushrooms, prepared or preserved otherwise than by vinegar or acetic acid.	30%	15%
2003.20.00	Truffles, prepared or preserved otherwise than by vinegar or acetic acid.	30%	15%
2004.10.00	Potatoes, prepared or preserved otherwise than by vinegar or acetic acid, frozen.	30%	15%
2004.90.00	Other vegetables and mixtures of vegetables, prepared or preserved otherwise than by vinegar or acetic acid, frozen.	30%	15%
2005.10.00	Homogenised vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen.	30%	15%
2005.20.00	Potatoes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen.	30%	15%
2005.40.00	Peas *(Pisum sativum)*, prepared or preserved otherwise than by vinegar or acetic acid, not frozen.	30%	15%
2005.51.00	Beans, shelled, prepared or preserved otherwise than by vinegar or acetic acid, not frozen.	30%	15%
2005.59.00	Other beans, prepared or preserved otherwise than by vinegar or acetic acid, not frozen.	30%	15%
2005.60.00	Asparagus, prepared or preserved otherwise than by vinegar or acetic acid, not frozen.	30%	15%
2005.70.00	Olives, prepared or preserved otherwise than	30%	15%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	by vinegar or acetic acid, not frozen.		
2005.80.00	Sweet corn *(Zea mays var. saccharata)*, prepared or preserved otherwise than by vinegar or acetic acid, not frozen.	30%	15%
2005.90.00	Other vegetables and mixtures of vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No. 20.06.	30%	15%
2006.00.00	Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glace or crystallised).	30%	15%
2007.10.00	Homogenized preparations of fruit jellies, fruit or nut puree and fruit or nut pastes, whether or not containing added sugar or other sweetening matter.	30%	15%
2007.91.10	Citrus fruit marmalades.	30%	15%
2007.91.90	Other preparations of citrus fruit, cooked, whether or not containing added sugar or other sweetening matter.	30%	15%
2007.99.10	Jams, whether or not containing added sugar or other sweetening matter.	30%	15%
2007.99.90	Other fruit jellies, fruit or nut, puree and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter.	30%	15%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
2008.11.00	Ground-nuts otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2008.19.00	Other nuts and other seeds whether or not mixed together, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2008.20.00	Pineapples, prepared or preserved, whether or not containing added sugar or sweetening matter or spirit.	30%	15%
2008.30.00	Citrus fruit, prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2008.40.00	Pears, prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2008.50.00	Apricots, prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2008.60.00	Cherries, prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2008.70.00	Peaches, prepared or preserved, whether or not containing added sugar or other	30%	15%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	sweetening matter or spirit.		
2008.80.00	Strawberries, prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2008.91.00	Palm hearts, prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2008.92.00	Mixtures of fruit and other edible parts of plants, prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2008.99.00	Other fruit, nuts and other edible parts of plants, prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit.	30%	15%
2009.11.00	Frozen orange juice.	30%	15%
2009.19.00	Other orange juice.	30%	15%
2009.20.00	Grape fruit juice.	30%	15%
2009.30.00	Juice of any other single citrus fruit.	30%	15%
2009.40.00	Pineaple juice.	30%	15%
2009.50.00	Tomato juice.	30%	15%
2009.60.00	Grape juice (including grape must).	30%	15%
2009.70.00	Apple juice.	30%	15%
2009.80.10	Passion fruit juice.	30%	15%
2009.80.90	Juice of any other single fruit or vegetable.	30%	15%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
2009.90.00	Mixtures of juices.	30%	15%
2103.10.00	Soya Sauce	30%	15%
2103.20.00	Tomato Ketchup and other Sauces	30%	15%
2103.30.00	Mustard flour and meal and prepared mustard	30%	15%
2103.90.00	Other sauces and preparations therefor, mixed condiments and mixed seasonings	30%	15%
4418.20.00	Doors and their frames and thresholds of wood.	10%	10%
4418.30.00	Parquet panels of wood.	10%	10%
4801.00.00	Newsprint, in rolls and sheets.	10%	10%
4802.40.00	Wallpaper base in rolls or sheets.	20%	20%
4802.52.00	Other paper and paperboard, not containing fibres obtained by a mechanical process or of which not more than 10% by weight of the total fibre content consists of such fibres weighing less than 40 g/m² or more but not more than 150 g/m² in rolls or sheets.	25%	25%
4802.53.00	Other paper and paperboard, not containing fibres obtained by a mechanical process or of which not more than 10% by weight of the total fibre content consists of such fibres weighing more than 150 g/m² in rolls or sheets.	25%	25%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
4802.60.00	Other paper and paperboard, of which more than 10% by weight of the total fibre content consists of fibres obtained by a mechanical process in rolls or sheets.	25%	25%
4804.11.00	Unbleached kraftliner.	20%	20%
4804.19.10	Other Kraftliner of a kind used for dry cell battery lining	20%	Nil
4804.19.90	Other Kraftliner	20%	20%
4804.21.00	Unbleached sack kraft paper in rolls or sheets, uncoated.	20%	20%
4804.29.00	Other sack kraft paper in rolls or sheets, uncoated.	20%	20%
4804.31.00	Other kraft paper and paperboard weighing 150 g/m² or less, unbleached in rolls or sheets, uncoated.	20%	20%
4804.39.00	Other kraft paper and paperboard weighing 150 g/m² or less, in rolls or sheets, uncoated.	20%	20%
4804.41.00	Other kraft paper and paperboard weighing more than 150 g/m² but less than 225 g/m², unbleached, in rolls or sheets, uncoated.	15%	15%
4804.42.00	Other kraft paper and paperboard weighing more than 150 g/m² but less	20%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	than 225 g/m², bleached uniformly throughout the mass and of which more than 95% by weight of the total fibre content consists of wood fibres obtained by a chemical process, in rolls or sheets, uncoated.		
4804.49.00	Other kraft paper and paperboard weighing more than 150 g/m² but less than 225 g/m², bleached, in rolls or sheets, uncoated.	20%	20%
4804.51.00	Other kraft paper and paperboard weighing 225 g/m² or more, unbleached, in rolls or sheets, uncoated.	20%	20%
4804.52.00	Other kraft paper and paperboard weighing 225 g/m² or more, bleached uniformly throughout the mass and of which more than 95% by weight of the total fibre content consists of wood fibres obtained by a chemical process, in rolls or sheets, uncoated.	20%	20%
4804.59.00	Other kraft paper and paperboard weighing 225 g/m² or more, bleached, in rolls or sheets, uncoated.	20%	20%
4805.10.00	Semi-chemical fluting paper	25%	25%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	(corrugating medium).		
4805.21.00	Multi-ply paper and paperboard with each layer bleached, in rolls or sheets, uncoated.	15%	15%
4805.22.00	Multi-ply paper and paperboard with only one outer layer bleached, in rolls or sheets, uncoated.	15%	15%
4805.23.00	Multi-ply paper and paperboard having three or more layers, of which only the two outer layers are bleached, in rolls or sheets, uncoated.	15%	15%
4805.29.00	Other multi-ply paper and paperboard, in rolls or sheets, uncoated.	15%	15%
4805.30.00	Sulphite wrapping paper.	15%	15%
4805.50.00	Felt paper and paperboard, in rolls or sheets, uncoated.	15%	15%
4805.60.00	Other paper and paperboard, weighing 150 g/m² or less, in rolls or sheets, uncoated.	20%	20%
4805.70.00	Other paper and paperboard, weighing more than 150 g/m² but less than 225 g/m², in rolls or sheets, uncoated.	15%	15%
4805.80.00	Other paper and paperboard, weighing 225 g/m² or more, in rolls or sheets,	20%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	uncoated.		
4807.10.00	Paper and paperboard, laminated internally with bitumen, tar or asphalt, in rolls or sheets.	20%	20%
4807.90.00	Other composite paper and paperboard (made by sticking flat layers of paper and paper-board together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets.	20%	20%
4808.10.00	Corrugated paper and paperboard, whether or not perforated, in rolls or sheets.	20%	20%
4808.20.00	Sack kraft paper, creped or crinkled, whether or not embossed or perforated, in rolls or sheets.	20%	20%
4808.30.00	Other kraft paper, creped or crinkled, whether or not embossed or perforated, in rolls or sheets.	20%	20%
4808.90.00	Other paper and paperboard, (with or without glued flat surface sheets), creped, crinkled, embossed or perforated, in rolls or shee s, other than that of heading No. 48.03 or 48.18.	20%	20%
4809.20.00	Self-copy paper in rolls of a width exceeding 36 cm ir in rectangular	20%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	(including square) sheets with at least one side exceeding 36 cm in unfolded state.		
4809.90.00	Other copying or transfer papers (including coated or impregnated paper for duplicator stencils or offset plates), whether or not printed, in rolls or sheets.	10%	10%
4810.11.10	Paper and paperboard of a kind used for writing, printing or other graphic purposes not containing fibres obtained by a mechanical process or of which not more than 10% by weight of the total fibre content consists of such fibres weighing not more than 120 g/m²	10%	10%
4810.11.90	Paper and paperboard of a kind used for writing, printing or other graphic purposes, not containing fibres obtained by a mechanical process or of which not more than 10% by weight of the total fibre content consists of such fibres weighing more than 120 g/m² , but not more than 150 g/m².	20%	20%
4810.12.00	Paper and paperboard of a kind used for writing, printing or other graphic purposes, not containing fibres obtained by a mechanical process or of	15%	15%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	which not more than 10% by weight of the total fibre content consists of such fibres weighing more than 150 g/m² in rolls or sheets, coated.		
4810.21.00	Light-weight coated paper of a kind used for writing, printing or other graphic purposes, of which more than 10% by weight of the total fibre content consists of fibres obtained by a mechanical process, in rolls or sheets.	15%	15%
4810.29.00	Other paper and paperboard of a kind used for writing, printing or other graphic purposes, of which more than 10% by weight of the total fibres content consists of fibres obtained by a mechanical process, in rolls or sheets.	25%	25%
4810.31.00	Kraft paper and paperboard, other than that of a kind used for writing, printing or other graphic purposes, bleached uniformly throughout the mass and of which more than 95% by weight of the total fibre content consists of wood fibres obtained by a chemical process, and weighing 150 g/m² or less.	25%	25%
4810.32.00	Kraft paper and paperboard, other than	20%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	that of a kind used for writing, printing or other graphic purposes, bleached uniformly throughout the mass and of which more than 95% by weight of the total fibre content consists of wood fibres obtained by a chemical process and weighing more than 150 g/m², in rolls or sheets, coated.	20%	20%
4810.39.00	Other kraft paper and paperboard, other than that of a kind used for writing, printing or other graphic purposes, in rolls or sheets, coated.	15%	15%
4810.91.00	Other paper and paperboard, multi-ply in rolls or sheets, coated.	15%	15%
4810.99.00	Other paper and paperboard, coated, in rolls or sheets.	20%	20%
4811.10.00	Tarred, bituminised or asphalted paper and paperboard, in rolls or sheets other goods of heading No. 48.03, 48.09, 48.10 and 48.18.	20%	20%
4811.21.00	Self-adhesive paper and paperboard, in rolls or sheets other than goods of heading 48.03, 48.09, 48.10 or 48.18.	20%	20%
4811.29.90	Other gummed or adhesive paper and		

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	paperboard in rolls or sheets other than goods of heading 48.03, 48.09, 48.10 or 48.18 in rolls or sheets, unprinted.		
4811.31.00	Bleached paper and paperboard, coated, impregnated or covered with plastics weighing more than 150 g/m² in rolls or sheets, other than goods of heading No. 48.03, 48.09, 48.10 or 48.18.	25%	25%
4811.39.10	Other paper, coated, impregnated or covered with plastics (excluding adhesives) of a kind used for dry cell battery labelling	15%	Nil
4811.39.90	Other paper and paperboard coated, impregnated or covered with	15%	15%
4811.90.00	Other paper, paperboard, cellulose wadding and webs of cellulose fibres, coated, impregnated, covered, surface-coloured, surface-decorated or printed, in rolls or sheets, other than goods of heading No.48.03, 4809, 48.10 or 48.18.	20%	20%
4814.10.00	"Ingrain" paper.	10%	10%
4814.20.00	Wallpaper and similar wall coverings,	10%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	consisting of paper coated or covered, on the face side, with a grained, embossed, coloured, design-printed or otherwise decorated layer of plasics.		
4814.30.00	Wallpaper and similar wall coverings, consisting of paper covered, on the face side, with plaiting material, whether or not bound together in parallel strands or woven.	10%	10%
4814.90.00	Other wallpaper and similar wall coverings; window transparencies.	10%	10%
4815.00.00	Floor coverings on a base of paper or of paperboard, whether or not cut to size.	10%	10%
4816.10.00	Carbon or similar copying papers, whether or not put in boxes.	20%	20%
4816.20.00	Self-copy paper, whether or not put in boxes.	20%	20%
4816.30.00	Duplicator stencils, of paper, whether or not put in boxes.	20%	20%
4816.90.00	Other copying or transfer papers and offset plates, of papers, whether or not put in boxes.	15%	15%
4817.10.00	Envelopes.	15%	15%
4817.20.00	Letter cards, plain postcards and	15%	15%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	correspondence cards.		
4817.30.00	Boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery.	15%	15%
4818.10.00	Toilet paper.	10%	10%
4818.20.00	Handkerchiefs, cleansing or facial tissues.	10%	10%
4818.30.00	Table cloths and serviettes.	10%	10%
4818.40.00	Sanitary towels and tampons, napkins and napkin liners for babies and similar sanitary articles.	10%	10%
4818.50.00	Articles of apparel and clothing accessories.	10%	10%
4818.90.00	Other articles of paper pulp, cellulose wadding or webs of cellulose fibres, of a kind used for household or sanitary purposes, in rolls of a width not exceeding 36 mm or cut to size or shape.	10%	10%
4819.10.00	Cartons, boxes and cases of corrugated paper or paperboard, of a kind used in offices, shops or the like.	20%	20%
4819.20.00	Folding cartons, boxes and cases,	20%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	of non-corrugated paper or paperboard.		
4819.30.00	Sacks and bags, having a base of a width of 40 cm or more, of paper or paperboard.	20%	20%
4819.40.00	Other sacks and bags, including cones, of paper, paperboard, or cellulose wadding.	20%	20%
4819.50.00	Other packing containers, including record sleeves, of paper or paperboard.	20%	20%
4819.60.10	Box files, of paper, or paperboards of a kind used in offices, shops or the like.	20%	20%
4819.60.90	Letter trays, storage boxes and similar articles, of a kind used in offices, shops or the like, of paper, paperboard or cellulose wadding or webs of cellulose fibres.	20%	20%
4820.10.00	Registers, account books, note books, order books, receipt books, letter pads, memorandum pads, diaries and similar articles.	20%	20%
4820.20.00	Exercise books.	20%	20%
4820.30.00	Binders (other than book covers), folders and file covers, of paper	20%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	or paperboard.		
4820.40.00	Manifold business forms and interleaved carbon sets.	20%	20%
4820.50.00	Albums for samples or for collections.	20%	20%
4820.90.00	Other articles of stationery and blotting-pads, of paper and paperboard.	20%	20%
4821.10.00	Paper or paperboard labels of all kinds, printed.	15%	15%
4821.90.00	Other paper and paperboard labels of all kinds.	15%	15%
4823.20.00	Filter paper and paperboard.	10%	10%
4823.40.00	Rolls, sheets and dials, printed for self-recording apparatus of paper, paperboard or cellulose wadding.	10%	10%
4823.51.00	Other paper and paperboard, of a kind used for writing, printing or other graphic purposes, printed, embossed or perforated.	10%	10%
4823.59.00	Other paper and paperboard of a kind used for writing, printing or other graphic purposes.	15%	15%
4823.60.00	Trays, dishes, plates, cups and the like, of paper or paperboard.	15%	15%
4823.70.10	Egg trays.	10%	10%
4823.70.90	Other moulded or pressed articles,	15%	15%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	of paper pulp.		
4823.90.00	Other paper, paperboard, cellulose wadding and webs of cellulose fibres cut to size or shape; other articles of paper pulp, paper, paperboard, cellulose wadding or webs of cellulose fibres. rolls or sheets.	15%	15%
5004.00.00	Silk yarn (other than yarn spun from silk waste), not put up for retail sale.	80%	20%
5005.00.00	Yarn spun from silk waste, not put up for retail sale.	80%	20%
5006.00.00	Silk yarn and yarn spun from silk waste, put up for retail sale; silk-worm gut.	80%	Nil
5106.10.00	Yarn of carded wool, not put up for retail sale, containing 85% or more by weight of wool.	70%	20%
5106.20.00	Yarn of carded wool not put up for retail sale, containing less than 85% by weight of wool.	70%	20%
5107.10.00	Yarn of combed wool, not put up for retail sale containing 85% or more by weight of wool.	70%	20%
5107.20.00	Yarn of combed wool, not put up for retail sale, containing less than	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	85% by weight of wool.		
5108.10.00	Yarn of fine animal hair, carded.	70%	20%
5108.20.00	Yarn of fine animal hair, combed.	70%	20%
5109.10.00	Yarn of wool or fine animal hair, containing 85% or more by weight of wool or fine animal hair, put up for retail sale.	70%	20%
5109.90.00	Yarn of wool or of fine animal hair, put up for retail sale containing less than 85% by weight of wool or of fine animal hair.	70%	20%
5110.00.00	Yarn of coarse animal hair or of horse-hair (including gimped horse-hair yarn), whether or not put up for retail sale.	70%	20%
5204.11.00	Cotton sewing thread, not put up for retail sale, containing 85% or more by weight of cotton.	70%	20%
5204.19.00	Other cotton sewing thread, not put up for retail sale.	70%	20%
5204.20.00	Cotton sewing thread, put up for retail sale.	70%	20%
5205.11.00	Single cotton yarn, of uncombed fibres, containing 85% or more by weight of cotton, measuring 714.29	70%	20%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	decitex or more (not exceeding 14 metric number).		
5205.12.00	Single cotton yarn, of uncombed fibres, containing 85% or more by weight of cotton, measuring less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number).	70%	20%
5205.13.00	Single cotton yarn, of uncombed fibres, containing 85% or more by weight of cotton measuring less than 232.56 decitex but not less than 192.31 decitex (exceeding 43 metric number but not exceeding 52 metric number).	70%	20%
5205.14.00	Single cotton yarn, of uncombed fibres, containing 85% or more by weight of cotton, measuring less than 192.31 decitex but not less than 125 decitex (exceeding 52 metric number but not exceeding 80 metric number).	70%	20%
5205.15.00	Single cotton yarn, of uncombed fibres, containing 85% or more by weight of cotton measuring less than 125 decitex (exceeding 80 metric number).	70%	20%
5205.21.00	Single cotton yarn, of combed fibres,	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	containing 85% or more by weight of cotton, measuring 714.29 decitex or more (not exceeding 14 metric number).		
5205.22.00	Single cotton yarn, of combed fibres, containing 85% or more by weight of cotton, measuring less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number).	70%	20%
5205.23.00	Single cotton yarn, of combed fibres containing 85% or more by weight of cotton measuring less than 232.56 decitex but not less than 192.31 decitex (exceeding 43 metric number but not exceeding 52 metric number).	70%	20%
5205.24.00	Single cotton yarn, of combed fibres, containing 85% or more by weight of cotton measuring less than 192.31 decitex but not less than 125 decitex (exceeding 52 metric number but not exceeding 80 metric number).	70%	20%
5205.26.00	Single cotton yarn, of combed fibres, containing 85% or more by weight of cotton measuring less than 125 decitex but not less than 106.38	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	decitex (exceeding 80 metric number but not exceeding 94 metric number)..		
5205.27.00	Single cotton yarn, of combed fibres, containing 85% or more by weight of cotton measuring less than 106.38 decitex but not less than 83.33 decitex (exceeding 94 metric number but not exceeding 120 metric number).	70%	20%
5205.28.00	Single cotton yarn, of combed fibres, containing 85% or more by weight of cotton measuring less than 83.33 decitex (exceeding 120 metric number).	70%	20%
5205.31.00	Multiple cotton (folded) or cabled yarn of uncombed fibres containing 85% or more by weight of cotton measuring per single yarn 714.29 decitex or more (not exceeding 14 metric number per single yarn).	70%	20%
5205.32.00	Multiple cotton (folded) or cabled yarn of uncombed fibres containing 85% or more by weight of cotton measuring per single yarn less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	per single yarn).		
5205.33.00	Multiple cotton (folded) or cabled yarn of uncombed fibres, containing 85% or more by weight of cotton measuring per single yarn less than 232.56 decitex but not less than 192.31 decitex (exceeding 43 metric number but not exceeding 52 metric number per single yarn).	70%	20%
5205.34.00	Multiple cotton (folded) or cabled yarn of uncombed fibres, containing 85% or more by weight of cotton measuring per single yarn less than 192.31 decitex but not less than 125 decitex (exceeding 52 metric number but not exceeding 80 metric number per single yarn).	70%	20%
5205.35.00	Multiple cotton (folded) or cabled yarn of uncombed fibres, containing 85% or more by weight of cotton measuring per single yarn less than 125 decitex (exceeding 80 metric number per single yarn).	70%	20%
5205.41.00	Multiple cotton (folded) or cabled yarn of combed fibres, containing 85% or more by weight of cotton measuring per single	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	yarn 714.29 decitex or more (not exceeding 14 metric number per single yarn).		
5205.42.00	Multiple cotton (folded) or cabled yarn of combed fibres, containing 85% or more by weight of cotton measuring per single yarn less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number per single yarn).	70%	20%
5205.43.00	Multiple cotton (folded) or cabled yarn of combed fibres, containing 85% or more by weight of cotton measuring per single yarn less than 232.56 decitex but not less than 192.31 decitex (exceeding 43 metric number but not exceeding 52 metric number per single yarn).	70%	20%
5205.44.00	Multiple cotton (folded) or cabled yarn of combed fibres, containing 85% or more by weight of cotton measuring per single yarn less than 192.31 decitex but not less than 125 decitex (exceeding 52 metric number but not exceeding 80 metric number per single yarn).	70%	20%
5205.46.00	Multiple cotton (folded) or cabled	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	yarn of combed fibres, containing 85% or more by weight of cotton measuring per single yarn less than 125 decitex but not less than 106.38 decitex (exceeding 80 metric number but not exceeding 94 metric number per single yarn).		
5205.47.00	Multiple cotton (folded) or cabled yarn of combed fibres, containing 85% or more by weight of cotton measuring per single yarn less than 106.38 decitex but not less than 83.33 decitex (exceeding 94 metric number but not exceeding 120 metric number per single yarn).	70%	20%
5205.48.00	Multiple cotton (folded) or cabled yarn of combed fibres, containing 85% or more by weight of cotton, measuring per single yarn less than 83.33 decitex (exceeding 120 metric number per single yarn).	70%	20%
5206.11.00	Single cotton yarn of uncombed fibres containing less than 85% by weight of cotton, measuring 714.29 decitex or more (not exceeding 14 metric number).	70%	20%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
5206.12.00	Single cotton yarn of uncombed fibres containing less than 85% by weight of cotton, measuring less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number).	70%	20%
5206.13.00	Single cotton yarn of uncombed fibres containing less than 85% by weight of cotton, measuring less than 232.56 decitex but not less than 192.31 decitex (exceeding 43 metric number but not exceeding 52 metric number).	70%	20%
5206.14.00	Single cotton yarn of uncombed fibres containing less than 85% by weight of cotton, measuring less than 192.31 decitex but not less than 125 decitex (exceeding 52 metric number but not exceeding 80 metric number).	70%	20%
5206.15.00	Single cotton yarn of uncombed fibres containing less than 85% by weight of cotton, measuring less than 125 decitex (exceeding 80 metric number).	70%	20%
5206.21.00	Single cotton yarn of combed fibres containing less than 85% by weight of cotton, measuring 714.29 decitex or	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	more (not exceeding 14 metric number).		
5206.22.00	Single cotton yarn of combed fibres containing less than 85% by weight of cotton, measuring less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number).	70%	20%
5206.23.00	Single cotton yarn of combed fibres containing less than 85% by weight of cotton, measuring less than 232.56 decitex but not less than 192.31 decitex (exceeding 43 metric number but not exceeding 52 metric number).	70%	20%
5206.24.00	Single cotton yarn of combed fibres containing less than 85% by weight of cotton, measuring less than 192.31 decitex but not less than 125 decitex (exceeding 52 metric number but not exceeding 80 metric number).	70%	20%
5206.25.00	Single cotton yarn of combed fibres containing less than 85% by weight of cotton, measuring less than 125 decitex (exceeding 80 metric number).	70%	20%
5206.31.00	Multiple (folded) or cabled cotton yarn, of uncombed fibres containing less than	70%	20%

SCHEDULE (Contd.)

