

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Tuesday, 13th August, 2002

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

### PRAYERS

### ORAL ANSWERS TO QUESTIONS

*Question No.238*

#### ALLOCATION OF MONEY TO VOI WOMEN GROUPS

**Mr. Mwakiringo** asked the Minister of State, Office of the President:-

(a) how much money was received from the National Women Groups Fund for Voi Constituency women groups;

(b) whether he could table a list indicating the groups and the amounts received; and,

(c) how many groups are carrying out such economically viable projects.

**The Assistant Minister, Office of the President** (Mr. Samoei): Mr. Speaker, Sir, I beg to reply.

(a) Voi Constituency women groups collected locally Kshs1,547,526.20. They received Kshs671,588.25 from the National Women Groups Fund thus making a total of Kshs2,219,115.05. A total of 248 groups benefitted from the fund.

(b) I hereby table the list for the various groups and the amounts they received.

*(Mr. Samoei laid the document on the Table)*

(c) About half of them - about 128 groups - are involved in activities which are considered income generating projects and are economically viable.

**Mr. Mwakiringo:** Mr. Speaker, Sir, I am worried because most of these women groups were formed through clannism and about three-quarters of them are not doing any economically viable project. There must have been a purpose for establishing the National Women Groups Fund. What is the machinery used to monitor the activities of these women groups?

**Mr. Samoei:** Mr. Speaker, Sir, as to whether these groups were formed on clannism basis or other criteria, it is not for the Government to know. It was the intention of this Fund that women groups that have income generating activities be supported and helped. As I have said, half of the groups that were funded under this Fund are in active income generating activities. While the District Development Officers, in conjunction with the local leadership, have a duty to help out in the management of these women groups, it is really up to the individual management of each group to ensure that they run effectively.

**Mr. Mwalulu:** Mr. Speaker, Sir, hon. Members of Parliament are on the ground and when they say that this money was just wasted, and did not benefit any group, they mean it. I have never seen any women group benefitting from this money in my constituency. There are no projects going on there. Could the Assistant Minister tell this House where this money went because it did not benefit anybody? In the first place, what was the source of this money? This is because it looks like it was just money meant to be "eaten" by people for political reasons.

**Mr. Samoei:** Mr. Speaker, Sir, I really doubt whether hon. Mwalulu knows what he is talking about because, on the ground, we have real women groups that exist. He should appreciate the efforts that were made in collecting these funds. The funds were collected from wellwishers; they did not come from any particular person or source. By and large, this money has been used effectively. We cannot miss instances whereby this money was misappropriated. In most of the cases there were wrangles within some of the groups and we could not do much about that. However, on the whole, I think a splendid job was done.

**Mr. Mwakiringo:** Mr. Speaker, Sir, these funds were administered by District Officers. I want to tell the

Assistant Minister that most of these funds were squandered by the administration. Could he confirm that because most of these funds never reached the targeted groups?

**Mr. Samoei:** Mr. Speaker, Sir, I want to confirm to this House that there are no specific members of the provincial administration who were involved in the embezzlement of these funds. If there are such cases, we are willing to bring them up for disciplinary action. As I have said, as far as we are concerned, this money reached the groups that it was intended to. While I cannot confirm that all this money was used properly, there is nothing we can do because some money was misappropriated by some of these groups due to internal wrangles. However, we believe that this money reached the intended groups and was used properly.

**Mr. Speaker:** Next Question, Mr. Wambua!

**Mr. Wambua:** Mr. Speaker, Sir, before I ask Question No.401, I would like to notify you that I have not received the written answer.

*Question No.401*

HARDSHIP ALLOWANCE FOR MASINGA  
CIVIL SERVANTS

**Mr. Wambua** asked the Minister of State, Office of the President:-

(a) whether he is aware that Yatta and Masinga constituencies have been declared hardship areas and teachers are being paid hardship allowance while Government officers are not paid the same; and,

(b) if he could correct the anomaly.

**Mr. Speaker:** Where is the Minister? Is it Mr. Samoei, Mr. Sunkuli or Mr. Nassir? Who is supposed to answer this Question? Is it you Mr. Sunkuli?

**The Minister of State, Office of the President** (Mr. Sunkuli): Sorry, Mr. Speaker, Sir. However, Mr. Samoei and myself are usually in the same department. This Question should be answered by Mr. ole Ntimama.

**Mr. Speaker:** So, who else will answer it since I do not see Mr. ole Ntimama? Is anyone of you ready to answer it?

**The Minister of State, Office of the President** (Mr. Sunkuli): Mr. Speaker, Sir, I am sorry I was not briefed on this. Mr. ole Ntimama's assistant has been Mr. Gumo.

*(Laughter)*

**Mr. Speaker:** Order! Order! You must know how to use your tenses correctly. Mr. Gumo "was" and not "is"!

**Dr. Kituyi:** On a point of order, Mr. Speaker, Sir. In the event that Mr. Sunkuli realises the fact that both Mr. Gumo and Mr. ole Ntimama are in the Rainbow Coalition, is it not that he is still his assistant, but not in KANU?

**Mr. Speaker:** What is the Rainbow?

**Dr. Kituyi:** The Rainbow are those ones who are refusing to come to answer Questions on behalf of President Moi!

**The Minister of State, Office of the President** (Mr. Sunkuli): Mr. Speaker, Sir, I had actually said, and I think the HANSARD will bear me out, that Mr. Gumo "has been". That "has" means "in the recent past", but "was" is in the distant past.

*(Laughter)*

**Mr. Speaker:** Mr. Sunkuli, "has been" is past continuous tense! I think we will leave that English aside.

**Mr. Wambua:** Mr. Speaker, Sir, I do not know why Mr. Sunkuli is not ready to answer this Question because this is the second time I am asking it. The first time I asked it, it was Mr. Sunkuli who answered it. So, he should be in a position to answer it.

**The Minister of State, Office of the President** (Mr. Sunkuli): Mr. Speaker, Sir, that is not true. This Question does not fall under my department.

**Mr. Speaker:** So, who answers on behalf of the Government? I thought there is something called collective responsibility. What happened?

**The Minister of State, Office of the President** (Mr. Sunkuli): Mr. Speaker, Sir, if this Question comes up again and the Minister is not there, I will ensure that we are well briefed in order to answer it.

**Mr. Speaker:** All right. We will wait. We will come back to that Question.

Next Question, Mr. Omingo!

*Question No.465*

## COMPENSATION FOR MR. OBAI'S FAMILY

**Mr. Omingo** asked the Minister of State, Office of the President when the family of the late David Obai, who was killed by a hippopotamus, will be compensated.

**The Minister of State, Office of the President** (Mr. Nassir): Mr. Speaker, Sir, I beg to reply.

I can only tell the hon. Member that what he has stated is not true. We have not received any report to that effect from the officers in the field. If such a thing happens, somebody must report to our officers down there, who should then report back to us so that we can make arrangements for compensation.

**Dr. Kituyi:** Jambo la Nidhamu, Bw. Spika. Kulingana na Kanuni za Bunge hili, ikiwa Swali limeulizwa, ni lazima liwe na jawabu ambalo limeandikwa. Lakini mhe. Waziri anasimama hapa na kuendesha mambo kana kwamba hajibu Swali! Hata nakala ya jawabu lake iko wapi?

**An hon. Member:** Iko Tononoka!

**Mr. Nassir:** Bw. Spika, ninajua kazi yangu sana, si wakili tu. Ikiwa ni mambo ya siasa, au kujibu Maswali kuhusu shughuli za Serikali, niko tayari. Nimesema kwamba akitoa ripoti kwa maofisa wa nyanjani, tutafikiria kulipa fidia. Ni kazi yetu kufanya hivyo ili kuwasaidia Wakenya wanaokumbwa na shida kama hizo.

**Mr. Omingo:** Bw. Spika, ningaliomba nizingumze kwa Kiswahili kwa minajili ya huyu mzee ambaye hajapata kuelewa Swali langu.

**Mr. Speaker:** Order! Order!

**Capt. Ntwiga:** On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to call Mr. Nassir an old man in this House?

**Hon. Members:** He is a respected Member of Parliament!

**Mr. Speaker:** Order! Order, hon. Members! Shall we leave those other epithets out of this House? So, we have only hon. Members. You may call yourself all old, young, middle aged and so on, outside the door of the House. For the time being, you are all hon. Members!

**Mr. Omingo:** Mr. Speaker, Sir, I have an answer here written in English and not Kiswahili. It is true that this person was killed by the hippopotamus in 1995 and a report was made through Form "D" to the Kenya Wildlife Service on 18th October, 1996. To date, the family of the late David Obai has not been paid. Are we saying that the report was made to a different Government other than the one Mr. Nassir serves?

**Mr. Nassir:** Mr. Speaker, Sir, I was speaking in English though not as well as him. He may be an advocate, but I did reply in English. Since an hon. Member asked me a question in Kiswahili, which is my language, I also decided to reply in Kiswahili. But why has it taken such a long time to report a matter of 1995? It is possible that some files have been destroyed already.