Tariff No.	Tariff Description	Suspended Duty Amount Provided	Amount Imposed
	85% by weight of cotton measuring per single yarn 714.29 decitex or more (not exceeding 14 metric number per single yarn).		
5206.32.00	Multiple (folded) or cabled cotton yarn, of uncombed fibres containing less than 85% by weight of cotton measuring per single yarn less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number per single yarn).	70%	20%
5206.33.00	Multiple (folded) or cabled cotton yarn, of uncombed fibres containing less than 85% by weight of cotton, measuring per single yarn less than 232.56 decitex but not less than 192.31 decitex (exceeding 43 metric number but not exceeding 52 metric number per single yarn).	70%	20%
5206.34.00	Multiple (folded) or cabled cotton yarn, of uncombed fibres containing less than 85% by weight of cotton measuring per single yarn less than 192.31 decitex but not less than 125 decitex (exceeding 52 metric number but not exceeding 80 metric number per single yarn).	70%	20%
5206.35.00	Multiple (folded) or cabled cotton yarn,	70%	20%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	of uncombed fibres containing less than 85% by weight of cotton, measuring per single yarn less than 125 decitex (exceeding 80 metric number per single yarn).		
5206.41.00	Multiple (folded) or cabled cotton yarn of combed fibres, containing less than 85% by weight of cotton measuring per single yarn 714.29 decitex or more (not exceeding 14 metric number per single yarn).	70%	20%
5206.42.00	Multiple (folded) or cabled cotton yarn of combed fibres, containing less than 85% by weight of cotton measuring per single yarn less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number per single yarn).	70%	20%
5206.43.00	Multiple (folded) or cabled cotton yarn of combed fibres, containing less than 85% by weight of cotton measuring per single yarn less than 232.56 decitex but not less than 192.31 decitex (exceeding 43 metric	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	number but not exceeding 52 metric number per single yarn).		
5206.44.00	Multiple (folded) or cabled cotton yarn of combed fibres, containing less than 85% by weight of cotton measuring per single yarn less than 192.31 decitex but not less than 125 decitex (exceeding 52 metric number but not exceeding 80 metric number per single yarn).	70%	20%
5206.45.00	Multiple (folded) or cabled cotton yarn of combed fibres, containing less than 85% by weight of cotton measuring per single yarn less than 125 decitex (exceeding 80 metric number per single yarn).	70%	20%
5207.10.00	Cotton yarn (other than sewing thread) put up for retail sale containing 85% or more by weight of cotton.	70%	20%
5207.90.00	Other cotton yarn (other than sewing thread) put up for retail sale.	70%	20%
5401.10.10	Sewing thread of synthetic filaments not put up for retail sale.	70%	20%
5401.20.10	Sewing thread of artificial filaments, not put up for retail sale.	70%	20%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
5402.10.00	High tenacity yarn of nylon or other polyamides.	70%	20%
5402.20.00	High tenacity yarn of polysters.	70%	20%
5402.31.00	Textured yarn of nylon or other polyamides, measuring per single yarn not more than 50 tex.	70%	20%
5402.32.00	Textured yarn of nylon or other polyamides, measuring per single yarn more than 50 tex.	70%	20%
5402.33.00	Textured yarn of polyesters.	70%	20%
5402.39.00	Other textured yarn.	70%	20%
5402.41.00	Other yarn, single, untwisted or with a twist not exceeding 50 turns per metre of nylon or other polyamides.	70%	20%
5402.42.00	Other yarn, single, untwisted or with a twist not exceeding 50 turns per metre of polyesters, partially oriented.	70%	20%
5402.43.00	Other yarn, single, untwisted or with a twist not exceeding 50 turns per metre of other polyesters.	70%	20%
5402.49.00	Other yarn, single, untwisted or with a twist not exceeding 50 turns per metre.	70%	20%
5402.51.00	Other yarn, single, with a twist exceeding 50 turns per metre, of	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	nylon or other polyamides.		
5402.52.00	Other polyster yarn, single, with a twist exceeding 50 turns per metre.	70%	20%
5402.59.00	Other yarn of other synthetic filament yarn.	70%	20%
5402.61.00	Other yarn, multiple (folded) or cabled of nylon or other polyamides.	70%	20%
5402.62.00	Other yarn multiple (folded) or cabled, of polyesters.	70%	20%
5402.69.00	Other synthetic filament yarn, multiple (folded) or cabled.	70%	20%
5403.10.00	High tenacity yarn of viscose rayon.	70%	20%
5403.20.00	Artificial filament textured yarn.	70%	20%
5403.31.00	Other yarn, single, of viscose rayon, untwisted or with a twist not exceeding 120 turns per metre.	70%	20%
5403.32.00	Other yarn, single, of viscose rayon, with a twist exceeding 120 turns per metre.	70%	20%
5403.33.00	Other yarn, single, of cellulose acetate.	70%	20%
5403.39.00	Other artificial filament yarn, single.	70%	20%
5403.41.00	Other yarn, multiple (folded) or cabled, of viscose rayon.	70%	20%
5403.42.00	Other yarn, multiple (folded) or cabled, of cellulose acetate.	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
5403.49.00	Other artificial filament yarn, multiple (folded) or cabled.	70%	20%
5404.10.00	Synthetic monofilament, of 67 decitex or more and of which no cross-sectional dimension exceeds 1 mm.	70%	20%
5404.90.00	Strip and the like of synthetic textile materials of an apparent width not exceeding 5 mm.	70%	20%
5405.00.00	Artificial monofilament of 67 decitex or more and of which no cross-sectional dimension exceeds 1 mm; strip and the like (for example, artificial straw) of artificial textile materials of an apparent width not exceeding 5 mm.	70%	20%
5508.10.10	Sewing thread of synthetic staple fibres, not put up for retail sale.	70%	20%
5508.20.10	Sewing thread of artificial staple fibres, not put up for retail sale.	70%	20%
5509.11.00	Single yarn containing 85% or more by weight of staple fibres of nylon or other polyamides not put up for retail sale.	70%	20%
5509.12.00	Multiple (folded) or cabled yarn containing 85% or more by weight of staple fibres of nylon or other	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	polyamides.		
5509.21.00	Single yarn containing 85% or more by weight of polyester staple fibres.	70%	20%
5509.22.00	Multiple (folded) or cabled yarn containing 85% or more by weight of polyester staple fibres.	70%	20%
5509.31.00	Single yarn containing 85% or more by weight of acrylic or modacrylic staple fibres.	70%	20%
5509.32.00	Multiple (folded) or cabled yarn containing 85% or more by weight of acrylic or modacrylic staple fibres.	70%	20%
5509.41.00	Single yarn containing 85% or more by weight of synthetic staple fibres.	70%	20%
5509.42.00	Multiple (folded) or cabled yarn containing 85% or more by weight of synthetic staple fibres.	70%	20%
5509.51.00	Other yarn of polyester staple fibres, mixed mainly or solely with artificial staple fibres.	70%	20%
5509.52.00	Other yarn of polyester staple fibres, mixed mainly or solely with wool or fine animal hair.	70%	20%
5509.53.00	Other yarn of polyester staple fibres, mixed mainly or solely with cotton.	70%	20%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
5509.59.00	Other yarn of polyester staple fibres.	70%	20%
5509.61.00	Other yarn of acrylic or modacrylic staple fibres, mixed mainly or solely with wool or fine animal hair.	70%	20%
5509.62.00	Other yarn of acrylic or modacrylic staple fibres, mixed mainly or solely with cotton.	70%	20%
5509.69.00	Other yarn of acrylic or modacrylic staple fibres.	70%	20%
5509.91.00	Other yarn, mixed mainly or solely with wool or fine animal hair.	70%	20%
5509.92.00	Other yarn, mixed mainly or solely with cotton.	70%	20%
5509.99.00	Other yarn of synthetic staple fibres, not put up for retail sale.	70%	20%
5510.11.00	Single yarn, of artificial staple fibres containing 85% or more by weight of artificial staple fibres.	70%	20%
5510.12.00	Multiple (folded) or cabled yarn containing 85% or more by weight of artificial staple fibres.	70%	20%
5510.20.00	Other yarn, mixed mainly or solely with wool or fine animal hair.	70%	20%
5510.30.00	Other yarn, mixed mainly or solely with cotton.	70%	20%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
5510.90.00	Other yarn of artificial staple fibres, not put up for retail sale.	70%	20%
5511.10.00	Yarn (other than sewing thread) of synthetic staple fibres, containing 85% or more by weight of such fibres.	70%	20%
5511.20.00	Yarn (other than sewing thread) of synthetic staple fibres, containing less than 85% by weight of such fibres.	70%	20%
5511.30.00	Yarn (other than sewing thread) of artificial staple fibres.	70%	20%
5605.00.00	Metallised yarn, whether or not gimped, being textile yarn, or strip or the like of heading No. 54.04 or 54.05, combined with metal in the form of thread, strip or powder or covered with metal.	70%	20%
5606.00.00	Gimped yarn, and strip and the like of heading No. 54.04 or 54.05, gimped (other than those of heading No. 56.05 and gimped horsehair yarn); chenille yarn (including flock chenille yarn); loop wale-yarn.	70%	20%
6101.10.00	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, of wool or fine animal hair,	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	knitted or crocheted.		
6101.20.00	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, or wind-jackets and similar articles, of cotton, knitted or crocheted.	20%	10%
6101.30.00	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and articles of man-made fibres, knitted or crocheted.	20%	10%
6101.90.00	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, of other textile materials, knitted or crocheted.	20%	10%
6102.10.00	Women's or girls' overcoats, car-coats, capes, cloaks, (including ski-jackets), wind-cheaters, wind-jackets and similar articles, of wool or fine animal hair, knitted or crocheted.	20%	10%
6102.20.00	Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, of cotton, knitted or crocheted.	20%	10%
6102.30.00	Women's or girls' overcoats, car-coats,	20%	10%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	capes, cloaks, anoraks (including ski-jackets), wind- cheaters, wind-jackets and similar articles, of man-made fibres, knitted or crocheted.		
6102.90.00	Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind- cheaters, wind-jackets and similar articles, of other textile materials, knitted or crocheted.	20%	10%
6103.11.00	Men's or boys' suits, of wool or fine animal hair, knitted or crocheted.	20%	10%
6103.12.00	Men's or boys' suits, of synthetic fibres, knitted or crocheted.	20%	10%
6103.19.00	Men's or boys' suits, of other textile materials, knitted or crocheted.	20%	10%
6103.21.00	Men's or boys' ensembles, of wool or fine animal hair, knitted or crocheted.	20%	10%
6103.22.00	Men's or boys' ensembles, of cotton, knitted or crocheted.	20%	10%
6103.23.00	Men's or boys' ensembles, of synthetic fibres, knitted or crocheted.	20%	10%
6103.29.00	Men's or boys' ensembles, of other textile materials, knitted or crocheted.	20%	10%
6103.31.00	Men's or boys' jackets and blazers, of wool or fine animal hair, knitted or crocheted.	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
6103.32.00	Men's or boys' jackets and blazers, of cotton, knitted or crocheted.	20%	10%
6103.33.00	Men's or boys' jackets and blazers, of synthetic fibres, knitted or crocheted.	20%	10%
6103.39.00	Men's or boys' jackets and blazers, of other textile materials, knitted or crocheted.	20%	10%
6103.41.00	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of wool or fine animal hair, knitted or crocheted.	20%	10%
6103.42.00	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of cotton, knitted or crocheted.	20%	10%
6103.43.00	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of synthetic fibres, knitted or crocheted.	20%	10%
6103.49.00	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of other textile materials, knitted or crocheted.	20%	10%
6104.11.00	Women's or girls' suits, of wool or fine animal hair, knitted or crocheted.	20%	10%
6104.12.00	Women's or girls' suits, of cotton, knitted or crocheted.	20%	10%
6104.13.00	Women's or girls' suits, of synthetic fibres, knitted or crocheted.	20%	10%
6104.19.00	Women's or girls' suits, of other textile	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	materials, knitted or crocheted.		
6104.21.00	Women's or girls' ensembles, of wool or fine animal hair, knitted or crocheted.	20%	10%
6104.22.00	Women's or girls' ensembles, of cotton, knitted or crocheted.	20%	10%
6104.23.00	Women's or girls' ensembles, of synthetic fibres, knitted or crocheted.	20%	10%
6104.29.00	Women's or girls' ensembles, of other textile materials, knitted or crocheted.	20%	10%
6104.31.00	Women's or girls' jackets and blazers of wool or fine animal hair, knitted or crocheted.	20%	10%
6104.32.00	Women's or girls' jackets and blazers of cotton, knitted or crocheted.	20%	10%
6104.33.00	Women's or girls' jackets and blazers of synthetic fibres, knitted or crocheted.	20%	10%
6104.39.00	Women's or girls' jackets and blazers of other textile materials, knitted or crocheted.	20%	10%
6104.41.00	Women's or girls' dresses, of wool or fine animal hair,knitted or crocheted.	20%	10%
6104.42.00	Women's or girls' dresses, of cotton, knitted or crocheted.	20%	10%
6104.43.00	Women's or girls' dresses, of synthetic fibres, knitted or crocheted.	20%	10%
6104.44.00	Women's or girls' dresses of artificial fibres knitted or crocheted.	20%	10%

SCHEDULE (Contd.)

Tariff No.	Tariff Description	Suspended Duty Amount Provided	Amount Imposed
6104.49.00	Women's or girls' dresses, of other textile materials, knitted or crocheted.	20%	10%
6104.51.00	Women's or girls' skirts and divided skirts, of wool or fine animal hair, knitted or crocheted.	20%	10%
6104.52.00	Women's or girls' skirts and divided skirts, of cotton, knitted or crocheted.	20%	10%
6104.53.00	Women's or girls' skirts and divided skirts, of synthetic fibres, knitted or crocheted.	20%	10%
6104.59.00	Women's or girls' skirts and divided skirts, of other textile materials, knitted or crocheted.	20%	10%
6104.61.00	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of wool or fine animal hair, knitted or crocheted.	20%	10%
6104.62.00	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of cotton, knitted or crocheted.	20%	10%
6104.63.00	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of synthetic fibres, knitted or crocheted.	20%	10%
6104.69.00	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of other textile materials, knitted or crocheted.	20%	10%
6105.10.00	Men's or boys' shirts, of cotton, knitted or crocheted.	20%	10%
6105.20.00	Men's or boys' shirts, of man-made fibres,	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	knitted or crocheted.		
6105.90.00	Men's or boys' shirts, of other textile materials, knitted or crocheted.		
6106.10.00	Women's or girls' blouses, shirts and shirt-blouses, of cotton, knitted or crocheted.	20%	10%
6106.20.00	Women's or girls' blouses, shirts and shirt-blouses, of man-made fibres, knitted or crocheted.	20%	10%
6106.90.00	Women's or girls' blouses, shirts and shirt-blouses, of other textile materials, knitted or crocheted.	20%	10%
6107.11.00	Men's or boys' underpants and briefs, of cotton, knitted or crocheted.	20%	10%
6107.12.00	Men's or boys' underpants and briefs, of man- made fibres, knitted or crocheted.	20%	10%
6107.19.00	Men's or boys' underpants and briefs, of other textile materials, knitted or crocheted.	20%	10%
6107.21.00	Men's or boys' nightshirts and pyjamas, of cotton, knitted or crocheted.	20%	10%
6107.22.00	Men's or boys' nightshirts and pyjamas, of man- made fibres, knitted or crocheted.	20%	10%
6107.29.00	Men's or boys' nightshirts and pyjamas, of other textile materials, knitted or crocheted.	20%	10%
6107.91.00	Men's or boys' bathrobes, dressing gowns and similar articles, of cotton, knitted or	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	crocheted.		
6107.92.00	Men's or boys' bathrobes, dressing gowns and articles, of other textile materials, knitted or crocheted.	20%	10%
6107.99.00	Other men's or boys' bathrobes, dressing gowns and similar articles of other textile materials, knitted or crocheted.	20%	10%
6108.11.00	Women's or girl's slips and petticoats, of other man-made fibres, knitted or crocheted.	20%	10%
6108.19.00	Women's or girls' slips and petticoats, of other textile materials, knitted or crocheted.	20%	10%
6108.21.00	Women's or girls' briefs and panties, of cotton, knitted or crocheted.	20%	10%
6108.22.00	Women's or girls' briefs and panties, of man-made fibres, knitted or crocheted.	20%	10%
6108.29.00	Women's or girls' briefs and panties, of other textile materials, knitted or crocheted.	20%	10%
6108.31.00	Women's or girls' nightdresses and pyjamas, of cotton, knitted or crocheted.	20%	10%
6108.32.00	Women's or girls' nightdresses and pyjamas, of man-made fibres, knitted or crocheted.	20%	10%
6108.39.00	Women's or girls' nightdresses and pyjamas, of other textile materials, knitted or crocheted.	20%	10%
6108.91.00	Women's or girls' negliges, bathrobes, dressing gowns and similar articles, of cotton,	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	knitted or crocheted.		
6108.92.00	Women's or girls' negliges, bathrobes, dressing gowns and similar articles, of man-made fibres, knitted or crocheted.	20%	10%
6108.99.00	Women's or girls' negliges, bathrobes, dressing gowns and similar articles of other textile materials knitted or crocheted.	20%	10%
6109.10.00	T-shirts, singlets and other vests, of cotton, knitted or crocheted.	20%	10%
6109.90.00	T-shirts, singlets and other vests, of other textile materials, knitted or crocheted.	20%	10%
6110.10.00	Jerseys, pullovers, cardigans, waistcoats and similar articles, of wool or fine animal hair, knitted or crocheted.	20%	10%
6110.20.00	Jerseys, pullovers, cardigans, waistcoats and similar articles, of cotton, knitted or crocheted.	20%	10%
6110.30.00	Jerseys, pullovers, cardigans, waistcoats and similar articles, of man-made fibres, knitted or crocheted.	20%	10%
6110.90.00	Jerseys, pullovers, cardigans, waistcoats and similar articles, of other textile materials, knitted or crocheted.	20%	10%
6111.10.00	Babies' garments and clothing accessories, of wool or fine animal hair, knitted or crocheted.	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
6111.20.00	Babies' garments and clothing accessories, of cotton, knitted or crocheted.	20%	10%
6111.30.00	Babies' garments and clothing accessories, of synthetic fibres, knitted or crocheted.	20%	10%
6111.90.00	Babies' garments and clothing accessories, of other textile materials, knitted or crocheted.	20%	10%
6112.11.00	Track suits, of cotton, knitted or crocheted.	20%	10%
6112.12.00	Track suits, of synthetic fibres, knitted or crocheted.		
6112.19.00	Track suits, of other textile materials, knitted or crocheted.	20%	10%
6112.20.00	Ski suits, knitted or crotcheted.	20%	10%
6112.31.00	Men's or boys' swimwear, of synthetic fibres, knitted or crocheted.	20%	10%
6112.39.00	Men's or boys' swimwear, of other textile materials, knitted or crocheted.	20%	10%
6112.41.00	Women's or girls' swimwear, of synthetic fibres, knitted or crocheted.	20%	10%
6112.49.00	Women's or girls' swimwear, of other textile materials, knitted or crocheted.	20%	10%
6113.00.00	Garments, made up of knitted or crocheted textile fabrics impregnated, coated, rubberized or laminated with plastics.	20%	10%
6114.10.00	Other garments, knitted or crocheted, of wool or fine animal hair.	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
6114.20.00	Other garments, knitted or crocheted of cotton.	20%	10%
6114.30.00	Other garments, knitted or crocheted of man-made fibres.	20%	10%
6114.90.00	Other garments, knitted or crocheted of other textile materials.	20%	10%
6115.11.00	Panty hose and tights, of synthetic fibres, measuring per single yarn less than 67 decitex, knitted or crocheted.	20%	10%
6115.12.00	Panty hose and tights, of synthetic fibres, measuring per single yarn 67 decitex or more, knitted or crocheted.	20%	10%
6115.19.00	Panty hose and tights, of other textile materials, knitted or crocheted.	20%	10%
6115.20.00	Women's full-length or knee-length hosiery, measuring single yarn less than 67 decitex, knitted crocheted.	20%	10%
6115.91.00	Stockings, socks and other hosiery, of wool or fine animal hair, knitted or crocheted.	20%	10%
6115.92.00	Stockings, socks and other hosiery, of cotton, knitted or crocheted.	20%	10%
6115.93.00	Stockings, socks and other hosiery, of synthetic fibres, knitted or crocheted.	20%	10%
6115.99.00	Stockings, socks and other hosiery, of other textile materials, knitted or crocheted.	20%	10%
6116.10.00	Gloves, impregnated, coated or covered with	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	plastics or rubber, knitted or crocheted.		
6116.91.00	Other gloves, mittens and mitts, of wool or fine animal hair, knitted or crocheted.	20%	10%
6116.92.00	Other gloves, mittens and mitts, of cotton, knitted or crocheted.	20%	10%
6116.93.00	Other gloves, mittens and mitts, of synthetic fibres, knitted or crocheted.	20%	10%
6116.99.00	Other gloves, mittens and mitts, of other textile materials, knitted or crocheted.	20%	10%
6117.10.00	Shawls, scarves, mufflers, mantillas, veils and the like, knitted or crocheted.	20%	10%
6117.20.00	Ties, bow ties and cravats, knitted or crocheted.	20%	10%
6117.80.00	Other made up clothing accessories, knitted or crotcheted.	20%	10%
6117.90.00	Parts of made up garments or clothing accessories, knitted or crotcheted.	20%	10%
6201.11.00	Men's or boys' overcoats, raincoats, car-coats, capes, cloaks, and similar articles, of wool or fine animal hair.	20%	10%
6201.12.00	Men's or boys' overcoats, raincoats, car-coats, capes, cloaks, and similar articles, of cotton.	20%	10%
6201.13.00	Men's or boys' overcoats, raincoats, car-coats, capes, cloaks, and similar	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	articles, of man-made fibres.		
6201.19.00	Men's or boys' overcoats, raincoats, car-coats, capes, cloaks, and similar articles, of other textile materials.	20%	10%
6201.91.00	Men's or boys' other garments, of wool or fine animal hair.	20%	10%
6201.92.00	Men's or boys' other garments, of cotton.	20%	10%
6201.93.00	Men's or boys' other garments, of man-made fibres.		
6201.99.00	Men's or boys' other garments, of other textile materials.	20%	10%
6202.11.00	Women's or girls' overcoats, raincoats, car-coats, capes, cloaks, and similar articles, of cotton.	20%	10%
6202.12.00	Women's or girls' overcoats, raincoats, car-coats, capes, cloaks, and similar articles, of cotton.	20%	10%
6202.13.00	Women's or girls' overcoats, raincoats, car-coats, capes, cloaks, and similar articles, of man-made fibres.	20%	10%
6202.19.00	Women's or girls' overcoats, raincoats, car-coats, capes, cloaks, and similar articles, of other textile material.	20%	10%
6202.91.00	Women's or girls' other garments, of wool or fine animal hair.	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
6202.92.00	Women's or girls' other garments, of cotton.	20%	10%
6202.93.00	Women's or girls' other garments, of man-made fibres.	20%	10%
6202.99.00	Women's or girls' other garments, of other textile materials.	20%	10%
6203.11.00	Men's or boys' suits, of wool or fine animal hair.	20%	10%
6203.12.00	Men's or boys' suits, of synthetic fibres.	20%	10%
6203.19.00	Men's or boys' suits, of other textile materials.	20%	10%
6203.21.00	Men's or boys' ensembles, of wool or fine animal hair.	20%	10%
6203.22.00	Men's or boys' ensembles, of cotton.	20%	10%
6203.23.00	Men's or boys' ensembles, of synthetic fibres.	20%	10%
6203.29.00	Men's or boys' ensembles, of other textile materials.	20%	10%
6203.31.00	Men's or boys' jackets and blazers, of wool or fine animal hair.	20%	10%
6203.32.00	Men's or boys' jackets and blazers, of cotton.	20%	10%
6203.33.00	Men's or boys' jackets and blazers, of synthetic fibres.	20%	10%
6203.39.00	Men's or boys' jackets and blazers, of other textile materials.	20%	10%
6203.41.00	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of wool or	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	fine animal hair.		
6203.42.00	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of cotton.	20%	10%
6203.43.00	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of synthetic fibres.	20%	10%
6203.49.00	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of other textile materials.	20%	10%
6204.11.00	Women's or girls' suits, of wool or fine animal hair.	20%	10%
6204.12.00	Women's or girls' suits, of cotton.	20%	10%
6204.13.00	Women's or girls' suits, of synthetic fibres.	20%	10%
6204.19.00	Women's or girls' suits, of other textile materials.	20%	10%
6204.21.00	Women's or girls' ensembles, of wool or fine animal hair.	20%	10%
6204.22.00	Women's or girls' ensembles, of cotton.	20%	10%
6204.23.00	Women's or girls' ensembles, of synthetic fibres.	20%	10%
6204.29.00	Women's or girls' ensembles, of other textile materials.	20%	10%
6204.31.00	Women's or girls' jackets and blazers, of wool or fine animal hair.	20%	10%
6204.32.00	Women's or girls' jackets and blazers, of	20%	10%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	cotton.		
6204.33.00	Women's or girls' jackets and blazers , of synthetic fibres.	20%	10%
6204.39.00	Women's or girls' jackets and blazers, of other textile materials.	20%	10%
6204.41.00	Women's or girls' dresses, of wool or fine animal hair.	20%	10%
6204.42.00	Women's or girls' dresses, of cotton.	20%	10%
6204.43.00	Women's or girls' dresses, of synthetic fibres.	20%	10%
6204.44.00	Women's or girls' dresses, of artificial fibres.	20%	10%
6204.49.00	Women's or girls' dresses, of other textile materials.	20%	10%
6204.51.00	Women's or girls' skirts and divided skirts, of wool or fine animal hair.	20%	10%
6204.52.00	Women's or girls' skirts and divided skirts, of cotton.	20%	10%
6204.53.00	Women's or girls' skirts and divided skirts, of synthetic fibres.	20%	10%
6204.59.00	Women's or girls' skirts and divided skirts, of other textile materials.	20%	10%
6204.61.00	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of wool or fine animal hair.	20%	10%
6204.62.00	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of cotton.	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
6204.63.00	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of synthetic fibres.	20%	10%
6204.69.00	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of other textile materials.	20%	10%
6205.10.00	Men's or boys' shirts, of wool or fine animal hair.	20%	10%
6205.20.00	Men's or boys' shirts, of cotton.	20%	10%
6205.30.00	Men's or boys' shirts, of man-made fibres.	20%	10%
6205.90.00	Men's or boys' shirts, of other textile materials.	20%	10%
6206.10.00	Women's or girls' blouses, shirts and shirt-blouses, of silk or silk waste.	20%	10%
6206.20.00	Women's or girls' blouses, shirts and shirt -blouses, of wool or of fine animal hair.	20%	10%
6206.30.00	Women's or girls' blouses, shirts and shirt -blouses, of cotton.	20%	10%
6206.40.00	Women's or girls' blouses, shirts and shirt-blouses, of man-made fibres.	20%	10%
6206.90.00	Women's or girls' blouses, shirts and shirt -blouses, of other textile materials.	20%	10%
6207.11.00	Men's or boys' underpants and briefs, of cotton.	20%	10%
6207.19.00	Men's or boys' underpants and briefs, of other textile materials.	20%	10%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
6207.21.00	Men's or boys' nightshirts and pyjamas, of cotton.	20%	10%
6207.22.00	Men's or boys' nightshirts and pyjamas, of man-made fibres.	20%	10%
6207.29.00	Men's or boys' nightshirts and pyjamas, of other textile materials.	20%	10%
6207.91.00	Men's or boys' other undergarments, of cotton.	20%	10%
6207.92.00	Men's or boys' other undergarments, of man-made fibres.	20%	10%
6207.99.00	Men's or boys' other undergarments, of other textile materials.	20%	10%
6208.11.00	Women's or girls' slips and petticoats, of cotton.	20%	10%
6208.19.00	Women's or girls' slips and petticoats, of other textile materials.	20%	10%
6208.21.00	Women's or girls' nightdresses and pyjamas, of cotton.	20%	10%
6208.22.00	Women's or girls' nightdresses and pyjamas, of man-made fibres.	20%	10%
6208.29.00	Women's or girls' nightdresses and pyjamas, of other textile materials.	20%	10%
6208.91.00	Women's or girls' other undergarments, of cotton.	20%	10%
6208.92.00	Women's or girls' other undergarments, of man-made fibres.	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
6208.99.00	Women's or girls' other undergarments, of other textile materials.	20%	10%
6209.10.00	Babies' garments and clothing accessories, of wool or fine animal hair.	20%	10%
6209.20.00	Babies' garments and clothing accessories, of cotton.	20%	10%
6209.30.00	Babies' garments and clothing accessories, of synthetic fibres.	20%	10%
6209.90.00	Babies' garments and clothing accessories, of other textile materials.	20%	10%
6210.10.00	Garments made up of felt, or non-wovens, whether or not impregnated, coated, covered or laminated with plastics.	20%	10%
6210.20.10	Diving suits other than sports clothing.	20%	10%
6210.20.90	Other garments of wool or fine animal hair, of cotton, of man-made fibres, of other textile materials, impregnated, coated, covered or laminated with plastics.	20%	10%
6210.30.00	Other women's or girls' overcoats, raincoats, car-coats, capes, cloaks and similar articles, made up of felt or non-wovens, impregnated, coated, covered or laminated with plastics or rubberized.	20%	10%
6210.40.00	Other men's or boys' garments made up of felt	20%	10%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty* *Amount Provided*	*Amount Imposed*
	or non-wovens, impregnated, coated, covered or laminated with plastics or rubberized.		
6210.50.00	Other women's or girls' garments made up of felt or non-wovens, impregnated, coated, covered or laminated with plastics or rubberized.	20%	10%
6211.11.00	Men's or boys' swimwear.	20%	10%
6211.12.00	Women's or girls' swimwear.	20%	10%
6211.20.00	Ski suits.	20%	10%
6211.31.00	Men's or boys' other garments, of wool or fine animal hair.	20%	10%
6211.32.00	Men's or boys' other garments, of cotton.	20%	10%
6211.33.00	Men's or boys' other garments, of man-made fibres.	20%	10%
6211.39.00	Men's or boys' other garments, of other textile materials.	20%	10%
6211.41.00	Women's or girls' other garments, of wool or fine animal hair.	20%	10%
6211.42.00	Women's or girls' other garments, of cotton.	20%	10%
6211.43.00	Women's or girls' other garments, of man-made fibres.	20%	10%
6211.49.00	Women's or girls' other garments, of other textile materials.	20%	10%
6212.10.00	Brassieres, whether or not knitted or crocheted.	20%	10%
6212.20.00	Girdles and panty-girdles, whether or not	20%	10%

SCHEDULE (*Contd.*)

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	knitted or crocheted.		
6212.30.00	Corselettes, whether or not knitted or crocheted.	20%	10%
6212.90.00	Corsets, braces, suspenders, garters and similar articles whether or not knitted or crocheted.	20%	10%
6213.10.00	Handkerchiefs of silk or silk waste.	20%	10%
6213.20.00	Handerchiefs of cotton.	20%	10%
6213.90.00	Handkerchiefs of other textile materials.	20%	10%
6214.10.00	Shawls, scarves, mufflers, mantillas, veils and the like, of silk or silk waste.	20%	10%
6214.20.00	Shawls, scarves, mufflers, mantillas, veils and the like, of wool or fine animal hair.	20%	10%
6214.30.00	Shawls, scarves, mufflers, mantillas, veils and the like, of synthetic fibres.	20%	10%
6214.40.00	Shawls, scarves, mufflers, mantillas, veils and the like, of artificial fibres.	20%	10%
6214.90.00	Shawls, scarves, mufflers, mantillas, veils and the like, of other textile materials.	20%	10%
6215.10.00	Ties, bow ties and cravats, of silk or silk waste.	20%	10%
6215.20.00	Ties, bow ties and cravats, of man-made fibres.	20%	10%
6215.90.00	Ties, bow ties and cravats, of other textile materials.	20%	10%
6216.00.00	Gloves, mittens and mitts, not knitted	20%	10%

SCHEDULE *(Contd.)*

Tariff No.	*Tariff Description*	*Suspended Duty Amount Provided*	*Amount Imposed*
	or crocheted.		
6217.10.00	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's or girls' garments.	20%	10%
6217.90.00	Parts of garments or of garment accessories.	20%	10%

SEVENTH SCHEDULE

THAT the Seventh Schedule to the Bill be amended -

(a) by renumbering the existing amendment as item (1);

(b) by inserting the following new item -

(2) Insert the following tariff numbers, the corresponding descriptions, quantity or value and rate of tax -

Tariff No.	*Tariff Description*	*Quantity or Value*	*Rate of Tax*
8702.10.21	Unassembled vehicles (e.g. buses) with a seating capacity of more than 25 passengers, for assembly into complete vehicles by an approved vehicle manufacturer (diesel or semi-diesel).	Taxable value	Zero
8702.90.21	Unassembled vehicles (e.g. buses) with a seating capacity of more than 25 passengers, for assembly into complete vehicles by an approved vehicle manufacturer (other than diesel or semi-diesel).	Taxable value	Zero

2. **RETIREMENTS BENEFITS (AMENDMENT) BILL (BILL NO.7)**

Notice is given that the Minister for Finance intends to move the following amendments to the foregoing Bill and the Committee Stage.

Clause 4

THAT Clause 4 be amended in the proposed section 22 by renumbering subsection (3) thereof as subsection (4) and inserting the following new subsection (3) -

> (3) The Authority shall in consultation with the Minister, by notice in the Gazette and by public advertisement in at least two daily newspapers of wide circulation, publish a list of registered managers and custodians once in every calendar year.

Clause 5

THAT Clause 5 be amended by deleting the proposed subsection (1) and inserting the following -

> (1) A person proposing to establish a retirement benefits scheme or to act as a manager or custodian shall apply to the Authority for, and obtain, a certificate of registration before establishing the scheme or commencing the performance of any of the functions of a manager or custodian.

Clause 7

THAT Clause 7 be amended by deleting the expression "**a**" appearing immediately before the word "**scheme**" and inserting "**any**".

Clause 8

THAT Clause 8 be amended by deleting the existing provision and inserting the following -

> 8. Section 28 of the Principal Act is amended -
>
> (a) in subsection (3) -
>
> (i) by inserting the words "**or custodian**" immediately after the word "**manager**" wherever it occurs;
>
> (ii) by deleting all the words appearing after the word "**manage**" in subparagraph (b) and inserting the words "**or provide custodial services to a scheme fund, as the case may be**".
>
> (iii) by inserting the expression "**or custodian's**" immediately after the expression "**Manager's**" appearing in subparagraph (c) thereof.

(b) in subsection (4) by inserting the words "**or custodian**" immediately after the word "**Manager**" wherever it occurs.

Clause 9

THAT Clause 9 be amended in subclause (3) and (4) by deleting the word "**licence**" wherever it occurs and inserting the words "**certificate of registration**".

New Clause

THAT a new Clause be inserted immediately after clause 11 as follows:-

11A. Section 34 of the principal Act is amended by inserting the following subsection immediately after subsection (4):-

(5) Every scheme shall publish its annual accounts in such manner as the Minister may in consultation with the Authority prescribe.

Clause 12

THAT Clause 12 be amended by deleting the existing provision and inserting the following -

12. Section 37 of the principal Act is amended -

(a) by deleting subsections (1) and (2) and substituting therefore the following new subsections -

(1) Every scheme shall have a prudent investment policy on the investment of the funds of the scheme so as to maintain the capital funds of the scheme and generally to secure market rates of return on such investment.

(2) Notwithstanding the provisions of any other written law, the investment policy of a scheme shall be implemented subject to any regulations the Minister may, in consultation with the Authority, make for that purpose.

3. **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 3:

THAT, Clause 3 be amended by deleting the words "**a person**" appearing immediately after the word "**or**" and inserting the words "**an officer of the rank of Deputy Secretary or above**".

Clause 5:

THAT, Clause 5 be amended in subclause (2) by inserting the words "**with the approval of the National Assembly**" immediately after the word "**may.**"

CLAUSE 8:

THAT, Clause 8 be amended -

(a) in paragraph (a) by deleting all the words appearing after the word "Fund";

(b) in paragraph (f) by deleting the word "three" and inserting "five";

(c) by inserting the following paragraph immediately before paragraph (a) -

(a) a chairman, not being a public officer, appointed by the Minister;

(d) by renumbering paragraphs (a), (b), (c), (d), (e) and (f) as paragraphs (b), (c), (d), (e), (f) and (g) respectively.

Clause 10:

THAT, Clause 10 be amended in paragraph (b) by deleting the expression "**(e) and (f) of section 7**" and inserting "(f) and (g) of section 8".

——— 0 ———

Eighth Parliament
(No.65)

Second Session
(352)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY 22ND OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE RETIREMENT BENEFITS (AMENDMENT) BILL (BILL NO.7)**
(The Minister for Finance)

Second Reading.

(Resumption of debate interrupted on 21st October, 1998)

8* **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**
(The Minister for Finance)

Second Reading.

9*. **THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading.