**Mr. Omingo:** On a point of order, Mr. Speaker, Sir. The Minister has not understood my question. There is a report which was made to the KWS and signed by that department. If he wants, I can lay it on the Table of the House.

**Mr. Speaker:** So, why do you not do it?

**An hon. Members:** Table it!

*(Mr. Omingo laid the document on the Table)*

**Mr. Omingo:** Mr. Speaker, Sir, the claim was made and acknowledged by the KWS officers. To date, it has not been paid. Could the Minister confirm that this is an official claim and also undertake to pay the family of the deceased? This claim has taken 12 years.

**Mr. Nassir:** Mr. Speaker, Sir, I want to assure the hon. Member that I will go to my office to confirm whether that claim was made and prompt payment will be made.

**Mr. Mwakiringo:** Mr. Speaker, Sir, it is a well known fact that the KWS officials harass people on the ground. Could the Minister tell us why it has taken so long, even after the Question was filed, to get a proper answer to this House?

**Mr. Nassir:** Mr. Speaker, Sir, I do not speak as loudly as the hon. Member. I speak slowly. I tried to check the files, but I did not find that information because they were too many.

*(Laughter)*

**Mr. Omingo:** Mr. Speaker, Sir, this House requires to be taken seriously. I have put my issue across and there is evidence. There is a claim lodged. Could I ask for the indulgence of the Chair to defer this Question until we get a proper answer, or the Minister gives an undertaking that he is going to compensate the family of the deceased

because the claim is legitimate and it is on record?

**Mr. Speaker:** I thought that is what Mr. Nassir said!

**Mr. Omingo:** I do not understand his language!

**Mr. Nassir:** Mr. Speaker, Sir, if the hon. Member had clearly indicated the year when this incident took place, I would have gone straightaway to check the files of that particular year. But I have been checking the files of the last two years and I have not traced anything. But still, regardless of the fact that he has asked this Question in Parliament, my door is always open for him to come and see me.

**Mr. Speaker:** Next Question, Mr. Sambu!

*Question No.443*

PROVISION OF ELECTRICITY TO MOSOP

**Mr. Sambu** asked the Minister for Energy:-

- (a) whether he is aware that several groups including villages, schools and trading centres along the Kabiwet to Chepterwai powerline, have paid money to the Kenya Power and Lighting Company, Eldoret Office, being their 10 per cent contribution for provision of electric power;
- (b) whether he could list the groups which have paid, stating the amount paid by each group and when they paid; and,
- (c) when the KPLC and the Ministry will carry out their part of the contract and provide electricity to these applicants.

**The Minister for Energy** (Mr. Okemo): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) The following schemes, which are close to the powerline lying between Kabiwet and Chepterwai, have been given quotations for their projects and certain payments have been made to the KPLC. I have a list of seven schemes with amounts which have been paid.

(c) The KPLC and the Ministry of Energy are not under any obligation to provide power to scheme members on the basis of payment of 10 per cent. The procedure requires that before a scheme qualifies for rural electrification funding the same should be recommended by the respective DDC. However, the implementation of such a project is subject to availability of funds.

**Mr. Sambu:** Mr. Speaker, Sir, the Minister did not include all the groups which had paid the amount. He has only listed seven of them in his reply. If he had read the list in the reply you would have noted that, for example, the estimate for Kebulonik Secondary School is Kshs3.2 million and they paid Kshs825,000 in August, 1998. The offer stipulates that if you pay 10 per cent of the amount, the KPLC will supply electricity. All these projects listed here have got the DDC approval. Could the Minister tell the House why the KPLC is collecting money from Kenyans if they do not intend to supply electricity? Is he confirming that the KPLC is defrauding Kenyans?

**Mr. Okemo:** Mr. Speaker, Sir, as I said before, the payment of 10 per cent deposit is not a guarantee for implementation of a rural electrification programme. That money is partly used for research, design and preparation of drawings which are used for implementation when funds are available.

**Mr. Otula:** Mr. Speaker, Sir, the Minister has said that the KPLC can only supply electricity with the recommendation of the DDC. Why did the KPLC accept payment of the 10 per cent from groups without recommendation from their DDCs?

**Mr. Okemo:** Mr. Speaker, Sir, normally a request is made by those who would like electricity supply for an estimate of the cost of the project. In response to that, a rough estimate is given. About 10 per cent of the cost goes towards the survey and preparation of the plan.

**Mr. Sambu:** On a point of order, Mr. Speaker, Sir. Is the Minister in order to mislead the House that this is a voluntary contribution, when the contract stipulates that you have to pay 10 per cent of the cost of the project before you are supplied with electricity?

**Mr. Okemo:** Mr. Speaker, Sir, I do not know what contract he is referring to.

**Mr. Manyara:** Apart from the money contributed by people who seek electricity supply, we know that the Spanish Government has provided a huge credit line for supply of electricity. Could the Minister consider using some of this money to supply electricity to those people who have requested for it together with others throughout the country who should be benefiting from this money from the Spanish Government?

**Mr. Okemo:** Mr. Speaker, Sir, money that has been provided by the Spanish Government came in two phases. Phase 1 was implemented and has actually been completed so it cannot be there. The allocation for Phase 2 has already been made to about 23 districts and 32 schemes. Implementation started about two months ago. Therefore, that money is also not available. We plan to finalise Phase 3 of the project with the Spanish Government who have agreed that they will be able to provide some money.

**Dr. Murungaru:** Mr. Speaker, Sir, I think the hon. Minister is avoiding to tell the House the truth. When you apply to the KPLC for power connection, they will ask you to pay 10 per cent of the estimated cost if they consider your application viable. This means that they have already estimated the cost of supply before they ask you to pay the 10 per cent. Is the Minister in order to tell us that 10 per cent goes towards design works when they already have a figure?

**Mr. Okemo:** Mr. Speaker, Sir, in fact the hon. Member is extremely accurate because they will first give you an estimate before they confirm the actual cost. That is when they must survey, prepare plans and find out what the actual cost will be. The 10 per cent goes towards the cost of arriving at the actual estimate.

**Mr. Sambu:** Mr. Speaker, Sir, the 33 KVA line running from Kaiboi to Chepterwai repeater station was paid for by the defunct Kenya Power Posts and Telecommunications Corporation (KPTC) and the Kenya Railways Corporation. An individual working for the KPLC was allowed to instal his own 50KVA transformer, around Kurgung Secondary School. Could the Minister, in view of the money paid by the schools, allow the schools and the communities to buy their own transformers, cables and poles so that they can install power supply to their schools and houses? If they have done it for Mr. Habel Rotich, why can this not be done for other Kenyans? You should tell us the cut off point and end this discrimination.

**Mr. Okemo:** Mr. Speaker, Sir, if any installation has been made by an individual, particularly that of a transformer then it is illegal, irregular and in contravention of the existing rules. If that has happened, please bring it to our attention and action will be taken against that individual.

**Capt. Ntwiga:** On a point of order, Mr. Speaker, Sir. What kind of evidence does the Minister want from Mr. Sambu if he has already been told that a Mr. Rotich has installed electricity privately?

**Mr. Sambu:** On a point of information, Mr. Speaker, Sir. In fact the installation of the transformer and the power line, by Mr. Rotich, was approved by the KPLC. So, I am saying that if you can allow an individual to instal power, why can you not allow a school to do the same? The schools are suffering and yet that transformer is only 50 metres away from the schools. The children are suffering and yet an individual has been allowed to install a transformer.

**Mr. Speaker:** Order! As you realise, Mr. Sambu made an intervention out of all rules, but I have been a little bit generous because we are likely to adjourn today. My generosity has now ended. Mr. Minister, would you like to respond to that?

**Mr. Okemo:** Mr. Speaker, Sir, I am certainly not aware of that particular case that he is referring to. Since he seems to have a lot of detailed information, could he bring it to my attention and appropriate action will be taken?

**Mr. Speaker:** Very well. Next Question!

#### *Question Nol.435*

#### RETIREMENT BENEFITS FOR MR. ABDI

**Dr. Ali** asked the Minister for Labour:-

(a) whether he is aware that Mr. Adan Dima Abdi, P/No.017516595, retired from Wajir County Council on 1st August, 1990 and has not received his retirement benefits from the National Social Security Fund to date; and,

(b) what urgent measures he is taking to ensure that Mr. Adan is paid his benefits.

**Mr. Speaker:** Is there anyone here from the Ministry of Labour?

**Mr. Ndicho:** On a point of order, Mr. Speaker, Sir. Going by the events of yesterday, the hon. Minister was just appointed yesterday---

**Hon. Members:** Aaah!

**Mr. Ndicho:** Listen to me!

**Dr. Ali:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order, Dr. Ali! He is on a point of order!

**Mr. Ndicho:** Mr. Speaker, Sir, the hon. Minister has been very busy today being sworn in and he was to be shown his new office. In view of that---

**Hon. Members:** Aaah!

**Mr. Speaker:** Order, all of you! I will listen to what hon. Members have to say and, then, I will make a decision. I do not anticipate - and I do not expect - hon. Members to take my role. I am available and able.