(Resumption of debate interrupted on 8th October, 1998)

...../Notices

1. **RETIREMENTS BENEFITS (AMENDMENT) BILL (BILL NO.7)**

Notice is given that the Minister for Finance intends to move the following amendments to the foregoing Bill at the Committee Stage.

Clause 4

THAT Clause 4 be amended in the proposed section 22 by renumbering subsection (3) thereof as subsection (4) and inserting the following new subsection (3) -

> (3) The Authority shall in consultation with the Minister, by notice in the Gazette and by public advertisement in at least two daily newspapers of wide circulation, publish a list of registered managers and custodians once in every calendar year.

Clause 5

THAT Clause 5 be amended by deleting the proposed subsection (1) and inserting the following -

> (1) A person proposing to establish a retirement benefits scheme or to act as a manager or custodian shall apply to the Authority for, and obtain, a certificate of registration before establishing the scheme or commencing the performance of any of the functions of a manager or custodian.

Clause 7

THAT Clause 7 be amended by deleting the expression "**a**" appearing immediately before the word "**scheme**" and inserting "**any**".

Clause 8

THAT Clause 8 be amended by deleting the existing provision and inserting the following -

> 8. Section 28 of the Principal Act is amended -
>
> (a) in subsection (3) -
>
> > (i) by inserting the words "**or custodian**" immediately after the word "**manager**" wherever it occurs;
> >
> > (ii) by deleting all the words appearing after the word "**manage**" in subparagraph (b) and inserting the words "**or provide custodial services to a scheme fund, as the case may be**".

(iii) by inserting the expression "**or custodian's**" immediately after the expression "**Manager's**" appearing in subparagraph (c) thereof.

(b) in subsection (4) by inserting the words "**or custodian**" immediately after the word "**Manager**" wherever it occurs.

Clause 9

THAT Clause 9 be amended in subclause (3) and (4) by deleting the word "**licence**" wherever it occurs and inserting the words "**certificate of registration**".

New Clause

THAT a new Clause be inserted immediately after clause 11 as follows:-

11A. Section 34 of the principal Act is amended by inserting the following subsection immediately after subsection (4):-

(5) Every scheme shall publish its annual accounts in such manner as the Minister may in consultation with the Authority prescribe.

Clause 12

THAT Clause 12 be amended by deleting the existing provision and inserting the following -

12. Section 37 of the principal Act is amended -

(a) by deleting subsections (1) and (2) and substituting therefore the following new subsections -

(1) Every scheme shall have a prudent investment policy on the investment of the funds of the scheme so as to maintain the capital funds of the scheme and generally to secure market rates of return on such investment.

(2) Notwithstanding the provisions of any other written law, the investment policy of a scheme shall be implemented subject to any regulations the Minister may, in consultation with the Authority, make for that purpose.

——— 0 ———

2. **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 3:

THAT, Clause 3 be amended by deleting the words "**a person**" appearing immediately after the word "**or**" and inserting the words "**an officer of the rank of Deputy Secretary or above**".

Clause 5:

THAT, Clause 5 be amended in subclause (2) by inserting the words "**with the approval of the National Assembly**" immediately after the word "**may.**"

CLAUSE 8:

THAT, Clause 8 be amended -

(a) in paragraph (a) by deleting all the words appearing after the word "Fund";

(b) in paragraph (f) by deleting the word "three" and inserting "five";

(c) by inserting the following paragraph immediately before paragraph (a) -

(a) a chairman, not being a public officer, appointed by the Minister;

(d) by renumbering paragraphs (a), (b), (c), (d), (e) and (f) as paragraphs (b), (c), (d), (e), (f) and (g) respectively.

Clause 10:

THAT, Clause 10 be amended in paragraph (b) by deleting the expression "**(e) and (f) of section 7**" and inserting "(f) and (g) of section 8".

—— 0 ——

3. **NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

CLAUSE 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) the Director of Medical Services;

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) one person nominated by the Association of Kenya Insurers; and

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of**",

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

CLAUSE 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

CLAUSE 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund.**"

CLAUSE 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

CLAUSE 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

CLAUSE 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

CLAUSE 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

CLAUSE 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

—— 0 ——

* Denotes Government Orders of the Day

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

321 - **A Nominated Member (Mr. Mohammed M. Galgalo) to ask the Minister for Agriculture:-**

(a) How much money was spent on Holale fruit tree nursery?

(b) How far has this project met its intended objectives ?

445 - **The Member for Tharaka (Mr. Cicilio Mwenda) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that during the land clashes between the Tharaka and the Igembe communities in 1997, nine primary schools in Ntoroni location, North Tharaka Division in Meru East District, had their classrooms destroyed and others burnt down?

(b) Is he further aware that no learning has taken place in the last two terms in the said schools as they have remained closed?

(c) If the answers to 'a' and 'b' are in the affirmative, what urgent steps is the Minister taking to ensure that the schools are re-opened and could he consider assisting in the reconstruction of the burnt buildings?

590 - **The Member for Dagoretti (Mrs. Beth Mugo) to ask the Minister for Lands and Settlement:-**

(a) What plans does the Minister have to expand the residential area for settlement in Nairobi in line with the rapid population increase in order to ensure that there is enough area for habitation?

(b) Could the Minister review the Land Act to ensure that people living in informal settlement (slums) are given tenure in order to legalise their tenancy status?

...../478

478 - **The Member for Machakos Town (Mr. Jonesmus Kikuyu) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the road from Kipandini to Kithunguini in Machakos District is impassable?

(b) If the answer to 'a' is in the affirmative, what is the Ministry doing to make the road passable?

(c) What future plans does he have to upgrade it to an all-weather road?

409 - **The Member for Naivasha (Mr. Paul Kihara) to ask the Minister for Public Works and Housing:-**

(a) Could the Minister consider constructing an underpass or an overhead bridge across the Nairobi-Nakuru Road in Kinungi Town, Naivasha Constituency, where many fatal accidents have occurred due to pedestrians crossing from one side of the town to the other?

(b) Could he in the meantime order the construction of bumps to check the speed of motor vehicles passing through the town as a temporary measure?

543 - **The Member for Ugenya (Mr. James Orengo) to ask the Minister for Labour:-**

(a) Is the Minister aware that workers employed by Nakumatt Limited are subjected to conditions and terms of employment that are not consistent with the Employment Act and international instruments recognised by Kenya, particularly regarding working hours, disciplinary measures, tenure, leave, membership to trade unions and hostility at the work place?

(b) If the answer to 'a' above is in the affirmative, what measures will the Minister undertake to ensure that these workers do not remain permanent casual workers?

...../471

471 - **The Member for Gichugu (Ms. Martha Karua) to ask the Attorney General:-**

(a) Under what provisions of the Law is the Standing Committee on Human Rights established?

(b) How much money has the said committee spent so far and from which vote?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Kajiado South (Mr. Geoffrey Parpai) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that Hortech Company Ltd.,in Naivasha and the Kenya Seed Company are multiplying seeds in Loitokitok Division of Kajiado District?

(b) Is he further aware that the said Companies do not sign contracts with farmers thereby fleecing them of their produce?

(c) If the answers to 'a' and 'b' are in the affirmative, what action is the Minister taking to ensure that farmers' interests are protected?

2. - **Question By Private Notice - The Member for Mwala (Mr. Mutua Katuku) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that over 800 families of Njukini Location of Taveta Sub-District in Taita Taveta District occupying land reference L.R.6730/1 and 6730/2 are being evicted from their land which they have been occupying since 1950s?

(b) Is he further aware that the Provincial Administration is allegedly involved in the burning and demolition of the houses and farms belonging to the affected residents?

(c) If the answers to 'a' and 'b' are in the affirmative, and given that there is a pending court case regarding the issue, would the Minister order the on-going illegal eviction stopped until the case is heard and determined?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 27TH OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE COMMITTEE OF THE WHOLE HOUSE**

THE RETIREMENT BENEFITS (AMENDMENT) BILL (BILL NO.7)
(The Minister for Finance)

8* **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**
(The Minister for Finance)

Second Reading.

9*. **THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading.

(Resumption of debate interrupted on 8th October, 1998)

...../Notices

1. **RETIREMENTS BENEFITS (AMENDMENT) BILL (BILL NO.7)**

Notice is given that the Minister for Finance intends to move the following amendments to the foregoing Bill at the Committee Stage.

Clause 4

THAT Clause 4 be amended in the proposed section 22 by renumbering subsection (3) thereof as subsection (4) and inserting the following new subsection (3) -

> (3) The Authority shall in consultation with the Minister, by notice in the Gazette and by public advertisement in at least two daily newspapers of wide circulation, publish a list of registered managers and custodians once in every calendar year.

Clause 5

THAT Clause 5 be amended by deleting the proposed subsection (1) and inserting the following -

> (1) A person proposing to establish a retirement benefits scheme or to act as a manager or custodian shall apply to the Authority for, and obtain, a certificate of registration before establishing the scheme or commencing the performance of any of the functions of a manager or custodian.

Clause 7

THAT Clause 7 be amended by deleting the expression "**a**" appearing immediately before the word "**scheme**" and inserting "**any**".

Clause 8

THAT Clause 8 be amended by deleting the existing provision and inserting the following -

> 8. Section 28 of the Principal Act is amended -
>
> (a) in subsection (3) -
>
> > (i) by inserting the words "**or custodian**" immediately after the word "**manager**" wherever it occurs;
> >
> > (ii) by deleting all the words appearing after the word "**manage**" in subparagraph (b) and inserting the words "**or provide custodial services to a scheme fund, as the case may be**".

(iii) by inserting the expression "**or custodian's**" immediately after the expression "**Manager's**" appearing in subparagraph (c) thereof.

(b) in subsection (4) by inserting the words "**or custodian**" immediately after the word "**Manager**" wherever it occurs.

Clause 9

THAT Clause 9 be amended in subclause (3) and (4) by deleting the word "**licence**" wherever it occurs and inserting the words "**certificate of registration**".

New Clause

THAT a new Clause be inserted immediately after clause 11 as follows:-

11A. Section 34 of the principal Act is amended by inserting the following subsection immediately after subsection (4):-

(5) Every scheme shall publish its annual accounts in such manner as the Minister may in consultation with the Authority prescribe.

Clause 12

THAT Clause 12 be amended by deleting the existing provision and inserting the following -

12. Section 37 of the principal Act is amended -

(a) by deleting subsections (1) and (2) and substituting therefore the following new subsections -

(1) Every scheme shall have a prudent investment policy on the investment of the funds of the scheme so as to maintain the capital funds of the scheme and generally to secure market rates of return on such investment.

(2) Notwithstanding the provisions of any other written law, the investment policy of a scheme shall be implemented subject to any regulations the Minister may, in consultation with the Authority, make for that purpose.

——— 0 ———

2. **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 3:

THAT, Clause 3 be amended by deleting the words "**a person**" appearing immediately after the word "**or**" and inserting the words "**an officer of the rank of Deputy Secretary or above**".

Clause 5:

THAT, Clause 5 be amended in subclause (2) by inserting the words "**with the approval of the National Assembly**" immediately after the word "**may.**"

CLAUSE 8:

THAT, Clause 8 be amended -

(a) in paragraph (a) by deleting all the words appearing after the word "Fund";

(b) in paragraph (f) by deleting the word "three" and inserting "five";

(c) by inserting the following paragraph immediately before paragraph (a) -

(a) a chairman, not being a public officer, appointed by the Minister;

(d) by renumbering paragraphs (a), (b), (c), (d), (e) and (f) as paragraphs (b), (c), (d), (e), (f) and (g) respectively.

Clause 10:

THAT, Clause 10 be amended in paragraph (b) by deleting the expression "**(e) and (f) of section 7**" and inserting "(f) and (g) of section 8".

——— 0 ———

3. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

CLAUSE 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) the Director of Medical Services;

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) one person nominated by the Association of Kenya Insurers; and

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of**",

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

CLAUSE 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

CLAUSE 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund**."

CLAUSE 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

CLAUSE 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

CLAUSE 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

CLAUSE 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting **years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

CLAUSE 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

—— 0 ——

* Denotes Government Orders of the Day

...../Appendix

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

CLAUSE 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

—— 0 ——

* Denotes Government Orders of the Day

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

627 - **The Member for Lamu East (Mr. Mohamed Hashim) to ask a Minister of State, Office of the President:-**

Could the Minister inform the House why the Bajunis are being discriminated against by the Department of Immigration when they are applying for Passports and other related identification documents?

423 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that Mr. Eric Ongori Momanyi, joined Form 1 at Nyambaria Secondary School in Kitutu Masaba in 1995 vide Admission No.1968?

(b) Is he further aware that Mr. Momanyi was not registered for the 1998 Kenya Certificate of Secondary Education examinations despite the fact that he was given Index No.706402/044 by the Kenya National Examination Council (KNEC?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister urgently investigate this case and ensure that the prospective candidate is duly registered for the examination?

039 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Local Authorities:-**

(a) How much cess was paid by the British American Tobacco (BAT) Limited and Mastermind Tobacco (K) Limited, to Migori County Council during the years 1993, 1994, 1995, 1996 and 1997?

(b) How was the money utilised?

613 - **The Member for Fafi (Mr. Barre Shill) to ask the Minister for Water Resources:-**

(a) When will Garissa Water Supply project that stalled in 1991 be revived?

(b) What urgent measures is the Minister taking to ensure that Garissa residents are supplied with safe and clean drinking water?

...../314

314 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Transport and Communications:-**

Why has the Kenya Posts and Telecommunications Corporation declined to adopt a system of itemising its bills per call detailing trunk call number dialled, duration of the call and charges arising thereof?

526 - **The Member for Kiharu (Mr. Ngenye Kariuki) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that only fifty-six(56) Land Surveyors were licensed in 1998 by the Institute of Surveyors of Kenya whereas there were 166 Land Surveyors licensed in 1901 despite the fact that there are over 1,000 qualified land surveyors in Kenya but whose applications have been frustrated by the Institute of Surveyors of Kenya?

(b) If the answer to "a" is in the affirmative, what is the Minister doing to correct this unfair situation?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Embakasi (Mr. David Mwenje) to ask a Minister of State, Office of the President:-**

(a) Why has the Government allowed the sacking of over 700 employees of the Kenya Airports Authority (KAA?

(b) Is the Minister aware that a Company owned by a Senior Officer of the Kenya Airports Authority was awarded a contract to do the work that was being performed by the sacked employees?

(b) If the answer to "a" is in the affirmative, could the Minister cancel the contract and reinstate those sacked employees?

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - A Nominated Member (Mr. Yusuf Haji) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that Livestock owners in Ijara Sub-District, Masalani and Hulugho divisions have lost a large number of cattle due to uncontrolled tick invasion?

(b) Is he further aware that the veterinary officers in Garissa District have failed to control this invasion and cattle owners are left helpless?

(c) If the answers to "a" and "b" are in the affirmative, what urgent measures is the Minister taking to supply dip chemicals to the Livestock owners and also direct the veterinary officers in Garissa to mount a tick control campaign in the area concerned as soon as possible?

3. - **Question By Private Notice - The Member for Webuye (Mr. Musikari Kombo) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that for the last ten (10) years Kenya Tea Development Authority (KTDA) has been buying tea sacks made from imported paper?

(b) Is he further aware that the cost of these imported tea sacks is between Kshs.200 and Kshs.220 per sack; whereas the local sacks which are used by all private tea factories in Kenya such as African Highlands Produce Limited and Brooke Bond (K) Limited cost between Kshs.75 and Kshs.80?

(c) Is he also aware that KTDA has issued a tender currently for 3 million bags whose specification demand imported paper that is wet strength and extensible paper whose price will be three times higher than the local natural extensible sack?

(d) If the answers to "a" and "b" are in the affirmative and since the farmers will suffer huge financial losses if this tender is awarded, could the Minister, as a matter of urgency, cancel the tender and direct the Authority to purchase these sacks either in the local market or from the lowest tenderer?

QUESTION BY PRIVATE NOTICE

4. - **Question By Private Notice - The Member for Ndaragwa (Mr. Thirikwa Kamau) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that Plots Nos. 165,170,171,174 and 175, being prime public utilities of public dams and cattle dips, have been sub-divided and allocated to individuals without any consideration to the needs of the people of Muruai Settlement Scheme?

(b) Is he further aware of the suffering the allocations has caused to the residents of Muruai Settlement Scheme who have drawn and fed their animals from these dams since they settled there?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister cancel the allocations?

Eighth Parliament **Second Session**
Morning Sitting
(No.68) **(443)**

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 28TH OCTOBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **MOTION** - (Prof. Anyang' Nyong'o)
(The Attorney General)

THAT, this House do grant leave to introduce a Bill entitled An Act of Parliament to provide for establishment of a **Presidential Retirement Benefits Fund** to cater for the welfare, security, basic household, local and international travel of all retired holders of the office of the President of the Sovereign Republic of Kenya and for matters incidental thereto and connected therewith.

8*. **MOTION** - (Mrs. Charity Ngilu)
(Ministry of Labour)

THAT, in view of the critical role played by women in the socio-economic growth of this country; noting that the Government of Kenya has ratified the resolutions of International Conference on Population and Development (ICPD); Beijing Platform of Action; being conscious that a large number of women in this country suffer from serious ante and post-natal health problems and noting that the current maternity entitlement leave is grossly inadequate, this House urges the Government to amend Section 7(2) of the Employment Act, Cap.226 of the Laws of Kenya in order to grant women employees, both in public and private sector, three months mandatory maternity leave, excluding the annual leave.

...../Motions

9*. **MOTION** - (Mr. Peter Oloo Aringo)
(Office of the President)

THAT, in order to promote and consolidate the dignity, independence and the supremacy of Parliament, this House urges the Government to take immediate steps, including the introduction of any necessary constitutional amendments, to establish Parliamentary Service Commission which shall be directly responsible to the National Assembly.

10#. **MOTION** - (Mr. Lawrence Sifuna)
(Ministry of Local Authorities)

THAT, noting with great concern the financial problems that face most of the local authorities in this country, and further noting that Councillors are elected by the tax payers, this House resolves that;

(a) The Central Government pays salaries/allowances to Councillors and Chief Officers of Local Authorities;

(b) Revenue from the Councils and service charge be strictly used for maintaining services in the Councils and payment of salaries for junior staff; and

(c) The Chief Officers be transferred to another Council after serving three years in one Council.

11#. **MOTION** - (Mr. David Mwenje)
(Office of the President)

THAT, taking into consideration that the population of City of Nairobi has increased tremendously, aware that the Omamo Commission recommended the division of the City of Nairobi into boroughs, and also being aware that the constituency boundaries are also the administrative boundaries, this House recommends that the City of Nairobi be sub-divided into four (4) districts with respective District Commissioners.

*** Party Sponsored Motions**
 # Private Member's Motions

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

> A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

117 - **The Member for Kisauni (Mr. Karisa Maitha) to ask a Minister of State, Office of the President:-**

(a) Why have the retirement benefits of the late Gabriel Kenga Salim, who was working at Malindi District Office P.W.O. 160115, not been paid to his family?

(b) When will the benefits be paid?

402 - **The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Mr. John Walgio, who was a Church Elder, was killed at Ndhiwa Market on 23rd May, 1998, on his way to Pala SDA Church?

(b) If the answer to "a" is in the affirmative, what investigations has the Minister undertaken to establish the circumstances of his death?

(c) How many people have, so far, been apprehended in connection with Mr. Walgio's death?

515 - **The Member for Mumias (Mr. Wycliffe Osundwa) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that Mumias Sugar Company has not remitted cess deductions to Mumias Municipal Council since April this year and that as a result the Council has not met its financial obligations?

(b) If the answer to "a" is in the affirmative, what is the Ministry doing to ensure that the Company pays this revenue in order to enable the local authority meet its financial obligations?

295 - **The Member for North Imenti (Mr. David Mwiraria) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that Imenti forest is the only place East of Mr. Elgon where Elgon teak has been growing?

(b) Is he further aware that the section of forest where this rare wood species was growing has been completely destroyed by charcoal burners in the last six months?

(c) If the answers to "a" and "b" are in the affirmative, what plans does the Minister have of replanting the Imenti forest with Elgon teak and other indigenous tree species?

307 - **The Member for Samburu East (Mr. Sammy Leshore) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that land adjudication in most parts of Samburu District has not been completed, thereby denying the Samburu people their rightful ownership of land and its economic use?

(b) If the answer to "a" is in the affirmative, could the Minister undertake to complete the exercise urgently?

573 - **The Member for Ol Kalou (Mr. Karue Muriuki) to ask the Minister for Public Works and Housing:-**

(a) When will the Ol Kalou-Dundori Road, which is vital for the horticultural industry in Ol Kalou Division, be tarmarcked as recommended by the District Development Committee (DDC)?

(b) Could the Minister consider gravelling the road now to make it passable as it awaits tarmacking?

...../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. **Question By Private Notice - The Member for West Mugirango (Mr. Henry Obwocha) to ask a Minister of State, Office of the President:-**

   (a) Is the Minister aware that Mr. Ronald Ngara Momanyi was arrested and confined in the Nyamira Police Station cells from 2lst to 26th July l998, where he subsequently died?

   (b) If the answer to "a" is in the affirmative, who were the police officers who confined Mr. Momanyi in the cells?

   (c) What action has been taken against the police officers for the unlawful confinement?

2. - **Question By Private Notice - The Member for Mosop (Mr. John Sambu) to ask the Minister for Public Works and Housing:-**

   (a) Is the Minister aware that road No. D288 running from Eldoret Town at Rivatex to Simat, Ndalat, Kipkarren and Chepterwai in Mosop, Nandi District, has been rendered completely impassable by the effects of the **El nino** and the recent rains?

   (b) Is he further aware that the contractor who repaired the road last year (l997) did not carry out any repairs at all and yet was paid Kshs.ll million?

   (c) If the answers to 'a' and 'b' above are in the affirmative, what urgent steps is the Minister taking to ensure that the road is rendered passable?

Eighth Parliament
(No.69)

Second Session
(449)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 28TH OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **COMMITTEE OF SUPPLY** (*12th Allotted Day*)

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999:-

(i) Vote 16 - Ministry of Tourism

MOTION: - (The Minister for Tourism)

THAT, Mr. Speaker do now leave the Chair.

(ii) Vote 20 - Ministry of Water Resources

*** Denotes Government Order of the Day**

...../Notice

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "That, Mr. Speaker do now leave the Chair" to enable Ministers to initiate debate on policy the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

—— 0 ——

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

141 - **The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask a Minister of State, Office of the President:-**

(a) How many Asian, Chinese and Japanese nationals have acquired Kenyan citizenship as from 1990 to date?

(b) Could the Minister table a list of their names?

429 - **The Member for Mukurweini (Mr. Muhika Mutahi) to ask a Minister of State, Office of the President:-**

(a) How many shopkeepers have been attacked by night robbers in Nyeri District since last year (1997) and in which Trading Centres?

(b) How many people have either been killed or wounded in such attacks and have there been any arrests of suspects?

249 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that there is no public toilet at Nyamonye Market in Usigu Division of Bondo Constituency despite the raging cholera epidemic in the area?

(b) If the answer to "a" is in the affirmative, what steps is the Minister taking to ensure urgent construction of a public toilet at the Market?

529 - **The Member for Budalang'i (Mr.Raphael Wanjala) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that there is unsatisfied demand for postal and telephone services in Budalang'i Constituency?

(b) If the answer to "a" is in the affirmative, when will the Budalang'i, Sisenye and Osieko markets be provided with postal and telephone services?

197 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Tourism:-**

(a) Is the Minister aware of the Ministry's projection that by the year 2000, Kenya will have attained the one million number of tourists per year?

(b) If the answer to "a" above is in the affirmative, will it be possible to attain that level in view of the recent past developments which have brought imminent collapse of the tourism sector?

(c) What is the Ministry doing to ensure the revival of tourism industry?

539 - **The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Labour:-**

(a) Is the Minister aware that Coca-Cola (Africa) Ltd., recently posted a General Manager (Sales) to Coastal Bottlers, Mombasa, who is aggravating the tension between the indigenous and upcountry people, residing in Mombasa, through unfair trade and labour practices such as sacking Coastal people employed by the firm and replacing them with people from upcountry?

(b) If the answer to"a" above is in the affirmative, could the Minister take urgent measures to avert a potential conflict in the Company between the said General Manager and the local people?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Mwala (Mr. Mutua Katuku) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that over 800 families of Njukini Location of Taveta Sub-district in Taita Taveta District occupying land reference L.R.6730/1 and 6730/2 are being evicted from their land which they have been occupying since 1950?

(b) Is he further aware that the Provincial Administration is allegedly involved in the burning and demolition of the houses and farms belonging to the affected residents?

(c) If the answers to 'a' and 'b' are in the affirmative and given that there is a pending case in court over the issue, would the Minister order the on-going illegal eviction stopped until the case is heard and determined?

2. - **Question By Private Notice - The Member for Webuye (Mr. Musikari Kombo) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that for the last ten (10) years Kenya Tea Development Authority (KTDA) has been buying tea sacks made from imported paper?

(b) Is he further aware that the cost of these imported tea sacks is between Kshs.200 and Kshs.220 per sack; whereas the local sacks which are used by all private tea factories in Kenya such as African Highlands Produce Limited and Brooke Bond (K) Limited cost between Kshs.75 and Kshs.80?

(c) Is he also aware that KTDA has currently issued a tender for 3 million bags whose specifications demand imported paper that is wet strength and extensible paper whose price will be three times higher than the local natural extensible sack?

(d) If the answers to "a" "b" and "c" are in the affirmative, could the Minister, as a matter of urgency, cancel the tender and direct the Authority to purchase these sacks either in the local market or from the lowest tenderer so as to save farmers from incurring huge financial losses?

Eighth Parliament
(No.70)

Second Session
(454)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 29TH OCTOBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

NOT LATER THAN 3.30 P.M.

7*. **THE COMMITTEE OF SUPPLY** - *(13th Alloted Day)*
(The Minister for Finance)

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999.

Vote 16 - Ministry of Tourism

MOTION: - (The Minister for Tourism)

THAT, Mr. Speaker do now leave the Chair.

(Resumption of debate interrupted on 28th October, 1998)

IN THE COMMITTEE

MOTION: - (The Minister for Tourism)

THAT, a sum not exceeding K£9,007,290 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 16 - Ministry of Tourism

NOT LATER THAN 5.30 P.M.

8*. COMMITTEE OF SUPPLY - APPLICATION OF GUILLOTINE PROCEDURE

1998/99 Estimates of Recurrent and Development Expenditure for the year ending 30th June, 1999. The following Votes will fall under the Guillotine Procedure in accordance with provisions of Standing Order 142 (7):-

MOTIONS ON

VOTE	MINISTRY	K£
02	The State House	8,997,010
03	Directorate of Personnel Management	48,194,175
04	Foreign Affairs	52,752,000
05	Home Affairs, National Heritage, Culture and Social Services	87,914,605
06	Planning and National Development	16,458,405
07	Finance	96,708,710
08	Department of Defence	277,356,640
09	East African and Regional Co-operation	3,665,350
10	Agriculture	112,491,845
14	Transport and Communications	18,691,895
15	Labour	5,310,875
16	Tourism	9,007,290
17	Environmental Conservation	2,438,310
19	Information and Broadcasting	7,417,015
20	Water Resources	44,769,715
21	Natural Resources	39,782,570
22	Co-operative Development	8,901,525
24	Trade	12,419,650
25	Attorney General	9,347,630
26	Judicial Department	5,859,615
27	Public Service Commission	897,985
28	Office of the Controller and Auditor General	2,831,570
29	National Assembly	13,283,510
30	Energy	2,731,525
32	Industrial Development	4,306,585
33	Electoral Commission	7,000,000
34	Rural Development	15,623,105
35	Research and Technology	76,628,990
36	Lands and Settlement	16,674,725

NOTICES

IN THE COMMITTEE

(The Chairman of Committees in the Chair)

1. VOTES FALLING UNDER GUILLOTINE PROCEDURE IN ACCORDANCE WITH PROVISIONS OF STANDING ORDER 142(7)

(i) **MOTION** - **(The Minister of State, Office of the President)**

THAT a sum not exceeding K£8,997,010 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 02 - State House

(ii) **MOTION** - **(Minister of State, Office of the President)**

THAT a sum not exceeding K£48,194,175 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 03 - Directorate of Personnel Management

(iii) **MOTION** - **(Minister for Foreign Affairs)**

THAT a sum not exceeding K£52,752,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 04 - Ministry of Foreign Affairs

(iv) **MOTION** - **(The Minister for Home Affairs, National Heritage, Culture and Social Services)**

THAT a sum not exceeding K£87,914,605 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 05 - Ministry of Home Affairs, National Heritage, Culture and Social Services

(v) **MOTION** - **(The Minister for Planning and National Development)**

THAT a sum not exceeding K£16,458,405 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 06 - Ministry of Planning and National Development

(vi) **MOTION** - **(The Minister for Finance)**

THAT a sum not exceeding K£96,708,710 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 07 - Ministry of Finance

(vii) **MOTION** - **(Minister of State, Office of the President)**

THAT a sum not exceeding K£277,356,640 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 08 - Department of Defence

(viii) **MOTION** - **(The Minister for East African and Regional Co-operation)**

THAT a sum not exceeding K£3,665,350 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 09 - Ministry of East African and Regional Co-operation.

(ix) **MOTION** - **(The Minister for Agriculture)**

THAT a sum not exceeding K£112,491,845 be issued from the Consolidated fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 10 - Ministry of Agriculture

(x) **MOTION** - **(The Minister for Transport and Communications)**

THAT a sum not exceeding K£18,691,895 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 14 - Ministry of Transport and Communications

(xi) **MOTION** - **(The Minister for Labour)**

THAT a sum not exceeding K£5,310,875 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 15 - Ministry of Labour

(xii) **MOTION** - **(The Minister for Environmental Conservation)**

THAT a sum not exceeding K£2,438,310 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 17 - Ministry of Environmental Conservation

(xiii) **MOTION** - **(The Minister for Information and Broadcasting)**

THAT a sum not exceeding K£7,417,015 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 19 - Ministry of Information and Broadcasting

(xiv) **MOTION** - **(The Minister for Water Resources)**

THAT a sum not exceeding K£44,769,715 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 20 - Ministry of Water Resources

(xv) **MOTION** - **(The Minister for Natural Resources)**

THAT a sum not exceeding K£39,782,570 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 21 - Ministry of Natural Resources

(xvi) **MOTION** - **(The Minister for Co-operative Development)**

THAT a sum not exceeding K£8,901,525 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 22 - Ministry of Co-operative Development

(xvii) **MOTION** - **(The Minister for Trade)**

THAT a sum not exceeding K£12,419,650 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 24 - Ministry of Trade

(xviii) **MOTION** - **(The Attorney-General)**

THAT a sum not exceeding K£9,347,630 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 25 - Office of the Attorney-General

(xix) **MOTION** - **(Judicial Department)**

THAT a sum not exceeding K£5,859,615 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 26 - Judicial Department

(xx)**MOTION** - **(The Public Service Commission)**

THAT a sum not exceeding K£897,985 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 27 - Public Service Commission

(xxi) **MOTION** - **(Office of the Controller and Auditor-General)**

THAT a sum not exceeding K£2,831,570 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 28 - Office of the Controller and Auditor-General

(xxii) **MOTION** - **(National Assembly)**

THAT a sum not exceeding K£13,283,510 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 29 - National Assembly

(xxiii) **MOTION** - **(The Minister for Energy)**

THAT a sum not exceeding K£2,731,525 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 30 - Ministry of Energy

(xxiv) **MOTION** - **(The Minister for Industrial Development)**

THAT a sum not exceeding K£4,306,585 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 32 - Ministry of Industrial Development

(xxv) **MOTION** - **(Electoral Commission)**

THAT a sum not exceeding K£7,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 33 - Electoral Commission

(xxvi) **MOTION** - **(The Minister for Rural Development)**

THAT a sum not exceeding K£15,623,105 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 34 - Ministry of Rural Development

(xxvii)MOTION - (The Minister for Research and Technology)

THAT a sum not exceeding K£76,628,990 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 35 - Ministry of Research and Technology

(xxviii)MOTION - (The Minister for Lands and Settlement)

THAT a sum not exceeding K£16,674,725 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1999 in respect of:-

Vote 36 - Ministry of Land and Settlement

2. LIMITATION OF DEBATE ON THE BUSINESS OF THE ANNUAL ESTIMATES

NOTICE

The House resolved on Tuesday 16th June, 1998, as follows:-

THAT, the following limitations shall be applied to the business of the Annual Estimates:-

(i) Each speech in the debate on the Financial Statement on the Annual Estimates shall be limited to ten minutes, excluding the Mover's speech and reply no time limit; and the Official Leader of the Opposition or designated official spokesman who shall be limited to thirty minutes;

(ii) On the Motions "**That, Mr. Speaker do now leave the Chair**" to enable Ministers to initiate debate on policy, the Mover be limited to a total of one hour; half an hour for moving and half an hour for replying to the debate; thirty minutes for the Leader of the Official Opposition or designated official spokesman; and that all other Members speaking be limited to ten minutes, provided that one hour before the Question of the Vote is put, the House shall go into Committee and the Chairman shall put every question necessary to dispose of the Vote then under consideration and shall forthwith put severally the Questions necessary to dispose of the Vote;

(iii) Each speech in Committee of Ways and Means and Committee of Supply shall be limited to ten minutes.

...../Appendix

APPENDIX

ORDER NO
QUESTION NO.

364 - The Member for Malava (Mr. Soita Shitanda) to ask the Minister for Local Authorities:-

(a) Could the Minister ensure that cess collected from sugar-cane farmers in Malava by Kakamega County Council is used to maintain roads instead of paying salaries to the Council's Staff?

(b) Could the Minister also ensure that this cess is collected by Malava Town Council?

554 - The Member for Sotik (Mr. Anthony Kimeto) to ask the Minister for Energy:-

(a) Is the Minister aware that there is high demand for electricity in the markets and public institutions in Ndanai Division, Bomet District?

(b) If the answer to "a" is in the affirmative, when will the Minister introduce rural electrification programme in the area?

169 - The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Health:-

(a) How much money was collected by way of cost-sharing by all public medical institutions and provincial hospitals in the Country in the last 24 months?

(b) How was this money spent by each provincial hospital on a monthly basis?

(c) Could the Minister reverse the usage of the funds to buying emergency drugs for which it was introduced?

044 - The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Transport and Communications:-

(a) How much tax was collected on domestic and external telecommunication services by the Kenya Post and Telecommunications Corporation between 1990 and 1997.

(b) How much of the collected taxes were surrendered to the Treasury by the Corporation?

...../432

432 - **The Member for Lagdera (Mr. Mohammed Shidiye) to ask the Minister for Transport and Communications:-**

When will the residents of Modogashe be provided with Subscriber Trunk Dialing facilities?

500 - **The Member for Maragwa (Mr. Mwangi Kamande) to ask the Minister for Lands & Settlement:-**

(a) Is the Minister aware of the existence of squatters at Kio, Gathanji, Maranjau, Muthanga and Gwa Gachago farms?

(b) If the answer to "a" above is in the affirmative, what is the Minister doing to settle these people and issue them with title deeds?

471 - **The Member for Gichugu (Ms. Martha Karua) to ask the Attorney General:-**

(a) Under what provision(s) of the law is the Standing Committee on Human Rights established?

(b) How much money has the said Committee spent so far and from which Vote?

QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for Mosop (Mr. John Sambu) to ask the Minister for Public Works and Housing:-

(a) Is the Minister aware that road No. D288 running from Eldoret Town at Rivatex to Simat, Ndalat, Kipkarren and Chepterwai in Mosop, Nandi District, has been rendered completely impassable by the effects of the **El nino** and the recent rains?

(b) Is he further aware that the contractor who repaired the road last year (1997) did not carry out any repairs at all and yet was paid Kshs.eleven(11) million?

(c) If the answers to 'a' and 'b' above are in the affirmative, what urgent steps is the Minister taking to ensure that the road is rendered passable?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 3RD NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE NATIONAL INTELLIGENCE AND SECURITY SERVICE BILL (BILL NO.9)**
(The Minister of State, Office of the President)

First Reading

8* **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**
(The Minister for Finance)

Second Reading

(Resumption of debate interrupted on 27th October, 1998)

9*. **THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading

(Resumption of debate interrupted on 8th October, 1998)

10*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

...../Notices

1. THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 3:

THAT, Clause 3 be amended by deleting the words "**a person**" appearing immediately after the word "**or**" and inserting the words "**an officer of the rank of Deputy Secretary or above**".

Clause 5:

THAT, Clause 5 be amended in subclause (2) by inserting the words "**with the approval of the National Assembly**" immediately after the word "**may.**"

Clause 8:

THAT, Clause 8 be amended -

(a) in paragraph (a) by deleting all the words appearing after the word "**Fund**";

(b) in paragraph (f) by deleting the word "**three**" and inserting "**five**";

(c) by inserting the following paragraph immediately before paragraph (a)-

(a) a chairman, not being a public officer, appointed by the Minister;

(d) by renumbering paragraphs (a), (b), (c), (d), (e) and (f) as paragraphs (b), (c), (d), (e), (f) and (g) respectively.

Clause 10:

THAT, Clause 10 be amended in paragraph (b) by deleting the expression "**(e) and (f) of section 7**" and inserting "**(f) and (g) of section 8**".

2. THE LOCAL AUTHORITIES TRANSFER FUND BILL

Notice has been received from the Member for South Imenti (Mr. Kiraitu Murungi), of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4:

THAT, Clause 4 be amended as follows:-

(a) **Third line:**

By inserting the words "**the revenue of local authorities and**" after the word supplement.

(b) **Fourth line:**

By inserting the word "**operations**" after the word the.

(c) **Fourth line:**

By deleting the word provide and replacing the same with the word "**undertake**".

——— 0 ———

3. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) the Director of Medical Services;

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) one person nominated by the Association of Kenya Insurers; and

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of",**

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

Clause 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

Clause 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund**."

Clause 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

Clause 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

Clause 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

Clause 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

Clause 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

——— 0 ———

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO
QUESTION NO.

318 - **The Member for Mwingi South (Mr. David Musila) to ask a Minister of State, Office of the President:-**

(a) How many bags of famine relief maize or other items of relief food were delivered to Mwingi District during 1997?

(b) Could the Minister give a break down of the number of bags issued to each Location?

572 - **The Member for Kasipul-Kabondo (Mr. Oloo Otula) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Oyugis Police Station has only one cell measuring 8" by 6" that accommodates as many as thirty inmates at a time?

(b) Is he further aware that such crammed and congested conditions have serious health implications for the inmates?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister, as a matter of urgency, construct an additional cell?

285 - **The Member for Runyenje's (Mr. Njeru Kathangu) to ask the Minister for Agriculture:-**

(a) How much money have the tea growers of Mungania and Rukuriri Tea factories lost in the recent past due to uncollected tea leaves and the boycott on tea picking?

(b) What is the Minister doing to stop any such loss in future?

...../548

548 - **The Member for Laikipia East (Mr. Mwangi Kiunjuri) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the road connecting Nanyuki and Nyahururu towns through Mutara is only 67 kilometres?

(b) Is he further aware that due to the impassability of the road, the residents of Nanyuki have to travel 182 kilometres via Nyeri to reach Nyahururu Town?

(c) If the answers to "a" and "b" are in the affirmative, when will the road through Mutara be tarmacked?

439 - **The Member for Wajir East (Mr. M.A. Mahamud) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that there are no telephone and postal services at Tarbaj and Kutulo Divisional Headquarters in Wajir East Constituency, Wajir District?

(b) If the answer to "a" above is in the affirmative, what plans does he have to provide these services to the residents of Wajir East as a matter of urgency?

561 - **The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Research and Technology:-**

When does the Ministry intend to formulate a national information technology (IT) policy?

449 - **The Member for Mwea (Mr. Alfred Nderitu) to ask the Minister for Research and Technology:-**

What is the acreage, plot and title deed numbers of the land set aside in 1960 under the "Native Land Trust Ordinance" for Wang'uru Research Farm?

...../QUESTION BY PRIVATE NOTICE

QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Lands and Settlement:-

(a) Who authorised the allocation of parts of Karura Forest between 1992 and 1996 and what acreage was allocated in that period?

(b) Who were the original allottees?

(c) Who have purchased some of the land from the original allottees?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 4TH NOVEMBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **MOTION** - (Mrs. Charity Ngilu)
(Ministry of Labour)

THAT, in view of the critical role played by women in the socio-economic growth of this country; noting that the Government of Kenya has ratified the resolutions of International Conference on Population and Development (ICPD); Beijing Platform of Action; being conscious that a large number of women in this country suffer from serious ante and post-natal health problems and noting that the current maternity entitlement leave is grossly inadequate, this House urges the Government to amend Section 7(2) of the Employment Act, Cap.226 of the Laws of Kenya, in order to grant women employees, both in public and private sector, three months mandatory maternity leave, excluding the annual leave.

8*. **MOTION** - (Mr. Oloo Aringo)
(Office of the President)

THAT, in order to promote and consolidate the dignity, independence and the supremacy of Parliament, this House urges the Government to take immediate steps, including the introduction of any necessary constitutional amendments, to establish Parliamentary Service Commission which shall be directly responsible to the National Assembly.

...../Motions

9#. **MOTION** - (Mr. Lawrence Sifuna)
(Ministry of Local Authorities)

THAT, noting with great concern the financial problems that face most of the local authorities in this country, and further noting that Councillors are elected by the tax payers, this House resolves that;

(a) The Central Government pays salaries/allowances to Councillors and Chief Officers of Local Authorities;

(b) Revenue from the Councils and service charge be strictly used for maintaining services in the Councils and payment of salaries for junior staff; and

(c) The Chief Officers be transferred to another Council after serving three years in one Council.

10#. **MOTION** - (Mr. David Mwenje)
(Office of the President)

THAT, taking into consideration that the population of City of Nairobi has increased tremendously, aware that the Omamo Commission recommended the division of the City of Nairobi into boroughs, and also being aware that the constituency boundaries are also the administrative boundaries, this House recommends that the City of Nairobi be sub-divided into four (4) districts with respective District Commissioners.

*** Party Sponsored Motions**
 # Private Member's Motions

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

626 - **The Member for Ugenya (Mr. James Orengo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Mr. Benjamin Eleman Lokerith, formerly a Police Constable (No.37387) in the General Service Unit Department since 1980, was retired from service on 1st July, 1992, and was neither paid his terminal dues nor medically boarded as per the recommendations of the doctor?

(b) Is he further aware that since his retirement, the complainant has been subjected to constant police surveillance and has been occasioned injuries and ill health?

(c) If the answers to "a" and "b" are in the affirmative, what is the Minister doing about it?

246 - **The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Finance:-**

What action has the Government taken to recover the money lost by fraudulent entries and claims made from Bruce Motors by Transami Ltd., since the matter was exposed in mid 1997?

460 - **The Member for Limuru (Mr. George Nyanja) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that a widow Ms Jane Wanjiru Charibu has been evicted from plot No.NGUIRUBI/THIGIO/240 by a private developer yet she has lived on the plot for ten years?

(b) If the answer to "a" is in the affirmative, what assistance is the Ministry considering to give Ms. Charibu in terms of alternative settlement?

...../618

618 - **The Member for Wajir North (Dr. Abdullahi Ali) to ask the Minister for Transport and Communications:**

(a) Is the Minister aware that Wajir North along the Ethiopian border has a lot of insecurity problems and no telephone facilities for communication in case of an emergency?

(b) If the answer to "a" above is in the affirmative, when will the Minister provide telephone and postal facilities to Bute and Buna townships for ease of communication?

083 - **The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Transport and Communications:-**

When will the Ministry extend a telephone line from Kebirigo Tea Factory through Makairo, Nyachogochogo, Magombo to Tombe Tea Factory?

296 - **The Member for North Imenti (Mr.David Mwiraria) to ask the Minister for Natural Resources:-**

(a) How many squatters live in the Karuri area of the Mount Kenya forest in the Timau Division of North Imenti?

(b) What plans does the Minister have for settling these squatters on alternative land or degazetting part of the forest where they live and allocating it to them?

118 - **The Member for Kisauni (Mr. Karisa Maitha) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that in 1984 the Government directed that Plot No.384/MN/Majaoni-Kisauni, a privately owned land measuring 484 acres, be acquired for settling the squatters residing in the said plot?

(b) Is he further aware that the plot was later allocated to other non-genuine squatters?

(c) If the answers to "a" and "b" are in the affirmative, what steps is the Minister taking to ensure that the said land reverts to the intended bona fide squatters?

...../QUESTION BY PRIVATE NOTICE

QUESTION BY PRIVATE NOTICE

Question By Private Notice - Mbunge wa Runyenjes (Bw. Njeru Kathangu) auliza Waziri wa Elimu na Ukuzaji wa Taaluma:-

(a) Ni utaratibu gani unaofuatwa katika kuajiriwa na kupandishwa vyeo kwa maafisa wakuu na wafanyi kazi wengine wa vyuo vikuu nchini?

(b) Chuo kikuu cha Kenyatta kimeajiri wafanyi kazi wangapi kwa muda wa miaka miwili iliyopita, na Waziri afahamishe Bunge hili majina ya waajiriwa hao, tarehe yao ya kuomba kazi na tarehe ya kuajiriwa?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 4TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7* **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**
(The Minister for Finance)

Second Reading

(Resumption of debate interrupted on 3rd November, 1998)

8*. **THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading

(Resumption of debate interrupted on 8th October, 1998)

9*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

...../Notices

1. THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 3:

THAT, Clause 3 be amended by deleting the words "**a person**" appearing immediately after the word "**or**" and inserting the words "**an officer of the rank of Deputy Secretary or above**".

Clause 5:

THAT, Clause 5 be amended in subclause (2) by inserting the words "**with the approval of the National Assembly**" immediately after the word "**may.**"

Clause 8:

THAT, Clause 8 be amended -

(a) in paragraph (a) by deleting all the words appearing after the word "**Fund**";

(b) in paragraph (f) by deleting the word "**three**" and inserting "**five**";

(c) by inserting the following paragraph immediately before paragraph (a)-

(a) a chairman, not being a public officer, appointed by the Minister;

(d) by renumbering paragraphs (a), (b), (c), (d), (e) and (f) as paragraphs (b), (c), (d), (e), (f) and (g) respectively.

Clause 10:

THAT, Clause 10 be amended in paragraph (b) by deleting the expression "**(e) and (f) of section 7**" and inserting "**(f) and (g) of section 8**".

2. **THE LOCAL AUTHORITIES TRANSFER FUND BILL**

Notice has been received from the Member for South Imenti (Mr. Kiraitu Murungi), of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4:

THAT, Clause 4 be amended as follows:-

(a) **Third line:**

By inserting the words "**the revenue of local authorities and**" after the word supplement.

(b) **Fourth line:**

By inserting the word "**operations**" after the word the.

(c) **Fourth line:**

By deleting the word provide and replacing the same with the word "**undertake**".

——— 0 ———

3. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) the Director of Medical Services;

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) one person nominated by the Association of Kenya Insurers; and

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of**",

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

Clause 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

Clause 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund.**"

Clause 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

Clause 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

Clause 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

Clause 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

Clause 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

——— 0 ———

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

141 - **The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask a Minister of State, Office of the President:-**

(a) How many Asian, Chinese and Japanese nationals have acquired Kenyan citizenship as from 1990 to date?

(b) Could the Minister table a list of their names?

370 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask a Minister of State, Office of the President:-**

(a) How many people were shot and wounded by the former District Officer of Nyamarambe, a Mr. Lunalo?

(b) What disciplinary action has the Minister taken against the said officer for abusing his responsibilities?

476 - **A Nominated Member (Prof. Anyang' Nyong'o) to ask the Minister for East African and Regional Co-operation:-**

(a) What steps is the Government taking to enhance East African Co-operation?

(b) What specific programmes are being proposed to enhance political, economic, social and cultural linkages for the East African Co-operation?

(c) When will the East African Legislative Assembly be established and who will sit in the Assembly?

542 - **The Member for Kandara (Mr. Joshua Toro) to ask the Minister for Education and Human Resource Development:-**

When will the retirement benefits of the late Mr. Kuria Kaburi, ID/NO.4831394, who worked as an artisan at State House Girls High School, from 1st January, 1960 to 26th November, 1995, be paid to his dependants?

.../490

490 - **The Member for Machakos Town (Mr. Jonesmus Kikuyu) to ask the Minister for Education and Human Resource Development:-**

(a) How much money was allocated as bursary for Machakos District in the years 1995 - 1998?

(b) How was the said amount disbursed?

(c) Has all the money been accounted for?

097 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Public Works and Housing:-**

(a) How much money has the Ministry allocated for the completion of Iraru Bridge in Abogeta Division, South Imenti?

(b) When is the bridge expected to be completed?

433 - **The Member for Lagdera (Mr. Mohammed Shidiye) to ask the Minister for Public Works and Housing:-**

How much money was spent to grade Binane - Balambala Road in Garissa District?

428 - **The Member for Rongo (Mr. Ochilo Ayacko) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that ownership of land under various laws as opposed to a single Law is creating legal difficulties in Courts of law, and for conveyancing?

(b) If the answer to "a" is in the affirmative, what steps is the Minister taking to ensure that the process of harmonising the various Laws governing land tenure is hastened?

.../QUESTION BY PRIVATE NOTICE

QUESTION BY PRIVATE NOTICE

Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Lands and Settlement:-

(a) Who authorised the allocation of parts of Karura Forest between 1992 and 1996 and what acreage was allocated in that period?

(b) Who were the original allotees?

(c) Who have purchased some of the land from the original allotees?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 5TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7* **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**
(The Minister for Finance)

Second Reading

(Resumption of debate interrupted on 4th November, 1998)

8*. **THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading

(Resumption of debate interrupted on 8th October, 1998)

9*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

...../Notices

1. THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 3:

THAT, Clause 3 be amended by deleting the words "**a person**" appearing immediately after the word "**or**" and inserting the words "**an officer of the rank of Deputy Secretary or above**".

Clause 5:

THAT, Clause 5 be amended in subclause (2) by inserting the words "**with the approval of the National Assembly**" immediately after the word "**may.**"

Clause 8:

THAT, Clause 8 be amended -

(a) in paragraph (a) by deleting all the words appearing after the word "**Fund**";

(b) in paragraph (f) by deleting the word "**three**" and inserting "**five**";

(c) by inserting the following paragraph immediately before paragraph (a)-

(a) a chairman, not being a public officer, appointed by the Minister;

(d) by renumbering paragraphs (a), (b), (c), (d), (e) and (f) as paragraphs (b), (c), (d), (e), (f) and (g) respectively.

Clause 10:

THAT, Clause 10 be amended in paragraph (b) by deleting the expression "**(e) and (f) of section 7**" and inserting "**(f) and (g) of section 8**".

2. THE LOCAL AUTHORITIES TRANSFER FUND BILL

Notice has been received from the Member for South Imenti (Mr. Kiraitu Murungi), of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4:

THAT, Clause 4 be amended as follows:-

(a) **Third line:**

By inserting the words "**the revenue of local authorities and**" after the word supplement.

(b) **Fourth line:**

By inserting the word "**operations**" after the word the.

(c) **Fourth line:**

By deleting the word provide and replacing the same with the word "**undertake**".

3. THE LOCAL AUTHORITIES TRANSFER FUND BILL

Notice has been received from the Member for Langata (Mr. Raila Odinga), of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 2:

THAT, Clause 2 be amended as follows:-

Paragraph 5 second line:

By deleting the word "**Finance**" and substituting the words "**Local Authorities**" in place thereof.

Clause 3:

THAT, Clause 3 be amended as follows:-

Third line:

By deleting the word "**Treasury**" and substituting the words "**Local Authorities as released by the Treasury**" in place thereof.

Clause 5:

THAT, Clause 5 be amended as follows:-

By deleting subclause (3)

4. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) the Director of Medical Services;

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) one person nominated by the Association of Kenya Insurers; and

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of**",

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

Clause 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

Clause 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund**."

Clause 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

Clause 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

Clause 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

Clause 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

Clause 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

——— 0 ———

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO. 6
QUESTION NO.

635 - **The Member for Kisumu Town East (Mr. Gor Sungu) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that a senior employee of the Ministry of Health in Siaya District, Mr. Isaya Agumba Ondiek, was shot dead in cold blood by Police Officers during the night of Sunday 25th January, 1998?

(b) If the answer to "a" is in the affirmative, what are the circumstances that led to this murder?

(c) What steps has the Minister taken to have the culprits arrested and brought to book?

262 - **The Member for Juja (Mr. Stephen Ndichu) to ask a Minister of State, Office of the President:-**

(a) Why have the Thika Police not arrested the suspected killers of the late Councillor-elect for Juja ward, Mr. Joseph Njui Mwaniki, despite being informed of whom they are?

(b) Could the Minister promise the House that the suspected killers will be arrested and charged with the murder of the late Councillor?

639 - **The Member for Tigania West (Mr. Benjamin Ndubai) to ask a Minister of State, Office of the President:-**

(a) What is the status of the citizenship of the Executive Chairman of Trust Bank (Under Statutory Management) Mr. Ajay Shah?

(b) Is the Minister aware that the said Ajay Shah is holding three nationalities namely Indian, Kenyan and British subject contrary to the Laws of Kenya?

(c) If the answer to "b" is in the affirmative, what action is he taking to correct this anomaly?

181 - **The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Local Authorities:-**

(a) What plans, if any, are there to move the Wakulima-Minching Lane wholesale Market along Haile Selassie Avenue, to a site out of the City Centre?

(b) Could the Minister explain why a site along Outer Ring Road designated for this project has not been developed?

143 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask the Minister for Water Resources:-**

(a) What happened to Malaba-Kocholia Water project which was started 15 years ago to serve the people of West Bukusu Location?

(b) When will this project be completed?

524 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that construction work on the Kisii-Chemosit Road (C21) has stalled yet again since March, 1998?

(b) If the answer to "a" is the the affirmative, could the Minister inform the House the total amount of money allocated for the completion of the road; the amount of money already spent on the road; the reason for the stalling of the construction work; when it will start again and be completed?

338 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that mobile/cellular phone services provided by the Kenya Posts and Telecommunications Corporation are the most expensive in the world?

(b) If the answer to "a" is in the affirmative, what is the current cost of a new set/unit of mobile phone, installation and connection fees and deposit amount required?

(c) Why is there a shortage of lines?

...../514

514 - **The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Transport and Communications:-**

(a) What steps is the Minister taking to ensure that the railway line between Nairobi and Mombasa, which was adversely affected by the recent induced **El-nino** rains is inspected for any structural damages and repaired to avert accidents?

(b) What further steps is the Minister considering to take to enhance the services provided by train service to the passengers?

449 - **The Member for Mwea (Mr. Alfred Nderitu) to ask the Minister for Research and Technology:-**

What is the acreage, plot and title deed number of the land set aside in 1960 under the "Native Land Trust Ordinance" for Wang'uru research farm?

471 - **The Member for Gichugu (Ms. Martha Karua) to ask the Attorney General:-**

(a) Under what provision(s) of the Law is the Standing Committee on Human Rights established?

(b) How much money has the said Committee spent so far and from which Vote?

QUESTIONS BY PRIVATE NOTICE

1. **Question By Private Notice- The Member for Migori (Mr. Owino Achola) to ask the Minister for Finance:-**

(a) Is the Minister aware that both transit sugar and untaxed imported sugar continue to be dumped into the local market despite Government's assurance that these practices would be curtailed?

(b) If the answer to "a" is in the affirmative, could the Minister name the importers involved and indicate the amount of sugar so irregularly diverted and/or imported between January and August, 1998?

(c) In view of the apparent inability to stop the dumping of imported sugar into the local market and not withstanding World Trade Organisation regulations, could the Minister consider imposing a complete ban on sugar importation(including transit) and allow only the Kenya Sugar Authority to import quantities enough to satisfy the domestic deficit?

..../QPN.

QUESTION BY PRIVATE NOTICE

2. **Question By Private Notice - The Member for Kasipul/Kabondo (Mr. Oloo Otula) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that the Higher Education Loans Board (HELB) gives loan on discriminative basis?

(b) Is he further aware that most University Students from Nyanza Province do not benefit from the said loans?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister give details of students from each District in the Province who applied for the loans in the years 1996/97 and who benefitted from the same?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 10TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE APPROPRIATION BILL (BILL NO.11)**
(The Minister for Finance)

First Reading

8*. **THE APPROPRIATION BILL (BILL NO.11)**
(The Minister for Finance)

Second Reading

9*. **COMMITTEE OF THE WHOLE HOUSE**

THE APPROPRIATION BILL (BILL NO.11)
(The Minister for Finance)

10*. **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**
(The Minister for Finance)

(Second Reading)

(Resumption of debate interrupted on 5th November, 1998)

11*. **THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading

(Resumption of debate interrupted on 8th October, 1998)

12*. THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)
(The Attorney General)

Second Reading

——— 0 ———

NOTICES

1. THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 2:

THAT, Clause 2 be amended by deleting the definition of "**Officer administering the Fund**" and inserting the following new definition -

"**Officer administering the Fund**" means the Accounting Officer of the Ministry for the time being responsible for matters relating to local authorities or an officer deputed in writing for that purpose pursuant to the provisions of Section 3;

Clause 3:

THAT, Clause 3 be amended by deleting the words "**Permanent Secretary to the Treasury or a person deputed by him**" and inserting the words "**Accounting Officer of the Ministry for the time being responsible for matters relating to Local Authorities, or an officer of the rank of Deputy Secretary or above deputed by the Permanent Secretary to the Treasury**".

Clause 5:

THAT, Clause 5 be amended in subclause (2) by inserting the words "**with the approval of the National Assembly**" immediately after the word "**may.**"

Clause 8:

THAT, Clause 8 be amended -

(a) in paragraph (a) by deleting all the words appearing after the word "**Fund**";

(b) in paragraph (f) by deleting the word "**three**" and inserting "**five**";

(c) by inserting the following paragraph immediately before paragraph (a)-

(a) a chairman, not being a public officer, appointed by the Minister;

(d) by renumbering paragraphs (a), (b), (c), (d), (e) and (f) as paragraphs (b), (c), (d), (e), (f) and (g) respectively.

Clause 10:

THAT, Clause 10 be amended in paragraph (b) by deleting the expression "**(e) and (f) of section 7**" and inserting "**(f) and (g) of section 8**".

2. THE LOCAL AUTHORITIES TRANSFER FUND BILL

Notice has been received from the Member for South Imenti (Mr. Kiraitu Murungi), of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4:

THAT, Clause 4 be amended as follows:-

(a) **Third line:**

By inserting the words "**the revenue of local authorities and**" after the word supplement.

(b) **Fourth line:**

By inserting the word "**operations**" after the word the.

(c) **Fourth line:**

By deleting the word provide and replacing the same with the word "**undertake**".

3. THE LOCAL AUTHORITIES TRANSFER FUND BILL

Notice has been received from the Member for Langata (Mr. Raila Odinga), of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 2:

THAT, Clause 2 be amended as follows:-

Paragraph 5 second line:

By deleting the word "**Finance**" and substituting the words "**Local Authorities**" in place thereof.

Clause 3:

THAT, Clause 3 be amended as follows:-

Third line:

By deleting the word "**Treasury**" and substituting the words "**Local Authorities as released by the Treasury**" in place thereof.

Clause 5:

THAT, Clause 5 be amended as follows:-

By deleting subclause (3)

——— 0 ———

4. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) the Director of Medical Services;

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) one person nominated by the Association of Kenya Insurers; and

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of**",

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

Clause 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

Clause 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund.**"

Clause 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

Clause 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

Clause 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4)

Clause 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

Clause 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

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*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO. 6
QUESTION NO.

342 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Miss Irene Kioko, who worked as a Secretary at M/S Panafrican Secretariat Undugu Society of I.Y.C.W. Box 46528, Nairobi, was sacked and her job taken over by a Malian citizen?

(b) If the answer to "a" is in the affirmative, when was the work permit of this Malian citizen issued?

198 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Finance:-**

(a) How many private foreign investors established investments in Kenya last year?

(b) What was the value of the investment?

(c) Why has direct foreign private investment remained so low in Kenya compared to neighbouring countries and what is the Government doing to ensure that this downward trend is reversed?

711 - **The Member for Yatta (Mr. Francis Wambua) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that two students Mutheu Mumbwa and Pauline Kitenge of Kathangathini Primary School and other two students Loma Kinyumu and Wambua Malila of Kakunike Primary School in Ikombe and Katangi locations, Katangi Division, drowned in open water tanks in their schools?

(b) If the answer to "a" is in the affirmative, what steps has the Minister taken to prevent such incidents from recurring as there are more open water tanks in other schools in the area?

(c) What steps has the Minister taken to ensure that the parents of the deceased pupils are compensated?

631 - **The Member for Kasarani (Mr. Adolf Muchiri) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that since 1992 Nairobi City Council has allocated hundreds of plots within Nairobi area without public advertisement?

(b) If the answer to "a" above is in the affirmative, how many plot allocations have been revoked for having been illegally allocated and how many were confirmed as legally allocated?

(c) Could the Minister table the list of the revoked and confirmed allocations and areas where they are situated?

119 - **The Member for Kisauni (Mr. Karisa Maitha) to ask the Minister for Natural Resources:-**

(a) How much revenue has been collected by the Kenya Wildlife Service (KWS) at the Marine Parks since it was started to date?

(b) How much of that revenue has been used in the Coast Region as regards provision of infrastructure, health and education facilities?

628 - **The Member for Kisumu Rural (Mr. Ochoro Ayoki) to ask the Minister for Natural Resources:-**

(a) Could the Minister confirm if Kenya Wildlife Service (KWS) legally owns Ndere Island in Lake Victoria?