Mr. Ndicho, what were you saying?

**Mr. Ndicho:** Mr. Speaker, Sir---

**Hon. Members:** On a point of order, Mr. Speaker, Sir.

**Mr. Ndicho:** I am on a point of order!

**Mr. Speaker:** Order, hon. Members! Mr. Ndicho, would you finish your point of order?

**Mr. Ndicho:** Mr. Speaker, Sir, I am pleading with the House and the Speaker that since the new Minister was being sworn in this mid-morning and then he went to be shown where the office is, it is the process of taking over that might have made him not to be here.

**Hon. Members:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order! Mr. Ndicho, when did you ever become the Leader of Government Business?

*(Laughter)*

Dr. Ali, what is your reaction?

**Mr. Angwenyi:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Yes, Mr. Angwenyi!

**Mr. Angwenyi:** Mr. Speaker, Sir, I think you need to go back to the ruling that you made earlier, about hon. Members moving from the Opposition side to the KANU side. Because an hon. Member from the SAFINA party was appointed a Minister yesterday, Mr. Ndicho has now assumed the position of the Leader of Government Business because there is confusion as to where the Leader of Government Business will sit. Give us that direction.

**Mr. Speaker:** Order, hon. Members! I think we are now diverting the Question by Dr. Ali. This is not the first time this seems to be happening. Every time he seems to be asking a Question, or his colleagues from his part of the world, it is trivialised and it gets out of track. I will not allow this.

Dr. Ali, what is your reaction?

**Dr. Ali:** Mr. Speaker, Sir, there is an Assistant Minister here who has a written reply. I do not know why there is a lot of hullabaloo here, hon. Members making a lot of unnecessary noises. Furthermore, I have a written reply, signed by Mr. Ngutu; he was not sacked!

*(Mr. Maizs stood up in his place)*

**Mr. Speaker:** Mr. Maizs, what you have been doing?

**The Assistant Minister for Labour and Human Resource Development** (Mr. Maizs): Mr. Speaker, Sir, I am sorry; hon. Members were making noise, and I did not get what was going on. But I am available to answer that Question. Mr. Ndicho, being my friend, was making noise.

*(Loud consultations)*

**Mr. Speaker:** Order, hon. Members! Mr. Maizs, hon. Members never make noise, and you must withdraw that remark.

**The Assistant Minister for Labour and Human Resource Development** (Mr. Maizs): Mr. Speaker, Sir, I withdraw and apologise for saying that hon. Members make noise.

Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Mr. Adan Dima Abdi retired from Wajir Town Council on 1st August, 1990 and that part of his benefits were paid to him, although he died in 1997. The benefits were due to the late Adan Dima Abdi, and they have been already paid.

**Dr. Ali:** Mr. Speaker, Sir, the written reply states that part of his benefits were paid to him. The Assistant Minister says that the money has already been paid. So, when was the other part paid? What was the balance which was paid and which year was it paid?

**Mr. Maizs:** Mr. Speaker, Sir, in December 1990, he was paid Kshs21,097 being the withdrawal benefits for the period between 1969 and 1976.

**Dr. Ali:** Mr. Speaker, Sir, I think the Assistant Minister has a problem. That is why he sat here the whole day when hon. Members were rising on points of order. That was the amount which was first paid and part of the payment. What about the other part? What was the amount--

**Mr. Maizs:** Mr. Speaker, Sir, I have answered the first question. Regarding the second question, the NSSF and the Wajir County Council later established a contribution record for the period between 1982 and 1990 and the claimant was paid further Kshs11,666.25 for the period. The deceased died in 1997 and, subsequently, his wife, Habiba, lodged a survivor benefit claim for the remaining period. She was paid Kshs26,592.4(?) on 23rd January, 2001, vide cheque No.282520. This payment covers the complete contribution record.

**Mr. Muchiri:** Mr. Speaker, Sir, it is a well known fact that several local authorities are not paying deductions to NSSF which are deducted from the employees and paid to the NSSF. What action is the Ministry taking to ensure that before an employee goes on retirement that money has been received by the Ministry?

**Mr. Maizs:** Mr. Speaker, Sir, this being the age of computerisation, we are going to use every means to make sure that this would be quickened enough and people would be paid.

**Dr. Ali:** Mr. Speaker, Sir, I wish to congratulate the Assistant Minister for a job well done, but what happened---

*(Mr. Maizs consulted other hon. Members)*

Mr. Maizs sikiza! You are talking and later on you will say that you did not hear. What happens to those employees whose contributions are not remitted to the county council? What action is the Ministry going to take if they do not contribute their dues? This is because even here there are several years, and I have letters to that effect - 1985, 1986, 1987, 1988 and up to 1990 - which the NSSF did not contribute anything until later when they decided to pay back when they got the funds? What action is he going to take against those county councils which do not remit the money?

**Mr. Maizs:** Mr. Speaker, Sir, when the county councils do not comply, we use the legal means to take them to the Industrial Court.

*Question No.108*

MEASURES TO RESOLVE TEA CRISIS IN GUSII

**Mr. Anyona** asked the Minister for Agriculture:-

- (a) whether he is aware that the crisis between the tea farmers and the directors of Kebirigo, Nyankoba, Nyansiongo and Tombe tea factories in Nyamira District; Kiamokama Tea Factory in Kisii District; Nyamache and Ogembo factories in Gucha District, arising from astronomical operational costs and poor second payment for 2000/2001, has not been resolved;
- (b) whether he is further aware that the directors of all the said tea factories have not held any annual general meetings and laid before the tea farmers income and expenditure accounts in contravention of the provisions of Section 131(1) and Section 148(1), (2) and (3) of the Companies Act, Chapter 486 of the Laws of Kenya; and,
- (c) what remedial measures he will take in order to resolve the crisis in the tea sub-sector in Gusii as proposed in the Memorandum, Ref.No.KM/04/02, dated 10th January, 2002.

**The Assistant Minister for Agriculture and Rural Development** (Mr. J.D. Lotodo): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware.

(b) I am aware that the said tea factory companies have held their annual general meetings except Kiamokama and Ogembo which were scheduled to hold their AGMs before 31st May, 2002.

(c) In view of the action taken under (b) above, there is no need for any further intervention.

**Mr. Anyona:** Mr. Speaker, Sir, I think this is a very serious contempt of both the Chair and House. That was the very first written reply that was read out here, which was challenged. We then asked for minutes, and some "fake" minutes were produced. I was supposed to study and ask supplementary questions. When they came last time, you will remember that they asked for more time to go and consult to be able to answer Questions. So, he is taking us right back to the beginning. They have not consulted me, because that is what they wanted.

Mr. Speaker, Sir, you did set a very clear rule here about documents being laid before the House; a document must have an author and a signature.

I took a copy of the minutes that were tabled here, and there was neither the author nor signature for five of the factories. The other three that he is talking about have not even held elections. Since the tea industry is dying in Kisii, could you help us?

**Mr. Speaker:** Order, Mr. Anyona! I think this Question has been answered in this House for too long. Ordinarily, we want a Question to be asked, ventilated upon and we leave it. But I may also tell the House, if there is a dispute as to whether or not a meeting was held, I cannot pronounce effectively. I think there must be other avenues to do that. So, can we ventilate on this Question, then anybody aggrieved can take the other legal avenues available?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I agreed that the other factories held their meetings apart from two; Kiamokama and Ogembo, which is in dispute up to date. So, we are trying to see how best we can intervene to have them hold their meetings through getting the Provincial Administration to liaise so that the meetings can take place. Otherwise, the Ministry has got no powers over the meetings of the tea factories.

**Mr. Speaker:** Mr. J.D. Lotodo, what are you doing to help the situation? Basically, Questions are brought here to Ministers so that you can intervene to make the situation better than it is today. What are you doing in this particular situation to help the tea farmers?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, one of the meetings which was supposed to be held on 31st May, 2000 ended in the same way. Another meeting which was to be held on 14th March, 2002 and another one for Kiamokama Tea Factory which was to be held on 28th March, 2000 ended in disarray. Therefore, a meeting has been scheduled for 26th August, 2002 to put this issue to rest.

**Mr. Anyona:** Mr. Speaker, Sir, the reason why they cannot answer, is because the so-called minutes are fake. Can I make a very simple request to the Chair? What we want is for the farmers to be facilitated to have their annual general meetings because they have not taken place. Could the House assist the farmers in Kisii to hold general meetings? Could the Ministry do that?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, that is exactly what I have said. In view of the wrangles, the meeting failed. We have scheduled a meeting for 26th August, 2002, for Kiamokama Tea Factory. If it does not take place, the Ministry in liaison with the Provincial Administration, will ensure that this issue is resolved once and for all.

**Mr. Nyachae:** Mr. Speaker, Sir, I think the Assistant Minister does not realise the seriousness of this matter; the tea industry is going to collapse in Kisii and it requires the intervention of the Assistant Minister himself to go to the ground.