(b) If the answer to "a" above is in the affirmative, when did the KWS acquire the Island from the indigenous owners?

(c) What plans does the Minister have to develop the Island as a tourist destination?

670 - **The Member for Mwingi South (Mr. David Musila) to ask the Minister for Health:-**

(a) How much money has been collected in Migwani Health Centre since the introduction of the cost-sharing scheme?

(b) How much of this money was spent in the improvement of the facilities of the Health Centre?

(c) Is the Minister satisfied that the funds collected as cost-sharing from this Health Centre has been put into good use?

574 - **The Member for Ol Kalou (Mr. Karue Muriuki) to ask the Minister for Public Works and Housing:-**

(a) When will the Ol-Joro-Orok-Mirangine Road, which is vital for horticultural industry, be tarmacked as recommended by the Nyandarua District Development Committee (DDC)?

(b) Could the Minister consider gravelling the road to make it passable as it awaits tarmacking?

435 - **The Member for Lagdera (Mr. Mohammed Shidiye) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that there are no tarmacked roads in North Eastern Province?

(b) If the answer to "a" is in the affirmative, could the Minister consider tarmacking the road between Garissa and Mandera towns to ease communication in the Province?

QUESTIONS BY PRIVATE NOTICE

1. **Question By Private Notice - The Member for Runyenje's (Mr. Njeru Kathangu) to ask the Minister for Finance:-**

(a) Is the Minister aware that the Consolidated Bank of Kenya has not been able to absorb the employees of the "nine subsidiaries" it took over from ailing banks since it was formed?

(b) If the answer to "a" above is in the affirmative, could the Minister inform the House what is ailing Consolidated Bank, and what measures he is taking to stop the bank from victimising employees from the subsidiary banks?

(c) Would the Minister further inform the House how many employees have lost their jobs from those subsidiaries in the last two weeks and how many have been newly employed by the Consolidated Bank?

QUESTIONS BY PRIVATE NOTICE

2. **Question By Private Notice - The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Finance:-**

(a) What was the total weekly collection for Road Maintenance from petroleum products between lst May, 1998 and 30th September, 1998?

(b) Could the Minister table a schedule from the Treasury detailing when and how the money was released to the Ministry of Public Works and Housing for the intended purpose?

(c) Could the Minister explain why there has been undue delay between the time Customs Department receives the money and when the same is released to the Ministry of Public Works and Housing?

3. **Question By Private Notice - A Nominated Member (Mr. Yusuf Haji) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that livestock owners in IJARA Sub-District, Masalani and Hulugho divisions have lost a large number of cattle due to uncontrolled tick invasion?

(b) Is he further aware that Veterinary Officers in Garissa District have failed to control this invasion and cattle owners are left helpless?

(c) If the answers to 'a' and 'b' are in the affirmative, what urgent measures is the Minister taking to supply dip chemicals to the livestock owners and also direct the Veterinary Officers in Garissa to mount a tick control campaign in the area concerned as soon as possible?

4. **Question By Private Notice - The Member for Mbita (Mr. Otieno Kajwang) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that Mbita Town which is the headquarters of Suba District has no Subscriber Trunk Dialling facility?

(b) Is he further aware that the International Centre of Insect Physiology and Ecology (ICIPE) is almost closing down its research centre in the area because of lack of modern telephone facilities?

(c) If the answers to "a" and "b" are in the affirmative, what steps is the Minister taking to instal a modern Subscriber Trunk Dialling facility at Mbita?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 11TH NOVEMBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **MOTION** - (Mr. Oloo Aringo)
(Office of the President)

THAT, in order to promote and consolidate the dignity, independence and the supremacy of Parliament, this House urges the Government to take immediate steps, including the introduction of any necessary constitutional amendments, to establish Parliamentary Service Commission which shall be directly responsible to the National Assembly.

(Resumption of debate interrupted on Wednesday 4th November, 1998)

8. **MOTION** - (Mr. David Mwenje)
(Office of the President)

THAT, taking into consideration that the population of City of Nairobi has increased tremendously; aware that the Omamo Commission recommended the division of the City of Nairobi into boroughs, and also being aware that the constituency boundaries are also the administrative boundaries, this House recommends that the City of Nairobi be sub-divided into four (4) districts with respective District Commissioners.

...../Motions

9#. **MOTION** - (Hon. Kipruto arap Kirwa)
(The Leader of Government Business)

THAT, in consideration of the immense interest and appreciation expressed by ***wananchi*** in the broadcasting of proceedings of the House by the Kenya Broadcasting Corporation in the ***Today in Parliament*** radio programme and the live radio and television coverage of the State Opening and Budget Day Sittings, and noting that this service has now come of age needing a review to enhance and enrich its flair and content; this House resolves that the Speaker's Committee studies the modalities for introducing live sound and visual broadcasting of the House and make recommendations for implementing of a broadcasting programme.

10#. **MOTION** - (Mr. Matu Wamae)
(Ministry of Tourism)

That, while realising the sharp drop in tourists visiting Kenya since Likoni clashes in July/August 1997 and the subsequent poor state of our infrastructure which has resulted in huge losses being incurred by the hotels and other stake holders in Tourist Industry; and being aware that the employment of about 150,000 Kenyans is at risk, this House recommends that:-

(a) Security be improved in all tourist centres;

(b) The Government grants medium term loans of 5-8 years at interest rates of about 15% p.a. to tourist hotels;

(c) VAT payable by tourist establishments be waived for two years; and

(d) The Government injects not less than Kshs.500 million a year for tourist promotion, through Kenya Tourist Promotion Board, in Europe and America.

*** Party Sponsored Motions**
 # Private Member's Motions

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

660 - The Member for Kajiado South (Mr. Geoffey Parpai) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that some teachers in Kajiado District are paid hardship allowance?

(b) If the answer to "a" is in the affirmative, when will he pay the other civil servants the said allowance since all of them are working under the same conditions?

477 - A Nominated Member (Prof. Anyang' Nyong'o) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that dues to former Nyayo Bus Service employees have not been paid since the Corporation was wound up?

(b) If the answer to "a" above is in the affirmative, what is the Minister doing to rectify the situation?

308 - The Member for Samburu East (Mr. Sammy Leshore) to ask a Minister of State, Office of the President:-

(a) Is the Minister aware that cattle-rustling and general insecurity amongst the pastoralists is a major contributor to under-development in the districts of Turkana, West Pokot, Samburu, Marsabit, Wajir, Mandera, Isiolo, Garissa and Tana River?

(b) If the answer to "a" is in the affirmative, could the Minister state the programmes he has for the youths in these districts to influence them to forgo abominable traditional practices in favour of norms which would lead to eradication of the said vices?

645 - **The Member for Kangema (Mr. John Michuki) to ask the Minister for Finance:-**

(a) To what extent has the Government implemented its stated policy concerning Government Pensioners as per Paragraph 70 of Sessional Paper No.3 of 1985?

(b) How many salary reviews for Government employees have been implemented since 1985?

(c) Have the Government Pensioners benefited from these reviews since the Law was passed in 1996?

473 - **The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask the Minister for Health:-**

(a) How many students from Ndhiwa Constituency have been admitted to Kenya Medical Training College from 1996 to 1998?

(b) Could the Minister table a list of those admitted to the said College?

664 - **The Member for Kibwezi (Mr. Onesmus Mboko) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that a Senior Government Official in the Central Provincial Office has illegally acquired a public utility plot in Kiboko Settlement Scheme in Kibwezi constituency?

(b) Is he further aware that the plot had been reserved to enable the settlers to develop churches, village polytechnic, dispensary and a market centre?

(c) If the answers to "a" and "b" are in the affirmative, what action is the Minister taking to ensure that the Officer surrenders the said land for public utility?

658 - **The Member for Lari (Mr. Philip Gitonga) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Moi - Kagwe Road in Lari has become very dangerous to motorists due to huge pot-holes?

(b) If the answer to "a" above is in the affirmative, when will the Ministry carry out the necessary repairs to make the road safe to motorists?

557 - **The Member for Sotik (Mr. Anthony Kimeto) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that wild vegetation has overgrown on the shoulders of some sections of the main Kericho-Nakuru Road and that the said shoulders are narrow and have been eroded by rain water?

(b) Is he further aware that the neglect of the said shoulders of the road endangers the lives of the motorists using it as they are unable to swerve onto the sides of the road in a bid to avoid accidents?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister ensure that the overgrown vegetation is regularly cut and the shoulders of the road are widened and maintained?

492 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Co-Operative Development:-**

(a) Why has the Meru North Co-operative Union operated for the last eight years without holding a single Annual General Meeting?

(b) Could the Minister list key assets of the Union as of 1990 and the Union's inventory of 1997?

(c) Where is the money for the rent proceeds from Nyambene House and go-down at Nanyuki banked?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Migori (Mr. Owino Achola) to ask the Minister for Finance:-**

(a) Is the Minister aware that both transit sugar and untaxed imported sugar continue to be dumped into the local market despite Government's assurance that these practices would be curtailed?

(b) If the answer to "a" is in the affirmative, could the Minister name the importers involved and indicate the amount of sugar so irregularly diverted and/or imported between January and August, 1998?

(c) In view of the apparent inability to stop the dumping of imported sugar into the local market and not withstanding World Trade Organisation regulations, could the Minister consider imposing a complete ban on sugar importation(including transit) and allow only the Kenya Sugar Authority to import quantities enough to satisfy the domestic deficit?

.../QPN.2

QUESTION BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Budalang'i (Mr. Raphael Wanjala) to ask the Minister for Rural Development:-**

(a) Is the Minister aware that the dykes built in 1982 along River Nzoia in Budalang'i Constituency are broken and that as a result there has been continuous flooding in the area?

(b) Is he further aware that the deluge has submerged roads, farms, houses and schools thereby forcing over thirteen thousand families to camp at higher grounds in Budalang'i?

(c) If the answers to "a" and "b" are in the affirmative, what urgent steps is the Minister taking to repair the dykes in order to end the sufferings of the local people?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 11TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE APPROPRIATION BILL (BILL NO.11)**
(The Minister for Finance)

Second Reading

(Resumption of debate interrupted on 10th November, 1998)

8*. **COMMITTEE OF THE WHOLE HOUSE**

THE APPROPRIATION BILL (BILL NO.11)
(The Minister for Finance)

9*. **THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)**
(The Minister for Finance)

(Second Reading)

(Resumption of debate interrupted on 5th November, 1998)

10*. **THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading

(Resumption of debate interrupted on 8th October, 1998)

11*. THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)
(The Attorney General)

Second Reading

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NOTICES

1. THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 2:

THAT, Clause 2 be amended by deleting the definition of "**Officer administering the Fund**" and inserting the following new definition -

"**Officer administering the Fund**" means the Accounting Officer of the Ministry for the time being responsible for matters relating to local authorities or an officer deputed in writing for that purpose pursuant to the provisions of Section 3;

Clause 3:

THAT, Clause 3 be amended by deleting the words "**Permanent Secretary to the Treasury or a person deputed by him**" and inserting the words "**Accounting Officer of the Ministry for the time being responsible for matters relating to Local Authorities, or an officer of the rank of Deputy Secretary or above deputed by the Permanent Secretary to the Treasury**".

Clause 5:

THAT, Clause 5 be amended in subclause (2) by inserting the words "**with the approval of the National Assembly**" immediately after the word "**may.**"

Clause 8:

THAT, Clause 8 be amended -

(a) in paragraph (a) by deleting all the words appearing after the word "**Fund**";

(b) in paragraph (f) by deleting the word "**three**" and inserting "**five**";

(c) by inserting the following paragraph immediately before paragraph (a)-

(a) a chairman, not being a public officer, appointed by the Minister;

(d) by renumbering paragraphs (a), (b), (c), (d), (e) and (f) as paragraphs (b), (c), (d), (e), (f) and (g) respectively.

Clause 10:

THAT, Clause 10 be amended in paragraph (b) by deleting the expression "**(e) and (f) of section 7**" and inserting "**(f) and (g) of section 8**".

2. THE LOCAL AUTHORITIES TRANSFER FUND BILL

Notice has been received from the Member for South Imenti (Mr. Kiraitu Murungi) of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4:

THAT, Clause 4 be amended as follows:-

(a) **Third line:**

By inserting the words "**the revenue of local authorities and**" after the word **supplement**.

(b) **Fourth line:**

By inserting the word "**operations**" after the word **the.**

(c) **Fourth line:**

By deleting the word **provide** and replacing the same with the word "**undertake**".

3. THE LOCAL AUTHORITIES TRANSFER FUND BILL

Notice has been received from the Member for Langata (Mr. Raila Odinga) of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 2:

THAT, Clause 2 be amended as follows:-

Paragraph 5 second line:

By deleting the word "**Finance**" and substituting the words "**Local Authorities**" in place thereof.

Clause 3:

THAT, Clause 3 be amended as follows:-

Third line:

By deleting the word "**Treasury**" and substituting the words "**Local Authorities as released by the Treasury**" in place thereof.

Clause 5:

THAT, Clause 5 be amended as follows:-

By deleting subclause (3)

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4. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) **the Director of Medical Services;**

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) **one person nominated by the Association of Kenya Insurers; and**

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of**",

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

Clause 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

Clause 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund.**"

Clause 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

Clause 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

Clause 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

Clause 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

Clause 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

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*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

714 - **The Member for Gwasi (Mr. Felix Nyauchi) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that land belonging to 231 villagers of Nyadenda village, Kaksingri Location, Suba District, was compulsorily acquired in 1983 for purposes of the construction of a National Youth Service Camp?

(b) If the answer to "a" is in the affirmative, could the Minister give the details of the compensations given to the 231 villagers as required by the Laws governing compulsory acquisition of land?

640 - **The Member for Tigania West (Mr. Benjamin Ndubai) to ask the Minister for Finance:-**

(a) Is the Minister aware that Trust Bank (Under Statutory Management) is holding over K.Sh.4 billion which was loaned to Kenyan Farmers through the International Finance Corporation, an arm of the World Bank?

(b) If the answer to "a" is in the affirmative, when will the bank release the said money to farmers?

687 - **The Member for Siakago (Mr. Silas Ita) to ask the Minister for Education & Human Resource Development:-**

When will the Ministry approve the establishment of Karerema, Kathanje and Muchonoke Education Zones in Evurori and Siakago Divisions of Siakago Contituency?

423 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that Mr. Eric Ongori Momanyi, joined Form 1 at Nyambaria Secondary School in Kitutu Masaba in 1995, vide Admission No.1968?

(b) Is he further aware that Momanyi was not registered for the 1998 Kenya Certificate of Secondary Education examinations in March, 1998 despite the fact that he was given Index No.706402/044 by the Kenya National Examinations Council (KNEC)?

(C) If the answer to "a" and "b" are in the affirmative, could the Minister urgently investigate this case and ensure that the prospective candidate is duly registered for the examinations?

483 - **The Member for Naivasha (Mr. Paul Kihara) to ask the Minister for Water Resources:-**

Could the Minister urgently consider providing a "T" in the Konoike Water Project Pipeline to augment the water supply for Gilgil and Naivasha towns and their environs which are presently faced with an acute water shortage?

693 - **The Member for Mutito (Mr. Muthusi Kitonga) to ask the Minister for Water Resources:-**

(a) When will the Ngulini water project be rehabilitated?

(b) Who won the tender for the rehabilitation and when will the work begin?

671 - **The Member for Lurambi (Dr. Newton Kulundu) to ask the Minister for Health:-**

Is the Minister satisfied with the accuracy of the laboratory tests performed to screen blood for HIV before transfusion in Government hospitals?

595 - **The Member for Mumias (Mr. Wycliffe Osundwa) to ask the Minister for Energy:-**

(a) Is the Minister aware that a transformer was removed from Uhuru Market in South Wanga ten years ago and relocated elsewhere thus denying the local residents the social and economic benefits accruing from electric power?

(b) If the answer to "a" above is in the affirmative, could the Minister consider re-installing the transformer at the market and extending power to serve the nearby Bukaya Health Centre and Bukaya Secondary School?

440 - **The Member for Wajir East (Mr. Mohamed Mahamud) to ask the Minister for Public Works and Housing:-**

(a) How much money was allocated for grading and maintenance of roads in Wajir District in 1997/98 financial year?

(b) How was the money utilized?

669 - **The Member for Nyeri Town (Mr. Wanyiri Kihoro) to ask the Attorney General:-**

(a) Is the Attorney-General aware that Kenya has not yet signed and ratified the Convention on the Prevention and Punishment of the Crime of Genocide of 1948?

(b) If the answer to "a" is in the affirmative, when will Kenya accede to this Convention?

QUESTIONS BY PRIVATE NOTICE

1 - **Question By Private Notice - The Member for Kamukunji (Mr. Norman Nyagah) to ask a Minister of State, Office of the President:-**

(a) Is the Minister ware that Kshs.130 million payable and due to Kenya Airports Authority (KAA) was banked in a personal account with Prudential Bank Ltd (Under Statutory Management)?

(b) Is he further ware that the funds were meant to pay the employees proceeding on voluntary retirement and that the disappearance of funds is partly the reason why KAA is unable to pay the staff?

(c) If the answers to "a" and "b" above are in the affirmative and given the urgency to help the retiring employees, would the Minister ensure that the funds are transferred from the personal account to that of KAA?

2. - **Question By Private Notice - The Member for Gem (Mr. Joe Donde) to ask the Minister for Finance:-**

Since the variation of base lending rates between the various banks is as wide as six per cent instead of the usual maximum of two per cent, could the Minister explain to the House what measures the Government is taking to ensure that this anomaly is immediately rectified?

3. - **Question By Private Notice - The Member for Kasipul/Kabondo (Mr. Oloo Otula) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that the Higher Education Loans Board (HELB) gives loans on discriminative basis?

(b) Is he further aware that most University students from Nyanza Province do not benefit from the said loans?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister give details of students from each District in the Province who applied for the loans in the years 1996/97 and who benefited from the same?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 12TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading

(Resumption of debate interrupted on 11th November, 1998)

8*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

...../Notice

1. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) **the Director of Medical Services;**

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) **one person nominated by the Association of Kenya Insurers; and**

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of**",

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

Clause 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

Clause 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund.**"

Clause 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

Clause 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

Clause 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

Clause 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

Clause 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

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*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

662 - **The Member for Webuye (Mr. Musikari Kombo) to ask a Minister of State, Office of the President:-**

(a) Could the Minister inform the House how many extra vehicles have been surrendered by each Ministry as directed by the Government?

(b) Could he further state how the extra surrendered vehicles, if any, have been utilized?

636 - **The Member for Kisumu Town East (Mr. Gor Sungu) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that the Kenya National Farmers Union (K.N.F.U.) collected money from its members for the purposes of constructing premises along Langata Road?

(b) Is he further aware that the employees of the organisation have not been paid their salaries for the last six months and that these employees are about to lose their jobs?

(c) If the answers to "a" and "b" are in the affirmative, is the Minister satisfied that the collected money was properly used and when will the employees be paid their dues?

688 - **The Member for Ikolomani (Mr. Joseph Mugalla) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that school funds in many schools are mismanaged due to lack of proper and timely auditing services?

(b) If the answer to "a" is in the affirmative, could the Minister allow Secondary Schools Boards of Governors to appoint their own auditors who will be responsible to the Boards for making sure that the schools' books of account are timely audited on an annual basis?

.../512

512 - **The Member for Mwala (Mr. John Katuku) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that the over 4,800 candidates who attained a B- (Minus), and 1,300 candidates who attained a B (Plain) were not admitted to any of the public universities during the 1997/1998 Academic year?

(b) Is he further aware that the admission criteria was changed from cut-off points to cluster system without prior notification to candidates who sat their KCSE in 1996?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister, as a matter of urgency, consider admitting the 6,100 candidates?

594 - **The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that the quarters occupied by lecturers of the University of Nairobi along Mamlaka Road are in a decrepit state with leaking roofs, missing roofing tiles and no running water?

(b) If the answer to "a" above is in the affirmative, could the Minister tell the House how much money the Ministry has set aside during the current financial year for the repair of these houses?

(c) What plans does the Ministry have to ensure that the lecturers are provided with decent housing?

251 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that the Siaya County Council enforcement officers invade business premises allegedly to inspect trade licences and end up illegally confiscating property from the business premises?

(b) Is he further aware that confiscated property is never returned to the owners even after they have paid for the licences?

(c) If the answers to "a" and "b" are in the affirmative, what urgent steps is he taking against the offending officers and to arrange for compensation to the victims?

.../625

625 - **The Member for Embakasi (Mr. David Mwenje) to ask the Minister for Local Authorities:-**

(a) Due to the serious health hazard exposed to Dandora residents by the recent uncontrolled dumping at Dandora garbage dumping site, would the Minister immediately stop this dumping and order the City Council to take the garbage elsewhere?

(b) Would the Minister further ensure that those less fortunate citizens who live in the dumping site are given first priority in settling them in the garbage plot once cleared?

524 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that construction work on the Kisii-Chemosit Road (C21) has stalled yet again since March, 1998?

(b) If the answer to "a" is the affirmative, could the Minister inform the House the total amount of money allocated for the completion of the road; the amount of money already spent on the road; the reason for the stalling of the construction work, and when it will start again and be completed?

601 - **The Member for Wajir North (Dr.Abdullahi Ali) to ask the Minister for Health:-**

(a) Is the Minister aware that Buna Health Centre is in a deplorable state and that even the Ministry of Public Works and Housing has condemned the buildings?

(b) Is he further aware that Buna, Bute, Azawa and Gumar dispensaries are each staffed by one subordinate staff?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister, as a matter of urgency, rehabilitate the health centres and post qualified medical personnel?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Lands and Settlement:-**

(a) Who authorised the allocation of parts of Karura Forest between 1992 and 1996 and what acreage was allocated in that period?

(b) Who were the original allotees?

(c) Who have purchased some of the land from the original allotees?

2. - **Question By Private Notice - The Member for Budalang'i (Mr. Raphael Wanjala) to ask the Minister for Rural Development:-**

(a) Is the Minister aware that the dykes built in 1982 along River Nzoia in Budalang'i Constituency are broken and that as a result there has been continuous flooding in the area?

(b) Is he further aware that the deluge has submerged roads, farms, houses and schools thereby forcing over thirteen thousand families to camp at higher grounds in Budalang'i?

(c) If the answers to "a" and "b" are in the affirmative, what urgent steps is the Minister taking to repair the dykes in order to end the sufferings of the local people?

3. - **Question By Private Notice - A Nominated Member (Mr. Joseph Munyao) to ask the Minister for Public Works and Housing:-**

(a) Could the Minister inform the House who won the tender to grade Road E713 Wamunyu-Kalawa Market; the cost of the contract and when the construction work started?

(b) Could the Minister further inform the House how much work has been done on the ground and whether the contractor will finish the construction work within the agreed time-frame?

(c) In view of the above, could the Minister consider cancelling the contract and using his Ministry's officers to grade the road while making arrangements to engage a more competent contractor to complete the murraming and gravelling of the road?

Eighth Parliament
(No.79)

Second Session
(531)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 17TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE CONSTITUTION OF KENYA REVIEW COMMISSION (AMENDMENT) BILL (BILL NO.10)**
(The Attorney General)

First Reading

8*. **COMMITTEE OF THE WHOLE HOUSE**

THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)
(The Minister for Finance)

9*. **THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)**
(The Minister for Health)

Second Reading

(Resumption of debate interrupted on 12th November, 1998)

10*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

NOTICES

1. THE LOCAL AUTHORITIES TRANSFER FUND BILL (BILL NO.8)

Notice has been received from the Minister for Finance of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 2:

THAT, Clause 2 be amended by deleting the definition of "**Officer administering the Fund**" and inserting the following new definition -

> "**Officer administering the Fund**" means the Accounting Officer of the Ministry for the time being responsible for matters relating to local authorities or an officer deputed in writing for that purpose pursuant to the provisions of Section 3;

Clause 3:

THAT, Clause 3 be amended by deleting the words "**Permanent Secretary to the Treasury or a person deputed by him**" and inserting the words "**Accounting Officer of the Ministry for the time being responsible for matters relating to Local Authorities, or an officer of the rank of Deputy Secretary or above deputed by the Permanent Secretary to the Treasury**".

Clause 5:

THAT, Clause 5 be amended in subclause (2) by inserting the words "**with the approval of the National Assembly**" immediately after the word "**may.**"

Clause 8:

THAT, Clause 8 be amended -

(a) in paragraph (a) by deleting all the words appearing after the word "**Fund**";

(b) in paragraph (f) by deleting the word "**three**" and inserting "**five**";

(c) by inserting the following paragraph immediately before paragraph (a)-

> **(a) a chairman, not being a public officer, appointed by the Minister;**

(d) by renumbering paragraphs (a), (b), (c), (d), (e) and (f) as paragraphs (b), (c), (d), (e), (f) and (g) respectively.

Clause 10:

THAT, Clause 10 be amended in paragraph (b) by deleting the expression "**(e) and (f) of section 7**" and inserting "**(f) and (g) of section 8**".

2. THE LOCAL AUTHORITIES TRANSFER FUND BILL

Notice has been received from the Member for South Imenti (Mr. Kiraitu Murungi) of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4:

THAT, Clause 4 be amended as follows:-

(a) **Third line:**

By inserting the words "**the revenue of local authorities and**" after the word supplement.

(b) **Fourth line:**

By inserting the word "**operations**" after the word the.

(c) **Fourth line:**

By deleting the word provide and replacing the same with the word "**undertake**".

3. THE LOCAL AUTHORITIES TRANSFER FUND BILL

Notice has been received from the Member for Langata (Mr. Raila Odinga) of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 2:

THAT, Clause 2 be amended as follows:-

Paragraph 5 second line:

By deleting the word "**Finance**" and substituting the words "**Local Authorities**" in place thereof.

Clause 3:

THAT, Clause 3 be amended as follows:-

Third line:

By deleting the word "**Treasury**" and substituting the words "**Local Authorities as released by the Treasury**" in place thereof.

Clause 5:

THAT, Clause 5 be amended as follows:-

By deleting subclause (3)

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4. NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) the Director of Medical Services;

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) one person nominated by the Association of Kenya Insurers; and

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of",**

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

Clause 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

Clause 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund**."

Clause 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

Clause 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

Clause 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

Clause 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

Clause 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

——— 0 ———

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

660 - **The Member for Kajiado South (Mr. Geoffrey Parpai) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that some teachers in Kajiado District are paid hardship allowance?

(b) If the answer to "a" is in the affirmative, when will he pay the other civil servants the said allowance since all of them are working under the same conditions?

308 - **The Member for Samburu East (Mr. Sammy Leshore) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that cattle-rustling and general insecurity amongst the pastoralists is a major contributor to under-development in the districts of Turkana, West Pokot, Samburu, Marsabit, Wajir, Mandera, Isiolo, Garissa and Tana River?

(b) If the answer to "a" is in the affirmative, could the Minister state the programmes he has for the youths in these districts to influence them to forgo abominable traditional practices in favour of norms which would lead to eradication of the said vices?

034 - **The Member for Kimilili (Dr. Mukhisa Kituyi) to ask the Minister for Local Authorities:-**

(a) Will the Minister table a breakdown of the amount of money his Ministry has used in the World Bank funded urban transport, water and sewerage repair projects for each of the 26 towns affected?

(b) Will the Minister present the list of how many kilometres of road are being covered under the programme in each of the affected towns?

(c) What has been the rationale for the differential allocation of the World Bank resources between the affected towns?

.../040

040 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Local Authorities:-**

(a) How much cess was paid by Sony Sugar Company Ltd., to Migori county council during the years 1993, 1994, 1995,1996 and 1997?

(b) How was the money utilised?

084 - **The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) Is the Minister aware that conditions in Kisii and Nyamira Prison and remand homes are in a deplorable state?

(b) How many murder suspects were still in remand at Kisii Prison as at 28th February, 1998?

120 - **The Member for Kisauni (Mr. Karisa Maitha) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) How much revenue has been collected by the Museum Department in the Coast Region?

(b) How much of that revenue has been used in the Coast Region as regards the provision and maintenance of infrastructure, health and education?

557 - **The Member for Sotik (Mr. Anthony Kimeto) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that wild vegetation has overgrown on the shoulders of some sections of the main Kericho-Nakuru Road and that the said shoulders are narrow and have been eroded by rain water?

(b) Is he further aware that the neglect of the said shoulders of the road endangers the lives of the motorists using it as they are unable to swerve onto the sides of the road in a bid to avoid accidents?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister ensure that the overgrown vegetation is regularly cut and the shoulders of the road are widened and maintained?

369 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask the Minister for Public Works and Housing:-**

When will Kamagambo Riosiri-Nyamarambe Etago-Nyaraiya Road be upgraded and tarmacked?

669 - **The Member for Nyeri Town (Mr. Wanyiri Kihoro) to ask the Attorney General:-**

(a) Is the Attorney-General aware that Kenya has not yet signed and ratified the Convention on the Prevention and Punishment of the Crime of Genocide of 1948?

(b) If the answer to "a" is in the affirmative, when will Kenya accede to this Convention?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Juja (Mr. Stephen Ndichu) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that Kshs.5 million that was banked at Ruiru Kenya Commercial Bank, Ruiru Branch by Ruiru Municipal Council in the service charge account has gone missing?

(b) Is he further aware that last month, Kshs.3 million belonging to the same Council was withdrawn to purchase private land at Ruiru?

(c) If the answers to "a" and "b" above are in the affirmative, what steps will the Minister take to recover the money and have the culprits punished?

2. - **Question By Private Notice - The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that Kenya Posts and Telecommunications Corporation is in the process of awarding a tender for international exchange irregularly?

(b) Could the Minister explain why Ericson Telecommunicazoni SPA of Sweden secured the tender when it tendered Kshs.100 million higher than the lower bidder Alcatel of France?

(c) Could the Minister consider cancelling the said tender of 12th October, 1998 and re-advertising it?

QUESTIONS BY PRIVATE NOTICE

3. - **Question By Private Notice - A Nominated Member (Mr. Joseph Munyao) to ask the Minister for Public Works and Housing:-**

(a) Could the Minister inform the House who won the tender to grade Road E713 Wamunyu-Kalawa Market; the cost of the contract and when the construction work started?

(b) Could the Minister further inform the House how much work has been done on the ground and whether the contractor will finish the construction work within the agreed time-frame?

(c) In view of the above, could the Minister consider cancelling the contract and using his Ministry's officers to grade the road while making arrangements to engage a more competent contractor to complete the murraming and gravelling of the road?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 18TH NOVEMBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **MOTION** - (Mr. David Mwenje)
(Office of the President)

THAT, taking into consideration that the population of the City of Nairobi has increased tremendously; aware that the Omamo Commission recommended the division of the City of Nairobi into boroughs, and also being aware that the constituency boundaries are also the administrative boundaries, this House recommends that the City of Nairobi be sub-divided into four (4) districts with respective District Commissioners.