There is no question of any meeting being convened by any local administration in the area, let alone the DC, because the farmers are fed up and they cannot tolerate anybody addressing them. The Minister should go there and get the solution to the problem. The problem is very serious, and people are not getting any income now. The Assistant Minister should give an undertaking. They cannot continue earning taxpayers' money in the Ministry when the people who are paying them are suffering out there.

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I know the matter is serious, because the farmers are suffering due to the disagreement between the directors and the farmers. That is why the Ministry is going to the ground and, by 26th August, we will ensure that the directors and the farmers meet to chart the way forward.

**Mr. Angwenyi:** Mr. Speaker, Sir, that part of Kenya is being destroyed by the Government. They have already destroyed the coffee industry in that part of the country. Could the Assistant Minister undertake to give us a programme, by next week, stating when he is going to visit each of these factories so that they can hold their annual general meetings on those dates? It should be a clear-cut programme. If he does not promise to do that, could this House name this Assistant Minister?

**Mr. Speaker:** Do not threaten the Assistant Minister!

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, the intention of the Government is not to destroy farmers but---

**Mr. Speaker:** Order, Mr. J.D. Lotodo, could you move that microphone forward so that hon.

Members can hear you?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I would like to inform the hon. Member that the intention of the Government is not to destroy its people, but to assist them. There is a privatisation exercise going on, so that all activities are run by the farmers themselves. If the meeting of 26th August, 2002, fails, then the Ministry is going to intervene alongside the provincial administration so that a long lasting solution is found.

**Mr. Anyona:** Mr. Speaker, Sir, the Assistant Minister keeps talking about one meeting, but what we are saying is that no meeting has taken place at all in the eight factories. Even where the said meetings have taken place, the minutes produced are fake. We are asking a very simple question and you can see the response of the hon. Members from the community. Could the Assistant Minister draw up a programme and facilitate meetings of all these factories so that they can elect their directors and hold their annual general meetings? That is all we are asking for, and I think this House should help the people of the area, because some have died as a result of this. Whenever they call for a meeting, the DC and the police disperse it.

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I agree with the hon. Member that this is a matter of great concern, and within two weeks, the Ministry will be able to sort out this problem once and for all.

*(Loud consultations)*

**Mr. Speaker:** Order, hon. Members! We are not communicating at all! Please, consult quietly! We are not communicating!

*Question No.478*

REGENERATION OF FISH IN LAKE NAIVASHA

*(Question deferred)*



*Question No.500*

## OPERATIONS OF KCC 2000

**Mr. Michuki** asked the Minister for Agriculture:-

- (a) how much Kenya Co-operative Creameries (KCC) 2000 has collected by way of sale of shares to dairy farmers;
- (b) when KCC 2000 will start buying milk from the farmers throughout the Republic; and,
- (c) when the milk cooling plant at Kangema Township will resume milk collection.

**The Assistant Minister for Agriculture and Rural Development** (Mr. J.D. Lotodo): Mr. Speaker, Sir, I beg to reply.

(a) Kenya Co-operative Creameries Holdings Limited is a project company and not a private company. The KCC Limited was under receivership up to 15th May, 2002 when it was handed over to KCC Holdings interim Board. The interim Board and the shareholders had their annual general meeting on 10th August 2002, to elect the Board of directors. The Board is, therefore, in the process of consolidating its affairs.

(b) The KCC 2000 Holdings will now organise and lay down strategies on how to start collecting and marketing milk throughout the country.

(c) The new KCC Holdings is in the process of organising recovery programmes of its milk processing and cooling plants in the country.

**Mr. Michuki:** Mr. Speaker, Sir, as you can see, ----

*(Applause as Mr. Gumo entered the Chamber)*

**Mr. Speaker:** Order, hon. Members! What is going on?

**Mr. Michuki:** Mr. Speaker, Sir, as you can see, the Assistant Minister has not attempted to answer any of the questions directly. Although everybody knows that the Kenya Co-operative Creameries (KCC) was a co-operative society which was then, through baptism by the Assistant Minister, maybe, became a private holding company---. When is the KCC 2000, after collecting money one and half years ago, going to behave in the way that it promised the farmers it would?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I would like to assure the hon. Member that, after last Friday, 10th August, 2002 meeting, the Board of Directors is going to have their meeting today, 13th August, 2002, to chart the way forward, following the previous complaints from the farmers and other people over their performance. Therefore, I would like to assure the hon. Member that no more unbecoming behaviour, from the Board of Directors, on the running of the KCC 2000, will be tolerated.