(Resumption of debate interrupted on 11th November, 1998)

8*. **MOTION** - (Mr. Matu Wamae)
(Ministry of Tourism)

That, while realising the sharp drop in tourists visiting Kenya since Likoni clashes in July/August 1997 and the subsequent poor state of our infrastructure which has resulted in huge losses being incurred by the hotels and other stake holders in Tourist Industry, and being aware that the employment of about 150,000 Kenyans is at risk, this House recommends that:-

...../Motions

(a) Security be improved in all tourist centres;

(b) The Government grants medium term loans of 5-8 years at interest rates of about 15% p.a. to tourist hotels;

(c) VAT payable by tourist establishments be waived for two years; and

(d) The Government injects not less than Kshs.500 million a year for tourist promotion, through Kenya Tourist Promotion Board, in Europe and America.

9*. MOTION - (Mr. Kipruto arap Kirwa)
(The Leader of Government Business)

THAT, in consideration of the immense interest and appreciation expressed by ***wananchi*** in the broadcasting of proceedings of the House by the Kenya Broadcasting Corporation in the ***Today in Parliament*** radio programme and the live radio and television coverage of the State Opening and Budget Day Sittings, and noting that this service has now come of age needing a review to enhance and enrich its flair and content; this House resolves that the Speaker's Committee studies the modalities for introducing live sound and visual broadcasting of the House and make recommendations for implemention of a broadcasting programme.

10*. MOTION - (Mr. Norman Nyagah)
(Ministry of Water Resources)

THAT, considering that excessive rains caused by ***El Nino*** in the months of December, 1997 and January, 1998 will in effect create a dry spell and cause famine which will force the Government to spend billions of shillings in the importation of famine relief supplies; knowing that most of our river water resources traverse highly fertile lands of Eastern, North Eastern and Coast provinces ending up to waste in the Indian Ocean, this House urges the Government to urgently formulate a 15 year water resource harvesting master plan which should include desilting of dams, opening up new access roads, providing electricity and other related infrastructure; and further introduce a subsidiary legislation which will make irrigation of the opened up land by the owners compulsory in order to stop reliance on imported grains and other agricultural commodities.

*** Private Member's Motions**

...../Notice

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

> A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

609 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the Assistant Chief of East Mateka sub-location, Mr. James Wabwile Mukosi, P/No.191970, was dismissed from employment for allegedly involving himself in politics?

(b) If the answer to "a" is in the affirmative, why was the Assistant Chief sacked and yet he was doing a commendable job by not involving himself in politics?

672 - **The Member for Lurambi (Dr.Newton Kulundu) to ask the Minister for Health:-**

(a) Is the Minister aware that Kakamega Provincial General Hospital is experiencing water shortage?

(b) Is he also aware that there is an unused water bore-hole at the hospital?

(c) If the answers to "a" and "b" are in the affirmative, what urgent corrective measures is he taking?

359 - **The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask the Minister for Health:-**

(a) What is the Minister doing to establish mobile medical clinics in Central and South Kanyidoto locations, Kanyamwa West and North locations in Ndhiwa Constituency?

(b) Could the Minister explain what happened to the Ambulance of Magina Health Centre which was meant to help in transporting cholera victims from the Health Centre to Homa-Bay District Hospital?

510 - **The Member for Mwala (Mr. John Katuku) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Thwake Bridge linking Miu and Mbumbuni markets in Mwala and Mbooni Constituencies is on the verge of collapse?

(b) If the answer to 'a' above is in the affirmative, could the Minister, as a matter of urgency, repair the bridge?

369 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask the Minister for Public Works and Housing:-**

When will Kamagambo Riosiri-Nyamarambe Etago-Nyaraiya Road be upgraded and tarmacked?

690 - **The Member for Maragwa (Mr. Kamande Mwangi) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that there has been persistent water shortage within Saba-Saba town?

(b) Is he further aware that this has badly affected the proper running of Kamahuha Girls High School?

(c) If the answers to "a" and "b" above are in the affirmative, when will the Ministry provide Saba-Saba water supply with electric pumps and what will be the cost?

299 - **The Member for Githunguri (Mr.Njehu Gatabaki) to ask the Minister for Trade:-**

(a) What led to the curtailment of the export quota of apparel and garment exports to the United States of America?

(b) How much has the curtailment cost in terms of exports to the United States of America, employment of Kenyans and the development of Manufacturing Under Bond (MUB)?

(c) What steps has the Government taken to ensure the reinstatement of the quota and free access of Kenya's textile products to the vast market of the United States of America?

667 - **The Member for Kangema (Mr.John Michuki) to ask the Minister for Labour:-**

(a) Is the Minister aware that following the death of the late Irungu Macharia who died on duty as an employee of M/s Orbit Sports (K) Ltd, the deceased's dependants have never received the compensation which was paid to the employer by Jubilee Insurance Company in October, 1992?

(b) Is he further aware that the widow Mrs. Lucia Wambui Irungu has been following up this payment with M/s Orbit Sports (K) Limited without any success?

(c) If the answers to 'a' and 'b' above are in the affirmative, would the Minister ensure that this compensation of Kshs.72,000/= is paid to the widow with interest at the prevailing bank rate?

436 - **The Member for Ladgera (Mr. Mohamed Shidiye) to ask the Minister for Labour:-**

(a) Is the Minister aware that the family of the late Abdullahi Farah Abdi, NSSF No. 51819619, have not been paid his N.S.S.F. benefits?

(b) If the answer to 'a' above is in the affirmative, could the Minister urgently pay what is due to the family?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Ol Kalou (Mr. Karue Muriuki) to ask the Minister for Natural Resources:-**

(a) What is the purpose of degazetting 2,291 acres of natural forest as published in the Kenya Gazette of 23-10-98., 61 acres in Kiambu forest, 264 acres of Marmanet forest in Laikipia District and 1,966 acres of Mt.Kenya forest in Meru District?

(b) Who are the intended allottees, if any?

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Rongo (Mr. Ochilo Ayacko) to ask the Minister for Labour:**

(a) Is the Minister aware that some unionisable bank employees who went on strike and were asked to re-apply for employment are still locked out?

(b) Is he further aware that these employees have not received their benefits and had also bought property using loans that they are now unable to pay?

(c) Is he also aware that the said banks intend to auction these properties without paying the employees their benefits or reinstating them?

(d) If the answers to "a", "b" and "c" above are in the affirmative, could the Minister inform the House of the criteria used to lock out these former Bank employees and the steps he is taking to have them paid their benefits?

3. - **Question By Private Notice - The Member for Langata (Mr. Raila Odinga) to ask the Minister for Labour:-**

(a) Is the Minister aware that M/S Trident Insurance Co. Ltd. has not paid redundancy benefits, Provident Fund and issue certificate of service to their former employee Mrs. RAZIA SULTANA MOHAMED?

(b) Is he further aware that this matter has been pending since 1994 and that Mrs. Mohamed now runs the risk of losing her only residential house through auction for non-payment of loan?

(c) If the answers to "a" and "b" above are in the affirmative, could he take immediate steps to ensure that this matter is settled without any further delay?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 18TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **COMMITTEE OF THE WHOLE HOUSE**

THE NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)
(The Minister for Health)

8*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 17th November, 1998)

9*. **THE CONSTITUTION OF KENYA REVIEW COMMISSION (AMENDMENT) BILL (BILL NO.10)**
(The Attorney General)

Second Reading

— 0 —

...../Notice

NOTICE

NATIONAL HOSPITAL INSURANCE FUND BILL (BILL NO.2)

Notice has been received from the Minister for Health of his intention to move the following amendments to the foregoing Bill at the Committee Stage:

Clause 4

THAT subclause (1) of Clause 4 be amended -

(a) by inserting the following paragraph immediately after paragraph (d) -

(e) **the Director of Medical Services;**

(b) in paragraph (i) -

(i) by deleting subparagraph (i) thereof and inserting the following new subparagraph -

(i) **one person nominated by the Association of Kenya Insurers; and**

(ii) by deleting the words "**the Kenya Hospital Association**" and inserting "**not-for-profit health-care providers.**"

(c) in paragraph (j) by deleting the words "**one member nominated by**" and inserting "**the Chairman of**",

(d) by inserting the following new clause immediately after subclause (I) -

(1A) In this section "**not-for-profit health-care providers**" means hospitals managed on a charitable basis by religious organisations.

Clause 6

THAT Clause 6 be amended in paragraph (a) by deleting the word "**purpose**" appearing in the third line and inserting "**objects**".

Clause 10

THAT Clause 10 be amended in subclause (i) -

(a) by inserting the words "**who shall be appointed by the Minister and who shall**" immediately after the word "**Board**" appearing on the first line; and

(b) by deleting the word "**Board**" appearing at the beginning of the fourth line and inserting "**Fund.**"

Clause 16

THAT Clause 16 be amended in subclause (2)(c) by deleting the word "**lawful**" appearing immediately before the word "**deductions**" and inserting "**statutory**";

Clause 18

THAT Clause 18 be amended in subclause (2)(b) by deleting the part of the subparagraph appearing after the word "**employer**".

Clause 22

THAT Clause 22 be amended -

(a) by inserting the words "**and food and boarding costs**" immediately after the word "**fees**" appearing on the fourth line;

(b) by deleting subclause (4).

Clause 25

THAT Clause 25 be amended -

(a) In subclause (I) -

(i) by deleting the word "**ten**" and inserting "**five hundred**"; and

(ii) by deleting the word "**twelve**" and inserting "**twenty-four**".

(b) In subclause (2) by deleting the words "**twenty**" and "**two**" and inserting the words "**five hundred**" and "**three**" respectively;

(c) by inserting the following new subclause immediately after subclause (2) -

(2A) Any person who prints and sells stamps in contravention of the provisions of this Act commits an offence and is liable on conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding five years or to both.

(d) in subclause (3) -

(a) by deleting the words "**one hundred**" appearing in paragraph (i)thereof and inserting "**five hundred**";

(b) in paragraph (ii) -

(i) by deleting the word "**twelve months**" and inserting "**five years**";

(ii) by deleting the expression "**sixth month**" and inserting "**twenty-fourth month**".

Clause 37

THAT Clause 37 be amended in subclause (10) by deleting the words "**as soon as reasonably practicable**" and inserting "**within nine months**".

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*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

301 - **The Member for North Imenti (Mr. David Mwiraria) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that the Provincial Director of Education, Eastern Province, has recently been directing head teachers to over-enrol Form I students to a point where schools are now being forced to create additional streams for which facilities such as dormitories and classrooms are not sufficient?

(b) If the answer to "a" is in the affirmative, what action is he taking to rectify the anomaly?

259 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Health:-**

What plans does the Ministry have for the completion of Bondo District Hospital whose construction was stopped five years ago?

629 - **The Member for Kisumu Rural (Mr. Ochoro Ayoki) to ask the Minister for Health:-**

Considering the high population density in Kisumu Rural Constituency, what plans does the Minister have to upgrade and staff Bodi and Manywanda health centres to serve the local people?

534 - **The Member for Wajir East (Mr. Mohamed Mahmud) to ask the Minister for Health:-**

(a) Is the Minister aware that Dambas and Khorof-Marar dispensaries have remained closed since the middle of 1997 due to lack of medical staff?

(b) Is he further aware that no drugs have been delivered to health institutions in Wajir district since February 1998?

(c) If the answers to "a" and "b" are in the affirmative, what urgent measures is the Minister taking to post medical staff to the dispensaries and supply drugs in order to avoid further deaths and sufferings?

669 - **The Member for Nyeri Town (Mr. Wanyiri Kihoro) to ask the Attorney General:-**

(a) Is the Attorney-General aware that Kenya has not yet signed and ratified the Convention on the Prevention and Punishment of the Crime of Genocide of 1948?

(b) If the answer to "a" is in the affirmative, when will Kenya accede to this Convention?

446 - **The Member for Tharaka (Mr. Cecilio Mwenda) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Thangathi Bridge along the Marimanti-Meru National Park road in Tharaka was damaged by rain floods in 1996 and that the bridge has been out of use to date?

(b) If the answer to "a" above is in the affirmative, what urgent steps is the Minister taking to repair the bridge to make it possible for tourists to reach the Meru National Park?

549 - **The Member for Laikipia East (Mr. Mwangi Kiunjuri) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that roads in Daiga, Mukogodo, Tigithi and Sirima locations in Laikipia East are impassable during rainy seasons?

(b) If the answer to "a" above is in the affirmative, what urgent steps is the Minister taking to ensure that the roads are adequately maintained?

677 - **The Member for Kasarani (Mr. Isaac Muchiri) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that since 1990 when the Mathare 4A upgrading project was started, the area residents have been complaining of the violation of their constitutional rights, unlawful eviction and demolition of their properties, both by the Provincial Administration and the staff of the project?

(b) If the answer to "a" is in the affirmative, could the Minister, in consultation with the Project Management, ensure that an alternative site is availed for the displaced people?

.../QUESTIONS BY PRIVATE NOTICE

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice -The Member for Bura (Mr. Abdi Galgalo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that certain indigenous communities in Tana River District are having problems in securing National Identity Cards for lack of Code (tribal) of registration like Munyo, Yaya and Malakote among others?

(b) Is he further aware that as a result, they are now registering as others, a situation that has caused uncertainty amongst the people?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister order for the establishment of a code for these communities so as to regain their proper identity?

2. - **Question By Private Notice - The Member for Lurambi (Dr. Newton Kulundu) to ask the Minister for Education & Human Resource Development:-**

(a) Is the Minister aware that Messrs Samson Wechuli, H.A. Liech, and Musa Gimode were each headmaster of Chebuyusi High School between 1989 and 1994?

(b) Is he further aware that they jointly owe the School a total of Kshs.700,000 and that two of them are retiring this month?

(c) If the answers to (a) and (b) are in the affirmative, what urgent steps is he taking to recover the money?

3. - **Question By Private Notice - The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Local Authorities:-**

(a) How many lives have been lost, maimed, or injured in Nairobi City and Kisumu Municipality as a result of accidental or deliberate fire breakouts in the past two months?

(b) How much property has been lost or destroyed over the same period for the same reasons, and how much extra burden have these incidences imposed on the insurance sector?

(c) What has been the single major cause of these fire outbreaks and what measures has the Minister taken to minimize the frequency, intensity and effects of these fires?

Eighth Parliament
(No.82)

Second Session
(555)



REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 19TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE CONSTITUTION OF KENYA REVIEW COMMISSION (AMENDMENT) BILL (BILL NO.10)**
(The Attorney General)

Second Reading

8*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 18th November, 1998)

——— 0 ———

* Denotes Government Orders of the Day

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

634 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the Chief of East Kitutu Location and the Assistant Chiefs of Bocharia and Embaro sub-locations in Kitutu Masaba are using repealed provisions of the Chief's Act (Cap.128) to arrest and impose forced labour on innocent residents?

(b) If the answer to "a" above is in the affirmative, in what circumstances did the said Chief and Assistant Chiefs arrest the following people on 17th June, 1998: Nicholas Onwenga, Samwel Atuti, Samwel Abuga, Boy Onyari, Kenyatta Ogero, Osuto Motari, Kenyinyo Ogutu, Okaru Baraka, James Nyaata, Gekonge Okioma and Machoni Nyamesa?

(c) What disciplinary measures will the Minister take against the Chief and the Assistant Chiefs for the notorious violations of the constitutional and human rights of these citizens?

703 - **The Member for Mutito (Mr. Muthusi Kitonga) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the Government promised the establishment of a Police Station at Mutito on 23rd December, 1992?

(b) Is he further aware that Mutito Constituency which is a bandit - prone area has no police station to date?

(c) If the answers to "a" and "b" are in the affirmative, when will the Minister establish a well-equipped police station in Mutito?

636 - **The Member for Kisumu Town East (Mr. Gor Sungu) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that the Kenya National Farmers Union (K.N.F.U.) collected money from its members for the purposes of constructing premises along Langata Road?

(b) Is he further aware that the employees of the Organisation have not been paid their salaries for the last six months and that these employees are about to lose their jobs?

(c) If the answers to "a" and "b" are in the affirmative, is the Minister satisfied that the collected money was properly used and when will the employees be paid their dues?

687 - **The Member for Siakago (Mr. Silas Ita) to ask the Minister for Education and Human Resource Development:-**

When is the Ministry going to approve the establishment of Karerema, Kathanje and Muchonoke Education zones in Evurori and Siakago Divisions of Siakago Constituency?

688 - **The Member for Ikolomani (Mr. Joseph Mugalla) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that school funds in many schools are mismanaged due to lack of proper and timely auditing services?

(b) If the answer to "a" above is in the affirmative, could the Minister allow secondary schools Boards of Governors to appoint their own auditors who will be responsible to the Boards for making sure that the schools' books of accounts are timely audited on an annual basis?

601 - **The Member for Wajir North (Dr. Abdullahi Ali) to ask the Minister for Health:-**

(a) Is the Minister aware that Buna Health Centre is in a deplorable state and that even the Ministry of Public Works and Housing has condemned the buildings?

(b) Is he further aware that Buna, Bute, Ajawa and Gumar dispensaries are each staffed by one subordinate staff?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister, as a matter of urgency, rehabilitate the health centres and post qualified medical personnel?

251 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that the Siaya County Council enforcement officers invade business premises allegedly to inspect trade licences and end up illegally confiscating property from the business premises?

(b) Is he further aware that confiscated property is never returned to the owners even after they have paid for the licences?

(c) If the answers to "a" and "b" are in the affirmative, what urgent steps is he taking against the offending officers and to arrange for compensation to the victims?

625 - **The Member for Embakasi (Mr. David Mwenje) to ask the Minister for Local Authorities:-**

(a) Due to the serious health hazard exposed to Dandora residents by the recent uncontrolled dumping at Dandora garbage dumping site, would the Minister immediately stop this dumping and order the City Council to take the garbage elsewhere?

(b) Would the Minister further ensure that those less fortunate citizens who live in the dumping site are given first priority in settling them in the garbage plot once cleared?

577 - **The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Transport and Communications:-**

When will the Kenya Railways Corporation provide more coaches on the Voi-Taveta line since the current three (3) serving coaches are inadequate especially during market days?

699 - **The Member for Mwingi South (Mr. David Musila) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that Mr. Erastus Gideon Ndasya was killed by a crocodile at Kiambere on 2nd April, 1996?

(b) If the answer to "a" above is in the affirmative, why has it taken so long to pay compensation to the family of the deceased?

(c) Could the Minister state when the compensation claim would be paid and the amount involved?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Juja (Mr. Stephen Ndicho) to ask the Minister for Finance:-**

(a) Is the Minister aware that Central Bank of Kenya gave consent to the registration of the Kenya Coffee Farmers Bank Limited which was indeed registered in July, 1998?

(b) Is he further aware that the Coffee Board of Kenya has deposited over Kshs.200 million in a Kenya Commercial Bank account in readiness to start operating the said Bank after Central Bank has licensed it?

(c) If the answers to "a" and "b" above are in the affirmative, why has the Central Bank of Kenya declined to issue licence to Kenya Coffee Farmers Bank Limited for it to start operations?

2. - **Question By Private Notice - The Member for Mbita (Mr. Otieno Kajwang') to ask the Minister for Agriculture:-**

(a) Is the Minister aware that the management contract between South Nyanza Sugar Company Limited (SONY) and Booker-T-International is due to expire towards the end of this year?

(b) Is he further aware that the Board of Directors of SONY is trying to have the said contract renewed without international tendering?

(c) If the answers to 'a' and 'b' above are in the affirmative, could the Minister direct that the management contract be placed for International Tendering System?

QUESTION BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Kasarani (Mr. Adolf Muchiri) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that the office of the Commissioner for Lands has illegally allocated over 100 public utility plots surrendered to Nairobi City Council by land buying companies for nursery, primary and secondary schools, dispensaries, open spaces and hospitals within Kasarani Constituency to individuals and companies without approval or resolution of Nairobi City Council?

(b) Is he further aware that LR/71/7/8, allocated to M/S E. Kibe Duncan Muriuki, James Nyanyira and Harrison Mwangi, is a plot on which a nursery school built by the public stands and that the new allottees are now harassing the nursery school children?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister revoke the said allocation as a matter of urgency?

Eighth Parliament
(No.83)



Second Session
(601)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 24TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE CONSTITUTION OF KENYA REVIEW COMMISSION (AMENDMENT) BILL (BILL NO.10)**
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 19th November, 1998)

8*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 18th November, 1998)

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*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6
QUESTION NO.

609 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the Assistant Chief of East Mateka sub-location, Mr. James Wabwile Mukosi, P/No.191970, was dismissed from employment for allegedly involving himself in politics?

(b) If the answer to "a" is in the affirmative, why was the Assistant Chief sacked and yet he was doing a commendable job by not involving himself in politics?

722 - **The Member for Mwea (Mr. Alfred Nderitu) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Mr. Gitau Wamburu Roman (ID/NO.9718920/71) was killed on 31st May, 1998, at the G.S.U. Round About along Thika Road by a vehicle Reg. No. KAB 028J owned by an employee of the Kenya Post and Telecommunications Corporation?

(b) Is he further aware that the body of the late Mr. Gitau remained at the Kenyatta National Hospital mortuary for one and a half months without the knowledge of his relatives?

(c) If the answers to "a" and "b" are in the affirmative, what steps is the Minister taking to ensure that the motorist who killed the deceased is arrested and charged in court with the offence?

404 - **The Member for Kiharu (Mr. Ngenye Kariuki) to ask the Minister for Transport and Communications:-**

(a) How many aircraft accidents occurred in 1995, 1996 and 1997 and how many human lives were lost in these accidents?

(b) Is the Minister aware that the Civil Aviations Act Cap 394 does not make insurance of aircrafts and third party liabilities mandatory?

(c) If the answer to 'b' is in the affirmative and in view of the increasing number of aircrafts and passenger traffic, what action is the Minister taking to rectify this anomaly?

225 - **The Member for Kamukunji (Mr. Norman Nyagah) to ask the Minister for Local Authorities:-**

(a) Could the Minister give the total distance covered by tarmacked roads within Kamukunji Constituency?

(b) Out of the roads mentioned in 'a' above, how many are in dire need of repair?

(c) How much does the Ministry intend to spend in the recarpeting of these roads?

562 - **The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that with the construction of the Mbita Causeway, the fish catch in the beaches in Homa-Bay District has since greatly diminished?

(b) If the answer to 'a' above is in the affirmative, what compensation will be given to affected fishermen in Homa-Bay District?

254 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that in the recent past, Hippopotamuses have killed five people around Sirongo Beach in Central Sakwa Location in Bondo Constituency and that the game warders in Siaya District have declined to kill these animals or allow the local people to kill them on their behalf?

(b) If the answer to 'a' above is in the affirmative, what steps does the Minister intend to take to deal with the menace and compensate the families of the victims?

228 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Public Works and Housing:-**

(a) How much money has been allocated to the following districts under the Roads 2000 Programme: North Meru, Central Meru, South Meru and Tharaka?

(b) When will the amounts be released to the respective districts?

425 - **The Member for Lagdera (Mr. Mohamed Shidiye) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that drift/bridge between Modogashe and Garissa Town has collapsed and that sixty kilometre road between Modogashe and Habaswein has been impassable for the past eight months as a result of the heavy **El Nino** induced rains?

(b) If the answer to 'a' is in the affirmative, could the Minister, as a matter of urgency, repair this bridge/drift and make the road between Modogashe and Habaswein passable?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Mbita (Mr. Otieno Kajwang) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that the management contract between South Nyanza Sugar Company Limited(SONY) and Booker-T-International is due to expire towards the end of this year?

(b) Is he further aware that the Board of Directors of SONY is trying to have the said contract renewed without international tendering?

(c) If the answers to 'a' and 'b' above are in the affirmative, could the Minister direct that the management contract be placed for international bidding under International Tendering System?

2. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that a student of Sengera Manga Secondary School in Kitutu Masaba, Otuke Silas Nyamato (1996 Kenya Certificate of Secondary Education, Index No.706409026), has not been selected by the Joint Admissions Board to any of the national universities?

(b) Is he further aware that the student duly qualified to be so selected?

(c) If the answers to 'a' and 'b' are in the affirmative, could the Minister explain why the student was not selected and ensure that he is admitted?

.../QPN.3

QUESTION BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Langata (Mr. Raila Odinga) to ask the Minister for Labour:-**

(a) Is the Minister aware that M/S Trident Insurance Co. Ltd. has not paid redundancy benefits; Provident Fund and issue certificate of service to their former employee Mrs. Razia Sultana Mohamed?

(b) Is he further aware that this matter has been pending since 1994 and that Mrs. Mohamed now runs the risk of losing her only residential house through auction for non-payment of loan?

(c) If the answers to "a" and "b" above are in the affirmative, could he take immediate steps to ensure that this matter is settled without any further delay?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 25TH NOVEMBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **MOTION** - (Mr. Matu Wamae)
(Ministry of Tourism)

That, while realising the sharp drop in tourists visiting Kenya since Likoni clashes in July/August 1997 and the subsequent poor state of our infrastructure which has resulted in huge losses being incurred by the hotels and other stake holders in Tourist Industry, and being aware that the employment of about 150,000 Kenyans is at risk, this House recommends that:-

(a) Security be improved in all tourist centres;

(b) The Government grants medium term loans of 5-8 years at interest rates of about 15% p.a. to tourist hotels;

(c) VAT payable by tourist establishments be waived for two years; and

(d) The Government injects not less than Kshs.500 million a year for tourist promotion, through Kenya Tourist Promotion Board, in Europe and America.

(Resumption of debate interrupted on 18th November, 1998)

...../Motions

8*. **MOTION** - (Mr. Lawrence Sifuna)
(Ministry of Local Authorities)

THAT, noting with great concern the financial problems that face most of the local authorities in this country, and further noting that Councillors are elected by the tax payers, this House resolves that;

(a) The Central Government pays salaries/allowances to Councillors and Chief Officers of Local Authorities;

(b) Revenue from the Councils and service charge be strictly used for maintaining services in the Councils and payment of salaries for junior staff; and

(c) The Chief Officers be transferred to another Council after serving three years in one Council.

9*. **MOTION** - (Mr. Kipruto arap Kirwa)
(The Leader of Government Business)

THAT, in consideration of the immense interest and appreciation expressed by ***wananchi*** in the broadcasting of proceedings of the House by the Kenya Broadcasting Corporation in the ***Today in Parliament*** radio programme and the live radio and television coverage of the State Opening and Budget Day Sittings, and noting that this service has now come of age needing a review to enhance and enrich its flair and content; this House resolves that the Speaker's Committee studies the modalities for introducing live sound and visual broadcasting of the House and make recommendations for implemention of a broadcasting programme.

10*. **MOTION** - (Mr. Norman Nyagah)
(Ministry of Water Resources)

THAT, considering that excessive rains caused by ***El Nino*** in the months of December, 1997 and January, 1998 will in effect create a dry spell and cause famine which will force the Government to spend billions of shillings in the importation of famine relief supplies; knowing that most of our river water resources traverse highly fertile lands of Eastern, North Eastern and Coast provinces ending up to waste in the Indian Ocean, this House urges the Government to urgently formulate a 15 year water resource harvesting master plan which should include desilting of dams, opening up new access roads, providing electricity and other related infrastructure; and further introduce a subsidiary legislation which will make irrigation of the opened up land by the owners compulsory in order to stop reliance on imported grains and other agricultural commodities.

...../Motion

11*. **MOTION** - (Dr. Mukhisa Kituyi)
(Ministry of Education and Human Resource Development)

THAT, in the light of emerging evidence that the Higher Education Loan Board has failed in its original purpose of enabling university students from poor families to complete their studies, considering the need for this country to develop comprehensive legislation for sustainable funding of higher education, and aware of the looming crisis posed by students discontinued due to lack of funds for their education, this House resolves that the Higher Education Loan Board Act be repealed, and a new approach to higher education funding be developed.

*** Private Member's Motions**

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

234 - **The Member for Nyakach (Mr. Peter Odoyo) to ask a Minister of State, Office of the President:-**

(a) Why have the Anti-Stock Theft Police Unit been unable to stop theft of stocks in Nyakach Constituency?

(b) How many suspects have been arrested over stock theft cases in the last two months and out of that number, how many have been charged and jailed?

(c) Could the Minister consider effecting regular transfers of senior police officers in the Unit to reduce possibilities of collusion with the thieves?

542 - **The Member for Kandara (Mr. Joshua Toro) to ask the Minister for Education and Human Resource Development:-**

When will the retirement benefits of the late Mr. Kuria Kaburi, ID/NO.4831394, who worked as an artisan at State House Girls High School, from lst January, 1960 to 26th November, 1995, be paid to his dependants?

359 - **The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask the Minister for Health:-**

(a) What is the Minister doing to establish mobile medical clinics in Central and South Kanyidoto locations, Kanyamwa West and North locations in Ndhiwa Constituency?

(b) Could the Minister explain what happened to the Magina Health Centre ambulance meant to help in transporting cholera victims from the Health Centre to Homa-Bay District Hospital?

587 - **The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that telephone subscribers at Njukini Location in Taveta Division have been allocated telephone numbers of Voi Exchange which is 140 km away?

(b) Is the Minister further aware that the subscribers making local calls are charged at the same rate that is applicable to Voi exchange?

(c) What action is the Minister taking to ensure that the subscribers are compensated by way of rebate and also rectify the problem?

443 - **The Member for Wajir East (Mr. Mohamed Mahamud) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that Wajir Town residents have no access to clean drinking water and that the available water contains cariogenic, rendering it unfit for human consumption?

(b) Is he also aware that there are no proper sanitation and sewerage systems for the town?

(c) If the answers to 'a' and 'b' above are in the affirmative, what measures does the Minister intend to take to provide clean drinking water, proper sanitation and sewerage system?

447 - **The Member for Tharaka (Mr. Cecilio Mwenda) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that there is unauthorised and illegal land demarcation and adjudication taking place in Kindani, Kiili and Kianda areas falling within the disputed land between the Tharaka and the Igembe communities?

(b) Is he further aware that these farms are being allocated to new owners?

(c) If the answers to 'a' and 'b' above are in the affirmative, what is the Minister doing to stop this process to ensure that there is fair play and avert misunderstanding between the two communities?

652 - **The Member for Kanduyi(Mr. Wafula Wamunyinyi) to ask the Minister for Energy:-**

When will the Government provide rural electricity to residents of Ndegelwa, Sangalo, Bukemba, Mechimeru, Dorofu Market and Mwibale?

212 - **The Member for Githunguri (Mr. Njehu Gatabaki) to ask the Minister for Trade:-**

(a) Is the Minister aware that Kenya will be the greatest beneficiary of the African Growth and Opportunities Act which has already been passed by the United States House of Representatives and is awaiting the debate by the US Senate?

(b) If the answer to 'a' is in the affirmative, what steps has the Government taken to ensure effective lobbying and compaign towards the passing of the Bill in the US Congress?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Gwassi (Mr. Felix Nyauchi) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware of the increased cases of piracy on Lake Victoria shores within Gwassi, Mbita and Nyatike constituencies?

(b) Is he further aware that as a result of the said piracy, eight outward board engines were stolen along the Lake in the last week of October, 1998?

(c) If the answers to 'a' and 'b' above are in the affirmative, what is the Minister doing to curb these practices?

.../QPN.2

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Rongo (Mr. Ochilo Ayacko) to ask the Minister for Labour:**

(a) Is the Minister aware that some unionisable bank employees who went on strike and were asked to re-apply for employment are still locked out?

(b) Is he further aware that these employees have not received their benefits and had also bought property using loans that they are now unable to pay?

(c) Is he also aware that the said banks intend to auction these properties without paying the employees their benefits or reinstating them?

(d) If the answers to "a", "b" and "c" above are in the affirmative, could the Minister inform the House of the criteria used to lock out these former Bank employees and the steps he is taking to have them paid their benefits?

3. - **Question By Private Notice - The Member for Kasarani (Mr. Adolf Muchiri) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that the office of the Commissioner for Lands has illegally allocated over 100 public utility plots surrendered to Nairobi City Council by land buying companies for nursery, primary and secondary schools, dispensaries, open spaces and hospitals within Kasarani Constituency to individuals and companies without approval or resolution of Nairobi City Council?

(b) Is he further aware that LR/71/7/8, allocated to M/S E. Kibe Duncan Muriuki, James Nyanyira and Harrison Mwangi, is a plot on which a nursery school built by the public stands and that the new allottees are now harassing the nursery school children?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister revoke the said allocation as a matter of urgency?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 25TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE CONSTITUTION OF KENYA REVIEW COMMISSION (AMENDMENT) BILL (BILL NO.10)**
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 24th November, 1998)

8*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 18th November, 1998)

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*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

569 - **A Nominated Member (Prof. Anyang' Nyong'o) to ask a Minister of State, Office of the President:-**

(a) What happened to Tender No.ISL/24/97-98 for sale of Government motor vehicles in Isiolo in December, 1997?

(b) Could the Minister give details on how many vehicles were involved, to whom they were sold, and at what price?

663 - **The Member for Webuye (Mr. Musikari Kombo) to ask a Minister of State, Office of the President:-**

(a) What is the statutory retirement age for top civil servants on job group 'P' and above?

(b) Are there any civil servants in this category who have achieved retirement age and are still in the service?

(c) If the answer to 'b' above is in the affirmative, would the Minister table the list of the officers and state why they have not retired?

623 - **The Member for Kasipul-Kabondo (Mr. Oloo Otula) to ask the Minister for Education and Human Resource Development:-**

In view of the high costs of primary school text books, could the Minister revive the Primary Textbook Programme to enhance learning and also ease the parents from the burden of purchasing the costly books?

527 - **The Member for Naivasha (Mr. Paul Kihara) to ask the Minister for Natural Resources:-**

How many hectares of forest land have been degazetted and alienated between the years 1975 and 1995 in the Mount Kenya, Kikuyu escarpment, Molo and Marmanet forests?

.../700

700 - **The Member for Alego Usonga (Mr. Oloo Aringo) to ask the Minister for Rural Development:-**

(a) What steps has the Lake Basin Development Authority taken to irrigate 1000 hectares of Yala Swamp Farm using Yala River waters to produce seed rice for the West Kenya Rain-Fed Rice Development Project?

(b) Could the Minister assure the House that a loan of Kshs.150 million borrowed by the Kenya Government from the African Development Bank to implement this project at Yala Swamp Farm will be used in producing seed rice at Yala Swamp Farm and that this money will not be diverted to any other use?

668 - **The Member for Nithi (Mr. Njoka Mutani) to ask the Minister for Energy:-**

(a) Is the Minister aware that there is constant power failure in Nithi which occurs almost on a weekly basis?

(b) Is he further aware that traders and schools continue to incur extra expenses as a result of such interruptions?

(c) If the answers to 'a' and 'b' are in the affirmative, what is causing these interruptions and could the Minister remedy the situation?

516 - **The Member for Mwala (Mr. John Katuku) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that sand harvesting by Ndithini Kithangethi Multi-Purpose Cooperative Society in Masinga Constituency has been paralysed by the activities of the Provincial Administration and some local leaders?

(b) Is he further aware that Ndithini District Officer has imposed an illegal ban on the cooperative's operations and as a result, sand harvesting is done without paying any levy to the local community?

(c) If the answers to 'a' and 'b' are in the affirmative, what is the Ministry doing to ensure that the cooperative society is allowed to operate freely without any pressure from any quarters?

.../570

570 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Co-operative Development:-**

Could the Minister inform the House on:-

(a) The gross earnings in foreign currency of milled coffee delivered by Girango Farmers Co-operative Society Limited during the months of May and June as of 10th June, 1998?

(b) The net payments per kilogramme to Girango Farmers Co-operative Society Limited and to individual farmers during the two months?

(c) The respective net deductions by the Coffee Board of Kenya, the Kenya Planters Co-operative Union, the Co-operative Bank of Kenya, the Kisii Farmers Co-operative Union and Girango Farmers Co-operative Society Limited?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Kamukunji (Mr. Norman Nyagah) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Kshs.130 million payable and due to Kenya Airports Authority (KAA) was banked in a personal account with Prudential Bank Ltd.?

(b) Is he further aware that the funds were meant to pay the employees proceeding on voluntary scheme and that the disappearance of the funds is partly the reason why KAA is unable to pay the staff?

(c) If the answers to 'a' and 'b' above are in the affirmative and given the urgency to help the retiring employees, would the Minister ensure that the funds are transferred from the personal account to that of KAA?

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - A Nominated Member (Mr. Yusuf Haji) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that the construction of the dam to supply water to Ijara Trading Centre in Ijara Sub-District has stalled?

(b) How much money was earmarked for the construction of this dam, and how much has been utilised so far?

(c) Since the residents of this Centre are relying on untreated water, which has resulted in the increases of bilharzia cases, what urgent measures is the Minister taking to complete this dam and rehabilitate the other small sources of water in Ijara Sub-District?

3. - **Question By Private Notice - The Member for Juja (Mr. Stephen Ndicho) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that Kshs.5 million that was banked at Ruiru KCB branch by Ruiru Municipal Council in the service charge account has gone missing?

(b) Is he further aware that last month, Ksh.3 million belonging to the same council was withdrawn to purchase private land at Ruiru?

(c) If the answers to'a' and 'b' above are in the affirmative, what steps will the Minister take to recover the money and have the culprits punished?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 26TH NOVEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE CONSTITUTION OF KENYA REVIEW COMMISSION (AMENDMENT) BILL (BILL NO.10)**
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 25th November, 1998)

8*. **THE NATIONAL INTELLIGENCE AND SECURITY BILL (BILL NO.9)**
(The Attorney General)

Second Reading

9*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 18th November, 1998)

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* Denotes Government Orders of the Day

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

718 - **The Member for Kathiani (Mr. Kyalo Kaindi) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the state of insecurity is threatening activities of livestock farmers around Lukenya, Kinanie, Katani, Komarock and Muthwani areas?

(b) If the answer to 'a' above is in the affirmative, what steps is the Minister taking to avert this state of insecurity?

370 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask a Minister of State, Office of the President:-**

(a) How many people were shot and wounded by the former District officer of Nyamarambe, a Mr. Lunalo?

(b) What disciplinary action has the Minister taken against the said officer for abusing his responsibilities?

710 - **The Member for Machakos Town (Mr. Jonesmus Kikuyu) to ask the Minister for Finance:-**

(a) Is the Minister aware that Desbro Polymers Company Ltd., has been avoiding payment of V.A.T. and Co-oporate Tax since 1992 on most of the whole sale materials and that the amount involved is in excess of Kshs.233,836,450/=

(b) If the answer to 'a' is in the affirmative, why has this money not been collected by the relevant departments?

(c) What immediate steps is the Minister taking to stop this evasion of taxes by co-oporate bodies majority of whom are keeping double entries in their books of account?

186 - **The Member for West Mugirango (Mr. Henry Obwocha) to ask the Minister for Planning and National Development:-**

(a) What was the per capita income in 1963, 1970, 1980 and 1990?

(b) What is Kenya's current per capita income?

(c) How does this compare with other developing countries?

550 - **The Member for Laikipia East (Mr. Mwangi Kiunjuri) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that squatters were evicted from Kahurura, Gathiuru and Mutiriri forests in 1988?

(b) Is he further aware that land was set aside for resettling genuine squatters and that as a result some were settled?

(c) If the answers to "a" and "b" are in the affirmative, when will the remaining squatters be settled?

637 - **The Member for Kisumu Town East (Mr. Gor Sungu) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Awach Bridge on the Mamboleo-Gita Road might be washed away by the current heavy rains now pounding Kisumu Town East Constituency?

(b) If the answer to 'a' above is in the affirmative, what urgent measures will the Minister take to save this bridge and the livelihood of 1,000 families using it?

228 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Public Works and Housing:-**

(a) How much money has been allocated to the following districts under the roads 2000 programme:-

(i) North Meru?
(ii) Central Meru?
(iii) South Meru?
(iv) Tharaka?

(b) When will the amounts be released to the respective districts?

644 - **The Member for Tigania West (Mr. Benjamin Ndubai) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that Meru North Co-operative Union has collapsed due to gross mismanagement by the Committee Members?

(b) Is he further aware that the Nyambene District Commissioner took over the management of Meru North SACCO Bank two years ago and that the Bank is on the verge of collapse due to corruption and mismanagement?

(c) If the answers to 'a' and 'b' are in the affirmative, could the Minister order for election of a new management Committee and institute a committee of inquiry to find out how much money the SACCO Bank has lost through corruption and mismanagement?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Malindi (Mr. Mohammed Badawy) to ask a Minister of State, Office of the President:-**

(a) Could the Minister immediately restrain the Police and the Provincial Administration in Mombasa from continuing to harass M/s Khalif Khalifa, Munir Mazrui and others who are alleged to have demolished the fences surrounding the plots along the historical and recreational Mama Ngina Drive public grounds, said to have been allocated to private developers?

(b) Why are these alleged culprits being treated differently by the police from those highly publicised saviours of Karura Forest, some of whom, on their own confessions, caused obstruction to developers and destroyed private property worth millions of shillings and who have not been apprehended to date?

(c) How does the Minister intend to rectify this portrayal of double standards by the Kenya Police in handling matters before them, that are similar in nature?

.../QPN.2

QUESTIONS BY PRIVATE NOTICE

2. - **Question By Private Notice - The Member for Webuye (Mr. Muskari Kombo) to ask the Minister for Finance:-**

(a) Under what terms and conditions was the Kshs.2 billion advanced to the National Bank of Kenya by the Government on Friday the 20th November, 1998?

(b) Could the Minister table the list of parastatals and companies with non performing loans to the National Bank of Kenya and the amounts outstanding on each?

(c) What measures is the Minister taking to have these loans repaid in order to improve the liquidity of the Bank?

3. - **Question By Private Notice - The Member for Ugenya (Mr. James Orengo) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that licensed hawkers in Kisumu Municipality are continually being harassed and ejected from designated areas by the officers of the Municipality with the assistance of the provincial administration and that in the process many hawkers have been unjustifiably arrested and prosecuted and their goods and wares arbitrarily confiscated and destroyed?

(b) If the answer to 'a' above is in the affirmative, why are the Municipality officials harassing licensed hawkers?

4. - **Question By Private Notice - The Member for Kasarani (Mr. Adolf Muchiri) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that over 100 public utility plots surrendered to Nairobi City Council by land buying companies for nursery, primary and secondary schools, dispensaries, open spaces and hospitals within Kasarani Constituency have been unlawfully allocated to individuals and companies by the Office of the Commissioner of Lands without approval or resolution of Nairobi City Council?

(b) Is he further aware that LR/71/7/8, allocated to M/S E. Kibe, Duncan Muriuki, James Nganyira and Harrison Mwangi, is a plot on which a nursery school built by public stands and that the new allottees are now harassing the nursery school children?

(c) If the answers to 'a' and 'b' are in the affirmative, could the Minister revoke the said allocation as a matter of urgency?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 1ST DECEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. THE CONSTITUTION OF KENYA REVIEW COMMISSION (AMENDMENT) BILL (BILL NO.10)
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 26th November, 1998)

8*. THE NATIONAL INTELLIGENCE AND SECURITY BILL (BILL NO.9)
(Minister of State, Office of the President)

Second Reading

9*. THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 18th November, 1998)

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*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

661 - **A Nominated Member (Prof. Anyang' Nyong'o) to ask a Minister of State, Office of the President:-**

(a) Could the Minister explain why there was no proper security in Kombewa Division, Kisumu District, when Mr. Arthur Meshack Obara Orondo and his family were attacked and robbed at Kondik Market on Saturday night, July 18, 1998?

(b) Has the "***matatu***" number KAA 089N, belonging to Mr. George Opiyo Olewe which was used by the attackers, been recovered?

(c) Why have the ten policemen originally posted in Kombewa been removed?

723 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Health:-**

(a) Is the Minister aware that an in-patient, Derclan Barare Mokongu, disappeared on 5th November, 1997 after admission to Kisii District Hospital on or about 30th October, 1997?

(b) Is he further aware that this case was not reported to Kisii Police Station?

(c) If the answers to "a" and "b" above are in the affirmative, what measures have been taken to establish his whereabouts?

704 - **The Member for Mutito (Mr. Muthusi Kitonga) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the bridge which broke down in 1994 and was repaired in 1996 has broken down again?

(b) If the answer to "a" above is in the affirmative and considering the fact that the bridge is an important link between Kitui and Zombe markets, what action is the Ministry taking to repair the bridge?

228 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Public Works and Housing:-**

(a) How much money has been allocated to the following districts under that roads 2000 Programme:-

(i) North Meru?
(ii) Central Meru?
(iii) South Meru?
(iv) Tharaka?

(b) When will the amounts be released to the respective districts?

596 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that Mr. Jackson Wafula Masinde, P/No.101676, former member of Ulinzi Co-operative Society Ltd. has not been refunded his share contributions as per his withdrawal letter dated 6th June, 1996?

(b) If the answer to "a" is in the affirmative, when will the society pay Mr. Masinde his dues amounting to over Kshs.23,000/- plus interests accruing as from 1994 to date?

749 - **The Member for Budalangi (Mr. Raphael Wanjala) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that Sigiri Ferry in Budalangi Division which connects three locations encircled by the Yala Swamp to the mainland broke down five years ago?

(b) Is he further aware that Sigiri bridge was proposed to be built when the ferry broke down?

(c) If the answers to "a" and "b" above are in the affirmative, what immediate action is the Minister taking to repair the ferry or build the bridge to enable the movement of people who are encircled in the Yala Swamp?

521 - **The Member for Samburu East (Mr. Sammy Leshore) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that the three Water Projects in Wamba Division which were earmarked for completion in the last financial year have not been completed?

(b) If the answer to "a" above is in the affirmative, how much has been allocated to these projects and put to use?

(c) When are these projects due for completion?

712 - **The Member for Nyakach (Mr. Peter Odoyo) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) What is the number of casinos operating in the country and how much revenue do they generate for the government?

(b) What steps is the Ministry undertaking to ensure that young boys and girls do not engage in gambling?

289 - **The Member for Kamukunji (Mr. Norman Nyagah) to ask the Attorney General:-**

Why has the Government declined to implement the resolutions of the House made on 13th October, 1993 by lifting the ban on the Kenya Civil Servants Union?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Mwala (Mr. Mutua Katuku) to ask a Minister of State, Office of the President:-**

(a) Could the Minister explain the circumstances surrounding the disappearance of a Standard Six pupil at ABC Wamunyu Primary School by the name Veronica Nduku Kasau (13 years) of Mutitu Village, Kyangulumi Sub-location, Yathui Location, Yathui Division in Mwala Constituency on 1st September, 1998 on her way to school?

(b) What investigations have been done on this case which was reported to the Chief of Yathui Location on 7th September, 1998 and Machakos Police Station on 8th September, 1998?

....QPN.2

2. - **Question By Private Notice - The Member for Kasarani (Mr. Adolf Muchiri) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that the office of the Commissioner of Lands has unlawfully allocated over 100 public utility plots surrendered to Nairobi City Council by land buying companies for nursery, primary and secondary schools, dispensaries, open space and hospitals within Kasarani Constituency to individuals and companies without approval or resolution on Nairobi City Council?

(b) Is he further aware that LR/71/7/8, allocated to M/S E. Kibe; Duncan Muriuki, James Nganyira and Harrison Mwangi, is a plot on which a nursery school built by the public stands and that the new allottees are now harassing the nursery school children?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister revoke the said allocation as a matter of urgency?

3. - **Question By Private Notice - The Member for Magarini (Mr. David Kombe) to ask the Minister for Lands and Settlement:-**

(a) How far has the allocation of plots on the residents of Ngomeni area, Malindi District gone?

(b) Could the Minister table a list of the allottees?

4. - **Question By Private Notice - The Member for Gatundu South (Mr. Moses Muihia) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that Kiambu-Thika Rural Sacco, an offshoot of the collapsed Kiambu Coffee Growers Co-operative Union closed down its operations in August, 1998?

(b) Is he further aware that coffee farmers lost close to Kshs.35,000,000/- of their earnings in unsecured loans, unauthorised expenditure, corruption and outright embezzlement by the Sacco officials voted out in October, 1997?

(c) If the answers to 'a' and 'b' above are in the affirmative,

(i) Could the Minister tell this House who the officials involved were?

(ii) What steps has the Minister taken to institute criminal and/or civil proceedings against the officials to recover the farmers proceeds?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 2ND DECEMBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **MOTION** - (Mr. Lawrence Sifuna)
(Ministry of Local Authorities)

THAT, noting with great concern the financial problems that face most of the local authorities in this country, and further noting that Councillors are elected by the tax payers, this House resolves that;

(a) The Central Government pays salaries/allowances to Councillors and Chief Officers of Local Authorities;

(b) Revenue from the Councils and service charge be strictly used for maintaining services in the Councils and payment of salaries for junior staff; and

(c) The Chief Officers be transferred to another Council after serving three years in one Council.

(Resumption of debate interrupted on 25th November, 1998)

...../Motions

8*. **MOTION** - (Mr. Kipruto arap Kirwa)
(The Leader of Government Business)

THAT, in consideration of the immense interest and appreciation expressed by ***wananchi*** in the broadcasting of proceedings of the House by the Kenya Broadcasting Corporation in the ***Today in Parliament*** radio programme and the live radio and television coverage of the State Opening and Budget Day Sittings, and noting that this service has now come of age needing a review to enhance and enrich its flair and content; this House resolves that the Speaker's Committee studies the modalities for introducing live sound and visual broadcasting of the House and make recommendations for implementation of a broadcasting programme.

9*. **MOTION** - (Mr. Norman Nyagah)
(Ministry of Water Resources)

THAT, considering that excessive rains caused by ***El Nino*** in the months of December, 1997 and January, 1998 will in effect create a dry spell and cause famine which will force the Government to spend billions of shillings in the importation of famine relief supplies; knowing that most of our river water resources traverse highly fertile lands of Eastern, North Eastern and Coast provinces ending up to waste in the Indian Ocean, this House urges the Government to urgently formulate a 15 year water resource harvesting master plan which should include desilting of dams, opening up new access roads, providing electricity and other related infrastructure; and further introduce a subsidiary legislation which will make irrigation of the opened up land by the owners compulsory in order to stop reliance on imported grains and other agricultural commodities.

10*. **MOTION** - (Dr. Mukhisa Kituyi)
(Ministry of Education and Human Resource Development)

THAT, in the light of emerging evidence that the Higher Education Loan Board has failed in its original purpose of enabling university students from poor families to complete their studies, considering the need for this country to develop comprehensive legislation for sustainable funding of higher education, and aware of the looming crisis posed by students discontinued due to lack of funds for their education, this House resolves that the Higher Education Loan Board Act be repealed, and a new approach to higher education funding be developed.

*** Private Member's Motions**

...../Notice

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

> A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

748 - **The Member for Sotik (Mr. Anthony Kimeto) to ask the Minister for Agriculture:-**

(a) What has delayed the payment for the services rendered by Mr. William Cherobon of Sotik Motors, P.O. Box 364, Sotik, for the repair of vehicles GK.Q447; GK.M432; GK.Q888; GK.Q889 and GK.Q890 belonging to Livestock Development Department, Sotik Division, vide Local Service Order Nos.375755 and 375767 totalling to Ksh.17,190?

(b) When will Mr. Cherobon be paid his dues?

666 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask the Minister for Water Resources:-**

(a) Is the Minister aware that the residents of Gotichaki Riosiri and Tabaka are not benefiting from the supply of water from Mosache Riosiri water projects?

(b) Is he further aware that the Riosiri Mosache water project does not adequately serve the selected centres including Rongo township due to lack of proper maintenance?

(c) If the answers to 'a' and 'b' are in the affirmative, what steps has the Ministry taken to ensure that the area within this project is adequately served with consistent water supply?

620 - **The Member for Fafi (Mr. Barre Shill) to ask the Minister for Water Resources:-**

(a) How much money has been allocated for Hulugho trading centre water reservoirs for expansion and desiltation in the 1997/98 and 1998/99 Financial Years?

(b) Is the Minister aware that due to poor water resources the people of Hulugho Division constantly suffer from water-borne diseases?

(c) If the answer to 'b' is in the affirmative, what plans does the Minister have for supplying clean water to the residents?

.....749

749 - **The Member for Budalangi (Mr. Raphael Wanjala) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that Sigiri Ferry in Budalangi Division which connects three locations encircled by the Yala Swamp to the mainland broke down five years ago?

(b) Is he further aware that Sigiri bridge was proposed to be built when the ferry broke down?

(c) If the answers to "a" and "b" above are in the affirmative, what immediate action is the Minister taking to repair the ferry or build the bridge to enable the movement of people who are encircled in the Yala Swamp?

616 - **The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that the ongoing operations by City Askaris and policemen within the City Centre has caused injuries to many innocent people and damage to property?

(b) If the answer to 'a' is in the affirmative, could the Minister inform the House who will compensate the hawkers for the loss of property during the operations?

(c) Could the Minister allocate adequate and alternative sites for the hawkers?

630 - **The Member for Ol Kalou (Mr. Karue Muriuki) to ask the Minister for Local Authorities:-**

(a) Is the Minister aware that Ol Kalou Town which is the designated headquarters for Nyandarua District has no proper water supply and an organized water-borne sewerage systems?

(b) Considering that Ol Kalou town council compiled and submitted their Local Authority Development Programmes (LADP) over six years ago in which they highlighted the water and sewerage problems in the town, what has the Ministry done to help the Town Council in developing the very essential water and sewerage schemes?

(c) Could the Minister assure the residents of the town that funds will be included in the 1998/99 budget to commence studies and planning for water and sewerage schemes in Ol Kalou town?

647 - **The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that Ndhiwa Telephone Exchange has been out of order for the last three months?

(b) If the answer to 'a' is in the affirmative, what is the Minister doing to repair the Telephone Exchange Machine and instal Subscriber Trunk Dialing in Ndhiwa for ease of Communication?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Sirisia (Mr. John B. Munyasia) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware of the presence in this country since 1982 of two Korean brothers: Messrs Dong Jo Lee alias Bruce Lee and Dong II Lee alias Michael Lee?

(b) Is he further aware that these two brothers have been conning other Korean businessmen in the country and are threatening the business and lives of their victims?

(c) If the answers to 'a' and 'b' are in the affirmative, what urgent steps is the Minister taking to rid the country of such undesirable persons?

2. - **Question By Private Notice - The Member for Kisumu Town East (Mr. Gor Sungu) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that land belonging to Kibos Primary School has been allocated to a private developer known as Homa Group?

(b) If the answer to 'a' above is in the affirmative, under what circumstances was this land allocated to Homa Group in 1988 when it was donated to the school by the local community in 1963?

(c) Is the Minister aware that the land is now about to be auctioned by Delphis Bank who are holding the title deed as security for a loan given to Homa Group?

(d) What urgent steps will the Minister take to return the land to the school?

.....QPN.3

QUESTIONS BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Transport and Communications:-**

(a) Is the Minister aware that there is currently a potentially explosive standoff between Kenya railways retirees and the management?

(b) If the answer to 'a' is in the affirmative, what are the plans to resolve the stalemate?

(c) How many employees have retired over the past 12 months and how many more are expected to retire over the next 12 months?

(d) How much money has so far been paid as retirement benefit for those who have retired in the past 12 months?

4. - **Question By Private Notice - The Member for Siakago (Mr. Silas Ita) to ask the Minister for Health:-**

(a) Is the Minister aware that Doctors have been posted to work at Mbeere District Hospital (Siakago) and hardly any one of them has stayed at Siakago which is a District Headquarters?

(b) Could the Minister confirm or deny that the Doctors posted at the above mentioned Hospital do not stay and work there due to frustration by the Medical Officer of Health who is stationed at Ishiara District Hospital 35 miles away from the District Headquarters?

(c) In view of the above and the fact that Mbeere District Hospital (Siakago) has been without a Doctor for quite sometime, could the Minister order the posting of a qualified Doctor to stay and work at the said Hospital and ensure that the Doctor posted is not frustrated by the Medical Officer of Health, Mbeere District?

Eighth Parliament

(No.89)



Second Session
Afternoon Sitting
(635)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 2ND DECEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. THE CONSTITUTION OF KENYA REVIEW COMMISSION (AMENDMENT) BILL (BILL NO.10)
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 1st December, 1998)

8*. THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 18th November, 1998)

9*. THE NATIONAL INTELLIGENCE AND SECURITY SERVICE BILL (BILL NO.9)
(Minister of State, Office of the President)

Second Reading

——— 0 ———

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

747 - **The Member for Sirisia (Mr. John B. Munyasia) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that on the morning of 24th July, 1998, on Haile Selassie Avenue, a CID Peugeot Station Wagon Car, Reg. No. KAG130E knocked down Bernard Abutu Liyai, ID/No.10917549, of Kawangware, causing him serious leg, head and chest injuries and that this matter was reported to Langata Police Station?

(b) Is he further aware that the victim, Bernard Liyai, is unable to get effective treatment and has since lost his job at Eliots in Industrial Area?

(c) If the answers to 'a' and 'b' are in the affirmative, what urgent steps is the Minister taking to assist the victim and to bring the suspected culprit to book?

694 - **The Member for South Imenti (Mr. Kiraitu Murungi) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that coffee production in Meru Central District has fallen by over 50% in the last 2 years?

(b) If the answer to 'a' above is in the affirmative, what are the causes of this decline?

(c) What urgent measures is the Government taking to save this vital crop from total collapse?

474 - **The Member for Kisauni (Mr. Karisa Maitha) to ask the Minister for Agriculture:-**

What plans does the Ministry have to revive the Mariakani Milk Plant so that the farmers can benefit from it?

734 - **The Member for Lurambi (Dr. Newton Kulundu) to ask the Minister for Health:-**

(a) Is the Minister aware that Kakamega Provincial General Hospital does not have specialists in the following areas: E.N.T., Ophthalmology, Orthopaedic surgery, and radiology?

(b) Is he further aware that patients who need these specialised services pay exorbitantly for them in private hospitals?

(c) If the answers to 'a' and 'b' are in the affirmative, what urgent corrective steps is he taking?

715 - **The Member for Rangwe (Dr. Shem Ochuodho) to ask the Minister for Natural Resources:-**

(a) What is the status of the tender for the removal of the water hyacinth from Lake Victoria?

(b) What is the role of the Lake Victoria Environmental Management Program (LVEMP) in the hyacinth control and how much has to date been allocated to it and other key players for the management of environmental concerns around the Lake?

(c) Is the Ministry considering involving the local people and the army in the weed's removal?

612 - **The Member for Mwala (Mr. John M. Katuku) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the following roads in Mwala Constituency are currently impassable:-

(i) Masii-Muthetheni-Miu-Kilala-Kalawa road
(ii) Makutano-Mwala-Mbiuni-Kathame road
(iii) Kithangaini-Vyulya-Katheka road and
(iv) Wamunyu-Kalawa road?

(b) If the answer to 'a' above is in the affirmative, what plans does the Minister have to rehabilitate these roads?

756 - **The Member for Nyeri Town (Mr. Wanyiri Kihoro) to ask the Minister for Public Works and Housing:-**

When is the Government planning to build a bridge on the lower Chania River in Nyeri Municipality and tarmac the Kiamuiru-Githiru-Ndurutu Road?

.....721

721 - **The Member for Kathiani (Mr. Kyalo Kaindi) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Lukenya-Kenol Road becomes impassable during rainy seasons?

(b) If the answer to 'a' is in the affirmative, what action is the Minister taking to make it an all-weather road?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Wajir North (Dr. Abdullahi Ali) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that camels in Wajir North Constituency are dying of trypanosomiasis and helminthiasis?

(b) Is he further aware that the drugs used for these killer diseases are unaffordable by the local communities?

(c) If the answers to 'a' and 'b' above are in the affirmative, what urgent steps will the Minister take to assist the local communities eradicate the diseases?

2. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Agriculture:-**

(a) Which Kenya Tea Development Authority (KTDA) factories are paying farmers more than Ksh.6.00/= per Kg. as agreed at a meeting held at Kilimo House on 6th January, 1998 between the Minister, Members of Parliament from tea growing areas, KTDA factory Directors, Board and Management?

(b) Which tea factories have implemented the payment of Bonus or second payment every six months since July, 1997 as resolved in the meeting stated in 'a' above?

(c) Why have the Directors of Kiamokama, Nyamache, Nyansiongo and Ogembo factories failed to comply with the decisions of the Kilimo House meeting and the resolutions of the farmers of respective factories on the monthly and bonus payments?

.....QPN.3

QUESTION BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Rongo (Mr. Ochilo Ayacko) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) Is the Minister aware that the Ministry is on the verge of entering into an agreement with Norfolk Hotel to take over the Car Park and running of the Kenya National theatre?

(b) Is he further aware that the Manager of Norfolk Hotel has already been proposed as a Member of the Council to run Kenya National Theatre?

(c) Is he also aware that such actions are both unlawful and injurious to the interest of culture and art in Kenya?

(d) If the answers to 'a' 'b' and 'c' above are in the affirmative, what measures is the Minister taking to safeguard the interests of Kenyans?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 3RD DECEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)**
(The Attorney General)

Second Reading

(Resumption of debate interrupted on 18th November, 1998)

8*. **THE NATIONAL INTELLIGENCE AND SECURITY SERVICE BILL (BILL NO.9)**
(Minister of State, Office of the President)

Second Reading

——— 0 ———

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

742 - **The Member for Dagoretti (Mrs.Beth Mugo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware of the increasing rape cases in Nairobi especially in Dagoretti and in the Eastlands Estates of Majengo, Shauri Moyo, Kaloleni, Jericho, Makadara and Maringo?

(b) Is he further aware that the Police Force has been compromised to facilitate the freedom of rapists?

(c) If the answers to 'a' and 'b' are in the affirmative, what action has the Minister taken to protect women from this agonizing crime and to ensure that the culprits are brought to book?

437 - **The Member for Lagdera (Mr. Mohamed Shidiye) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the family of the late Administration Police Constable Dagane Dalal Hassan P/No.211120 have not been paid his gratuity and other benefits?

(b) If the answer to 'a' above is in the affirmative, could the Minister urgently pay the above family?

254 - **The Member for Bondo (Dr. Oburu Oginga) to ask the Minister for Natural Resources:-**

(a) Is the Minister aware that in the recent past, Hippopotami have killed five people around Sirongo Beach in Central Sakwa Location in Bondo Constituency and the game wardens in Siaya District have declined to kill the animals or allow the local people to kill them on their behalf?

(b) If the answer to 'a' above is in the affirmative, what steps does the Minister intend to take to deal with the Hippopotamus menace and compensate the families of the victims?

...../738

738 - **The Member for Kitui South (Mr. Samuel Kiminza) to ask the Minister for Energy:-**

(a) Is the Minister aware that there is high demand for electricity in the markets of Mutomo, Ikutha, Ikanga, Kavingoni and Kasaala among others in Kitui South Constituency?

(b) If the answer to 'a' above is in the affirmative, when will the Minister introduce rural electrification programme in the area?

633 - **The Member for Kisumu Rural (Mr.Ochoro Ayoki) to ask the Minister for Health:-**

(a) Is the Minister aware that Chulaimbo Hospital does not have a resident Doctor?

(b) If the answer to 'a' is in the affirmative, how long has the hospital been without a resident doctor, and what plans does the Minister have to post one to the Hospital?

570 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Co-operative Development:-**

Could the Minister inform the House on:-

(a) The gross earnings in foreign currency of milled coffee delivered by Girango Farmers Co-operative Society Limited during the months of May and June as of 10th June, 1998?

(b) The net payments per kilogramme to Girango Farmers Co-operative Society Limited and to individual farmers during the two months?

(c) The respective net deductions by the Coffee Board of Kenya, the Kenya Planters Co-operative Union, the Co-operative Bank of Kenya, the Kisii Farmers Co-operative Union and Girango Farmers Co-operative Society Limited?

744 - **The Member for Karachuonyo (Dr. Adhu Awiti) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Road D219 in Karachuonyo Constituency connecting the two divisions of East and West Karachuonyo was destroyed by the El Nino rains rendering several major sections of the road impassable?

(b) If the answer to 'a' is in the affirmative, how much money has been allocated to rehabilitate the road to an all-weather road?

...../732

732 - **A Nominated Member (Mr. Joseph Munyao) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the broken bridge at Vani River at Kalingile along Tawa-Wote Road has remained unrepaired despite the Ministry's promise to do so?

(b) If the answer to 'a' is in the affirmative, when will the Minister take urgent action to the complete repairs?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) Is the Minister aware that some eight (8) prisoners died mysteriously at Bungoma GK. Prisons during the month of October, 1998?

(b) If the answer to 'a' is in the affirmative, what caused these deaths and what action is the Minister taking to have the cause of the deaths investigated?

2. - **Question By Private Notice - The Member for Kisumu Town East (Mr. Gor Sungu) to ask the Minister for Lands and Settlement:-**

(a) Is the Minister aware that land belonging to Kibos Primary School has been allocated to a private developer known as Homa Group?

(b) If the answer to 'a' above is in the affirmative, under what circumstances was this land allocated to Homa Group in 1988 when it was donated to the school by the local community in 1963?

(c) Is the Minister aware that the land is now about to be auctioned by Delphis Bank who are holding the title deed as security for a loan given to Homa Group?

(d) What urgent steps will the Minister take to return the land to the School?

3. - **Question By Private Notice - The Member for Siakago (Mr. Silas Ita) to ask the Minister for Health:-**

(a) Is the Minister aware that Doctors have been posted to work at Mbeere District Hospital (Siakago) and hardly any one of them has stayed at Siakago which is a District Headquarters?

(b) Could the Minister confirm or deny that the Doctors posted at the above mentioned Hospital do not stay and work there due to frustration by the Medical Officer of Health who is stationed at Ishiara District Hospital 35 miles away from the District Headquarters?

(c) In view of the above and the fact that Mbeere District Hospital (Siakago) has been without a Doctor for quite sometime, could the Minister order the posting of a qualified Doctor to stay and work at the said Hospital and ensure that the Doctor posted is not frustrated by the Medical Officer of Health, Mbeere District?

4. - **Question By Private Notice - The Member for Ndhiwa (Mr. Joshua Ojodeh) to ask the Minister for Health:-**

(a) Could the Minister state why tender for drugs awarded to M/s Bulk Medical Limited by the Ministerial Departmental Tender Board on 8th and 22nd May, 1998 worth over Kshs.95,434,908/= and paid for on 30th June, 1998 have not been delivered to date despite the supplier having committed himself in writing that the drugs were ex-stock?

(b) Why was it necessary to raise various payment vouchers on diverse dates to pay different amounts but all on the same day?

Eighth Parliament
(No.91)

Second Session
(645)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

TUESDAY 8TH DECEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. COMMITTEE OF THE WHOLE HOUSE

(i) THE COMMUNITY SERVICE ORDERS BILL (BILL NO.1)
(The Attorney General)

(ii) THE CONSTITUTION OF KENYA REVIEW COMMISSION (AMENDMENT) BILL (BILL NO.10)
(The Attorney General)

8*. THE NATIONAL INTELLIGENCE AND SECURITY SERVICE BILL (BILL NO.9)
(Minister of State, Office of the President)

Second Reading

(Resumption of debate interrupted on 3rd December, 1998)

—— 0 ——

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

750 - **The Member for Kasarani (Mr. Adolf Muchiri) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that the Provincial Commissioners, District Commissioners and District Officers are Chairpersons of Security Committees within their areas of jurisdiction?

(b) If the answer to 'a' is in the affirmative, under what provision(s) of the Law do they operate as the Chairpersons of the Security Committees in their jurisdictions?

370 - **The Member for South Mugirango (Mr. Nyankieya Magara) to ask a Minister of State, Office of the President:-**

(a) How many people were shot and wounded by the former District Officer of Nyamarambe, a Mr. Lunalo?

(b) What disciplinary action has the Minister taken against the said Officer for abusing his responsibilities?

754 - **The Member for Mbita (Mr. Otieno Kajwang) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that Cotton farming and marketing has almost collapsed reducing the country to a net importer of Cotton and Cotton products when the country has the potential to become self-sufficient in Cotton production?

(b) If the answer to 'a' is in the affirmative, what steps is the Minister taking to set up a fund to boost Cotton production and to reverse the present dismissal performance of the Cotton sector?

597 - **The Member for Laikipia East (Mr. Mwangi Kiunjuri) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that sixteen (16) Kenyatta University students were suspended for one to four years and that one other student was expelled in February this year for questioning the sale of the uiversity degree certificates?

(b) If the answer to 'a' is in the affirmative, could the Minister order for the reinstatement of the students as a matter of urgency?

...../691

691 - **The Member for Siakago (Mr. Silas Ita) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that Mbeere District has perpetually suffered from understaffing of primary schools teachers in excess of 150 Teachers annually?

(b) If the answer to 'a' is in the affirmative, when will the Minister eradicate this serious understaffing of primary schools in Mbeere District?

637 - **The Member for Kisumu Town East (Mr. Gor Sungu) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Awach Bridge on the Mamboleo - Gita road might be washed away by the current heavy rains now pounding Kisumu Town East Constituency?

(b) If the answer to 'a' is in the affirmative, what urgent measures will the Minister take to save this bridge and the livelihood of 1,000 families using it?

726 - **The Member for Juja (Mr. Stephen Ndichu) to ask the Minister for Industrial Development:-**

(a) Is the Minister aware that a condom wrapper was recently found in a bottle of soda, a product of Coca Cola Bottling Company Ltd. and on which this Company was fined a paltry Kshs.6,000 by a Kiambu Court?

(b) If the answer to 'a' is in the affirmative, what assurance will the Minister give to Kenyans that Coca Cola Bottling Co. Ltd. is not offering for sale such highly contaminated products which could be very harmful to Kenyan consumer of Coca Cola Products?

(c) What further punitive measure will the Minister take against Coca Cola Bottling Co. Ltd. for offering contaminated soda for consumption?

596 - **The Member for Bumula (Mr. Lawrence Sifuna) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that Mr. Jackson Wafula Masinde,P/No.101676, former Member of Ulinzi Co-operative Society Ltd. has not been refunded his share contributions as per his withdrawal letter dated 6th June, 1996?

(b) If the answer to 'a' is in the affirmative, when will the society pay Mr. Masinde his dues amounting to over Kshs.23,000/= plus interests accruing as from 1994 to date?

.....QPN.

QUESTIONS BY PRIVATE NOTICE

1. - **Question by Private Notice - The Member for Budalangi (Mr. Raphael Wanjala) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Budalangi Division is a disaster zone prone to frequent flooding and being encircled by the Yala swamp?

(b) Is he further aware that Civil Servants in the area cannot discharge duties effectively due to the hardships in the division?

(c) If the answers to 'a' and 'b' above are in the affirmative, could the Minister declare Budalangi Division a hardship area so as to pay all the Civil Servants in the division hardship allowance?

2. - **Question By Private Notice - The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Agriculture:-**

(a) Which Kenya Tea Development Authority (KTDA) factories are paying farmers more than Ksh.6.00/= per Kg. as agreed at a meeting held at Kilimo House on 6th January, 1998 between the Minister, Members of Parliament from tea growing areas, KTDA factory Directors, Board and Management?

(b) Which tea factories have implemented the payment of Bonus or Second payment every six months since July, 1997 as resolved in the meeting stated in 'a' above?

(c) Why have the Directors of Kiamokama, Nyamache, Nyansiongo and Ogembo factories failed to comply with the decisions of the Kilimo House meeting and the resolutions of the farmers of respective factories on the monthly and bonus payments?

3. - **Question By Private Notice - The Member for Nyeri Town (Mr. Wanyiri Kihoro) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that many civil servants who have been living in properties leased by the Government from the private sector have been evicted from these premises?

(b) Is he further aware that many more civil servants will be evicted from such premises when their leases expire?

(c) If the answers to 'a' and 'b' above are in the affirmative, how many civil servants have been evicted under "a" and will be evicted under "b" and what plans does the Minister have for ltheir rehousing or conmpensation?

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(b) Is he further aware that many more civil servants will be evicted from such premises when their leases expire?

(c) If the answers to 'a' and 'b' above are in the affirmative, how many civil servants have been evicted under "a" and will be evicted under "b" and what plans does the Minister have for their rehousing or compensation?

.....QPN.4

4. **Question By Private Notice** - **The Member for Langata (Mr. Raila Odinga) to ask the Minister for Labour:-**

(a) Is the Minister aware that M/S Trident Insurance Co. Ltd. has refused to pay redundancy benefits, provident fund and issue certificate of service to their former employee Mrs Razia Sultan Mohamed?

(b) Is he further aware that this matter has been pending since 1994 and that Mrs Mohamed now runs the risk of loosing her only residential house through auction for non-payment of loan?

(c) If the answer to 'a' and 'b' above are in the affirmative, could he take immediate steps to ensure that this matter is settled without any further delay?

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 9TH DECEMBER, 1998 AT 9.00 A.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **MOTION** - (Mr. Henry Obwocha)
(Ministry of Transport and Communications)

THAT, in view of the high potential of agricultural production in Kericho, Nyamira, Kisii, Migori and Kuria districts, in particular with regard to the production of tea, coffee, bananas, maize, groundnuts, sugar and tobacco; and aware that efficient railway and road transport are essential economic development catalysts, and noting with concern that this Region remains largely underdeveloped, this House urges the Government to seek donor funding/assistance, both locally and internationally, and also solicit for private investors, to construct a railway line from Kipkelion through Kericho, Nyamira, Kisii, Migori to Isebania.

8*. **MOTION** - (Mr. Emmanuel Maitha)
(Ministry of Home Affairs, National Heritage, Culture and Social Services)

THAT, in view of the historical and cultural significance of the Mombasa Old Town; considering the fact that the area is a centre of tourist attraction in Mombasa Island; and bearing in mind that property developers may soon invade the area, this House calls upon the Government to immediately establish the Mombasa Old Town Conservation Authority as a parastatal body under a specific Act of Parliament so as to make the Authority independent from the National Museums of Kenya.

...../Motions

9*. **MOTION** - (Dr. Mukhisa Kituyi)
(Ministry of Education and Human Resource Development)

THAT, in the light of emerging evidence that the Higher Education Loan Board has failed in its original purpose of enabling university students from poor families to complete their studies, considering the need for this country to develop comprehensive legislation for sustainable funding of higher education, and aware of the looming crisis posed by students discontinued due to lack of funds for their education, this House resolves that the Higher Education Loan Board Act be repealed, and a new approach to higher education funding be developed.

10*. **MOTION** - (Mr. M.M. Galgalo)
(Ministry of Public Works and Housing)

THAT, since Road A2 Nairobi-Addis Ababa is an international highway and noting that the Government has failed to tarmac this road for the last twenty years despite frequent promises, this House calls upon the Government to immediately allocate adequate funds to repair the road and ensure safety movement of goods and services to Samburu, Marsabit, Moyale, Wajir, Mandera districts and the neighbouring countries.

*** Private Member's Motions**

NOTICE

LIMITATION OF DEBATE ON PRIVATE MEMBERS MOTIONS

The House resolved on 7th April, 1998, as follows:-

THAT, the debate on Private Members Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

753 - **The for Member Maragwa (Mr. Mwangi Kamande) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Mr. Shadrack Mburu Kinuthia, holder of title number Tezo/Kibarani/Tezo/Konjara Block 1/45 and Mr. Samwel Wandua Mbuthia, holder of Tezo/Kibarani/Tezo/Konjara Block 1/372 are amongst hundreds of farmers from Maragwa District who bought land in Kilifi District?

(b) Is he further aware that the farmers have been unable to settle on their legally acquired farms?

(c) If the answers to 'a' and 'b' are in the affirmative, why have the farmers been unable to settle on the said land and could the Minister arrange to settle the farmers without further delay?

761 - **The Member for Kasipul/Kabondo (Mr. Oloo Otula) to ask the Minister for Agriculture:-**

(a) Is the Minister aware that tea farmers in Kabondo pick their tea and take two days or even more before the weighing is done making them lose many Kilogrammes?

(b) If the answer to 'a' above is in the affirmative, what steps is the Minister taking to protect the farmers from the loss?

587 - **The Member for Voi (Mr. Basil Mwakiringo) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that telephone subscribers at Njukini location in Taveta division have been allocated telephone numbers of Voi exchange which is 140 km. away?

(b) Is the Minister further aware that the subscribers making local calls are charged the same rate applicable to Voi exchange?

(c) What action is the Minister taking to ensure that the subscribers are compensated by way of rebate and also rectify the problem?

669 - **The Member for Nyeri Town (Mr. Wanyiri Kihoro) to ask the Attorney-General:-**

(a) Is the Attorney-General aware that Kenya has not yet signed and ratified the Convention on the Prevention of Punishment of the Crime of Genocide of 1948?

(b) If the answer to 'a' is in the affirmative, when will Kenya accede to this Convention?

732 - **A Nominated Member (Mr. Joseph Munyao) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that the broken bridge at Thwake river at Kalingile along Tawa Market-Wote road has remained unrepaired despite the Ministry's promise to do so?

(b) If the answer to 'a' is in the affirmative, when will the Minister take urgent action to complete the repairs?

674 - **The Member for Nithi (Mr. Njoka Mutani) to ask the Minister for Health:-**

(a) Is the Minister aware that Nurse Trainees at Chogoria Mission Hospital cannot be taken to Mpukoni Health Centre for clinical experience since the hospital has no vehicle nor telephone facililty?

(b) Is he further aware that the said trainees are instead taken further away to Kanyuambora Health Centre in Embu District where such facilities are available?

(c) If the answers to 'a' and 'b' are in the affirmative, when will Mpukoni Health Centre be provided with a vehicle and telephone facility?

672 - **The Member for Lurambi (Dr. Newton Kulundu) to ask the Minister for Health:-**

(a) Is the Minister aware that Kakamega Provincial General Hospital is experiencing water shortage?

(b) Is he also aware that there is an unused water bore-hole at the hospital?

(c) If the answers to 'a' and 'b' are in the affirmative, what urgent corrective measures is he taking?

..../653

653 - **The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask the Minister for Labour:-**

(a) Is the Minister aware that Mr. Alfred Bwonya of Box 354, Bungoma, has not been compensated under the workmen's compensation Act for injuries he suffered while working for M/s Konoike Construction Company on 21st April, 1987 at Bungoma N.C.P.B. silos?

(b) If the answer to 'a' is in the affirmative, could the Minister state what has caused this delay and when the claimant will be compensated?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for south Imenti (Mr. Kiraitu Murungi) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that Police Constable, Mr. Mwiti Mungania, No.5999361, attached to Industrial Area Police Station was denied treatment at the Force Memorial Hospital, after which he was admitted at the Aga Khan Hospital and incurred a bill of Kshs.388,503.05?

(b) Is he further aware that the said Police constable died on 6th October, 1998, but the Hospital has refused to release his body for burial because the Police Department has been unable to pay the Hospital Bill of Kshs.388,503.05?

(c) What immediate steps is the Minister taking to ensure that the said Hospital Bill is paid and to ensure that in future, all police officers are treated at the Armed Forces Memorial Hospital?

2. - **Question By Private Notice - The Member for Mumias (Mr. Wycliffe Osundwa) to ask the Minister for Agriculture:-**

(a) Could the Minister explain why Mumias Sugar Company is maintaining large stocks of unsold sugar worth Kshs.2 billion while other companies such as Sony, Chemilil and Nzoia are selling their stocks promptly?

(b) Is he aware that this situation has adversely affected farmers who are contracted to supply cane to this Company?

(c) If the answer to 'b' above is in the affirmative, what urgent steps is the Government taking to ensure this Company releases sugar to the market?

QUESTION BY PRIVATE NOTICE

3. - **Question By Private Notice - The Member for Rongo (Mr. Ochilo Ayacko) to ask the Minister for Public Works and Housing:-**

(a) Is the Minister aware that Computer Application Limited (CAL) has been awarded a tender worthy Kshs.40 million to supply, instal and service IBM Computers by the Board of National Housing Corporation without competitive bidding?

(b) If the answer to 'a' above is in the affirmative, what steps is the Minister taking to cancel the award to CAL and open the tender to competitive bidding?

Eighth Parliament

(No.94)

Second Session
Afternoon Sitting
(663)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

WEDNESDAY 9TH DECEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **THE NATIONAL INTELLIGENCE AND SECURITY SERVICE BILL (BILL NO.9)**
(Minister of State, Office of the President)

Second Reading

(Resumption of debate interrupted on 8th December, 1998)

—— 0 ——

*** Denotes Government Orders of the Day**

...../Appendix

APPENDIX

ORDER NO.6

QUESTION NO.

747 - **The Member for Sirisia (Mr. John Munyasia) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that on that on the morning of 24th July, 1998, on Haile Sellasie Avenue, a CID Peugeot Station Wagon car, Reg.No.KAG 130E knocked down Bernard Abutu Liyai, ID.No.10917549, of Kawangware, causing him serious leg, head and chest injuries and that this matter was reported to Langata Police Station?

(b) Is he further aware that the victim, Bernard Liyai, is unable to get effective treatment and has since lost his job at Eliots in Industrial area?

(c) If the answers to 'a' and 'b' are in the affirmative, what urgent steps is the Minister taking to assist the victim and to bring the suspected culprit to book?

755 - **The Member for Nakuru Town (Mr. Manyara Njuki) to ask the Minister for Finance:-**

(a) Is the Minister aware that most insurance Companies have failed to compensate victims of accidents involving insured vehicles leading to attachment and auctioning of the vehicle owners' property?

(b) Is he further aware that the following vehicle were impounded and auctioned by Wema, S.K. Ndegwa and Kenna Auctioneers of Nakuru arising from non-compensation of accident victims by concerned insurance companies, Nissan Urvan Reg.No.KAE 497R, Nissan Urvan Reg.No.KAE.330D and ***Matatu*** vehicle Reg.No.KAB.611Y?

(c) If the answers to 'a' and 'b' are in the affirmative, could the Minister ensure that the Insurance companies honour their obligations and compensate the vehicle owners who have had their vehicles impounded and sold?

040 - **The Member for Nyatike (Mr. Tom Onyango) to ask the Minister for Local Government:-**

(a) How much cess was paid by Sony Sugar Company Ltd. to Migori County Council during the years 1993, 1994, 1995, 1996 and 1997?

(b) How was the money utilised?

...../689

689 - **The Member for Ntonyiri (Mr. Maoka Maore) to ask the Minister for Public Works:-**

(a) Is the Minister aware that Meru-Maua road has developed numerous potholes that pose great danger to motorists?

(b) What measures is the Minister taking to urgently patch the gaping potholes and gulleys between Kianjai and Meru town as well as Muthara market sections?

(c) How much money has been allocated for the entire repairs?

746 - **The Member for Karachuonyo (Dr. Adhu Awiti) to ask the Minister for Co-operative Development:-**

(a) Is the Minister aware that Rachuonyo Farmers Co-operative Union ginnery at Kendu Bay Town, was leased to a private Company in 1996?

(b) If the answer to 'a' above is in the affirmative, what is the name of the Company, for how long was the ginnery leased and at how much, and have the workers been paid all their terminal dues?

570 - **The Member for Kitutu Masaba (Mr. George Anyona) to ask the Minister for Co-operative Development:-**

Could the Minister inform the House on:-

(a) The gross earnings in foreign currency of milled coffee delivered by Girango Farmers Co-operative Society Limited during the months of May and June as of 10th June, 1998?

(b) The net payments per kilogramme to Girango Farmers Co-operative Society Limited and to individual farmers during the two months?

(c) The respective net deductions by the Coffee Board of Kenya, the Kenya Planters Co-operative Union, the Co-operative Bank of Kenya, the Kisii Farmers Co-operative Union and Girango Farmers Co-operative Society Limited?

QUESTIONS BY PRIVATE NOTICE

1. - **Question By Private Notice - The Member for Bura (Mr. Mohamed Galgalo) to ask a Minister of State, Office of the President:-**

(a) Is the Minister aware that certain indigenous communities in Tana River District are having problems in securing National Identity Cards for lack of Code (tribal) of registration like Munyo, Yaya and Malakote among others?

(b) Is he further aware that as a result, they are now registering as others, a situation that has caused uncertainty amongst the people?

(c) If the answers to 'a' and 'b' are in the affirmative, could the Minister order for the establishment of a code for these communities so as to regain their proper identity?

2. - **Question By Private Notice - The Member for Lurambi (Dr. Newton Kulundu) to ask the Minister for Education and Human Resource Development:-**

(a) Is the Minister aware that Kochwa Primary School in Kakamega District was struck by lightning on 23rd June, 1998 and that four pupils died instantly?

(b) Is he further aware that the same school was struck again on 11th August, 1998?

(c) If the answers to 'a' and 'b' above are in the affirmative, what assistance is the Minister planning to give to the school and the affected parents?

3. - **Question By Private Notice - The Member for Kanduyi (Mr. Wafula Wamunyinyi) to ask the Minister for Home Affairs, National Heritage, Culture and Social Services:-**

(a) Is the Minister aware that some eight (8) prisoners died mysteriously at Bungoma GK Prisons during the month of October, 1998?

(b) What caused these deaths and what action is the Minister taking to have the cause of these deaths investigated?

QUESTIONS BY PRIVATE NOTICE

4. - **Question By Private Notice - The Member for Karachuonyo (Dr. Adhu Awiti) to ask the Minister for Health:-**

(a) Is the Minister aware that three Health Centres viz:- Miriu, Adiedo and Wagwe in Karachuonyo Constituency have suddenly been closed by the Health authorities in Rachuonyo District?

(b) Is he further aware that the people of Karachuonyo Constituency are now suffering incidences of common diseases without any help from the Health Centres?

(c) If the answers to 'a' and 'b' above are in the affirmative, what measures does the Minister intend to take in order to open up the three health centres?

Eighth Parliament
(No.95)

Second Session
(668)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 10TH DECEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **COMMITTEE OF THE WHOLE HOUSE**

THE NATIONAL INTELLIGENCE AND SECURITY SERVICE BILL (BILL NO.9)
(Minister of State, Office of the President)

NOTICES

1. **ADJOURNMENT OF THE HOUSE TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY**

Mr. Speaker will today call upon the Leader of Government Business to move the Motion for the Adjournment of the House to a day other than the next normal Sitting Day **not later than 3.30 p.m.**

MOTION - (The Leader of Government Business)

THAT, this House do now adjourn **sine die.**

...../Notice

NOTICE

2. LIMITATION OF DEBATE ON ADJOURNMENT OF THE HOUSE

The House resolved on Tuesday, 7th April, 1998 as follows:-

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 three hours with not more than five minutes for each member speaking.

Eighth Parliament
(No.96)

Second Session
(670)

REPUBLIC OF KENYA

NATIONAL ASSEMBLY

EIGHTH PARLIAMENT - (SECOND SESSION)

SUPPLEMENTARY ORDER PAPER

THURSDAY 10TH DECEMBER, 1998 AT 2.30 P.M.

PRAYER

1. Administration of Oath.
2. Communication from the Chair.
3. Petitions.
4. Papers.
5. Notices of Motion.
6. Questions (As set out in the Appendix)

COMMENCEMENT OF BUSINESS

7*. **COMMITTEE OF THE WHOLE HOUSE**

THE NATIONAL INTELLIGENCE AND SECURITY SERVICE BILL (BILL NO.9)
(Minister of State, Office of the President)

N O T I C E

THE NATIONAL INTELLIGENCE AND SECURITY SERVICE BILL (BILL NO.9)

Notice is hereby given by the Minister of State, Office of the President, of his intention to move the following amendments to the foregoing Bill during the Committee Stage:

LONG TITLE: - **THAT,** the long title of the Bill be amended by deleting the words "**and Security**".

Clause 1: - **THAT,** Clause 1 be amended by deleting the words "**and Security**" in line two.

Clause 2: - **THAT,** Clause 2 be amended:-

(a) in the definition of "**threat to the security of Kenya**", by inserting the words "**by unlawful means**" at the end of paragraph (b);

(b) by inserting the following new definitions in proper alphabetical order -

"Council" means the National Intelligence Council established by Section 23;

"Minister" means the Minister of State for the time being responsible for matters relating to the national intelligence and security";

Clause 5: - **THAT,** Clause 5 be amended in paragraph (f) of sub-clause (1):

by inserting the words "**subject to the provisions of any other written law**" immediately before the word "**perform**".

Clause 6: - **THAT,** Clause 6 be amended:-

(a) In sub-clause (1) by inserting a comma and the words "**on the advice of the Directorate of Personnel Management and in consultation with the Public Service Commission**" immediately after the words "**the President may**".

(b) by deleting sub-clause (2) and inserting the following new sub-clause:

"(2) The Director-General shall hold office for a term of five years but shall be eligible for re-appointment for one further term of a period not exceeding five years".

Clause 7: - **THAT,** Clause 7 be amended:-

(a) In paragraph (b), by inserting the words "**and the Government**" immediately after the word "**President**".

(b) In paragraph (c), by inserting the words "**and the Government**" immediately after the word "**President**".

Clause 9: - **THAT,** Clause 9 be amended:-

by inserting immediately after the words "**Director-General**", the words "**in consultation with the Council**".

Clause 13: - **THAT,** Clause 13 be amended:-

by inserting immediately after the words "**consultation with**", the words "**the Directorate of Personnel Management and**".

Clause 14: - **THAT,** Clause 14 be amended:-

In sub-clause (1) by inserting a comma and the words "**with the approval of the Directorate of Personnel Management**". immediately after the words "**Director-General**".

Clause 15: - **THAT,** Clause 15 be amended:-

by deleting sub-clause (2) and inserting the following new Sub-Clauses:

(2) An officer who contravenes the provisions of paragraph (b)(i) of Sub-Section (1) commits a felony.

(3) An officer who contravenes any of the provisions of paragraphs (a) and (b)(ii) of the Sub-Section (1) commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding three years.

Clause 19: - **THAT,** Clause 19 be amended:-

In sub-clause (1) by deleting the word "**President**" and substituting therefor the word "**Minister**".

Clause 21: - **THAT,** Clause 21 be amended:-

by deleting the word "**five**" and substituting therefor the word "**three**".

Clause 22: - **THAT,** Clause 22 be amended:-

(a) In sub-clause (6), by deleting the words "**three months**" and substituting therefor the words "**one month**";

(b) In sub-clause (7), by deleting the words "**three months**" and substituting therefor the words "**one month**";

(c) by inserting the following new sub-section immediately after sub-section (9) -

(10) A person aggrieved by the issue of a warrant or by the extension of the period of a warrant under this section may appeal to the Court of Appeal within fourteen days.

Replacement of Clause 23: - **THAT,** Clause 23 be deleted and the following new Clause inserted in place thereof -

The National Intelligence Council.

23(1) There is established a Council to be known as the National Intelligence Council which shall consist of -

(a) the Minister;

(b) the Minister for the time being responsible for matters relating to foreign affairs;

(c) the Attorney-General; and

(d) the Permanent Secretary, Secretary to the Cabinet and Head of the Public Service.

(2) The Director-General shall be the Secretary to the Council.

(3) The functions of the Council shall be -

(a) to advise the Service generally on all matters pertaining to -

(i) national security and intelligence policies;

(ii) the administration of the Service;

(iii) the expenditure of the Service; and

(b) **to perform such other functions as are conferred on it by this Act or by any other written law.**

(4) **For the better carrying out of its functions under this Act, the Council may establish such functional committees of the Council as it may deem necessary.**

(5) **The Minister shall, in regulations, prescribe the manner of discharging the functions of the Council under this section, including the procedure for meetings of the Council and any committees thereof, but subject thereto, the Council may regulate its own procedure.**

Clause 25: - **THAT,** Clause 25 be amended:-

In sub-clause (1), by inserting the words "**on the advice of the Judicial Service Commission**" immediately after the word "**President**";

Clause 26: - **THAT,** Clause 26 be amended:-

(a) In sub-clause (1), by inserting the words "**and the Government**" immediately after the word "**President**"; appearing in the last line;

(b) In sub-clause (3), by deleting the words "**such other person as it may deem appropriate**" appearing in paragraph (a) and substituting therefor the words "**the Council**";

(c) In sub-clause (5), by inserting the words "**Council or the**" immediately before the words "**Director-General**";

(d) In sub-clause (6), by inserting the words "**and the Council**" immediately after the word "**President**".

Clause 27: - **THAT,** Clause 27 be amended:-

by inserting the following new Sub-Clause immediately after sub-clause (3) -

(4) A person aggrieved by any decision of the Commission may appeal to the High Court within fourteen days.

Clause 30: - **THAT,** Clause 30 be amended:-

by inserting the words "**and the Council**" immediately after the word "**President**"