**Mr. Sambu:** Mr. Speaker, Sir, while they are continuing to collect money from farmers, factories in Eldoret, Nyahururu and Sotik are being cannibalised and parts removed. What will those directors do to stop the looting, cannibalization and destruction of the existing factories, so that if they ever start, there will be some factories to start with?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, as you may recall, those factories stalled sometime back and the fault cannot be attributed to the current directors. Probably, the former directors did misappropriate and, therefore, that was why there was need to get the new directors who will chart the way forward in the running of the KCC 2000. They will ensure that everything is done accordingly and all the funds will be used in the proper manner.

**Mr. Kibicho:** Mr. Speaker, Sir, it is common knowledge that the KCC 2000 bought the original KCC for Kshs400 million and it was worth Kshs5 billion. If it has not collected money from shares, where did the money that was supposed to be paid from the Receiver-Manager or the Kenya Commercial Bank come from?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I did not deny that there was money contributed by the shareholders.

**Mr. Wamae:** Mr. Speaker, Sir, is the Assistant Minister aware that the notice for the meeting of shareholders in Kiganjo KCC Factory arrived after the time for applications to being a director had expired? What is the Assistant Minister going to do to rectify that anomaly, so that we can have directors from Central Kenya?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I am not aware that, that happened. But if it happened, we will sanction for a meeting to be done, so that the proper directors are put in place.

**Mr. Michuki:** Mr. Speaker, Sir, could the Assistant Minister address himself to the question that I first raised? That is because the Assistant Minister cannot be allowed to get away with it, by pleading about a private company, when he is responsible to this Republic about livestock development in all its aspects. It is now one and half

years since farmers bought shares in the KCC 2000. How much did they collect from the farmers? Could the Assistant Minister address himself to that issue?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, as you heard from the hon. Member, it was Kshs400 million.

*Question No.483*

ILLEGAL ALLOCATION OF SCHOOL PLOT

**Mr. Muchiri** asked the Minister for Local Government:-

- (a) under what circumstances Plot L.R. No.11973 (Original Number Part 4894/77), which was part of Garden Estate Primary School, was allocated to a private developer for building shops and flats;
- (b) whether he is aware that the private developer has subdivided the said land into half-acre plots for sale; and,
- (c) whether he could consider revoking the allocation of the said land.

**The Assistant Minister for Local Government** (Mr. Kiangoi): Mr. Speaker, Sir, I beg to reply.

I have now looked at this matter in detail and the following is my answer.

- (a) The parcel of the land identified as L.R. No.11973 was allocated by a former Town Clerk of the Nairobi City Council without the Council authority or Ministerial approval.
- (b) I am not aware of the purported subdivision of the land.
- (c) As I have already said in part (a) above, the land was allocated illegally without the sanction of the Council or the approval of my Ministry and, accordingly, the purported allocation is null and void. I am consulting with the Office of the Attorney-General and the Commissioner of Lands with a view to revoking the allocation.

**Mr. Muchiri:** Mr. Speaker, Sir, I am glad the Ministry has accepted that---

*(Loud consultations)*

Mr. Speaker, Sir, could you protect me from the Minister?

**Mr. Speaker:** From the Minister? What is he doing?

**Mr. Muchiri:** He is shouting at me when I am asking a question!

**Mr. Speaker:** Which Minister?

**Mr. Muchiri:** The Assistant Minister for Local Government!

**Mr. Speaker:** Are you shouting at him? I have not heard anything!

**Mr. Kiangoi:** Mr. Speaker, Sir, the hon. Member is commending me! Why should I shout at him?

**Mr. Speaker:** Well, I have not heard him shout!

**Mr. Muchiri:** Mr. Speaker, Sir, I am glad that the Assistant Minister has accepted that, that parcel of land, in which the Garden Estate Primary School is situated, was allocated illegally, and that he is going to consult with the Ministry of Lands and Settlement and revoke the allocation. In Nairobi alone, hundreds of plots have been allocated similarly by the former Town Clerk. The same has been happening in other local authorities including Mombasa, Mandera, Nakuru, Kisumu and other towns. My question is: Could the Assistant Minister make a Statement in this House today, or agree with me that he is going to revoke all the illegal allocations?

**Mr. Kiangoi:** Mr. Speaker, Sir, when and if they arise, and upon proper investigations, if it is found that any illegal allocation has been done, my Ministry will take appropriate measures.

**Mr. Maitha:** Mr. Speaker, Sir, according to the Local Government Act, the councils, after allocating the land, only write or give authority to the Commissioner of Lands to sign a lease. But they give a L.R. No. Why is the Assistant Minister committing the Attorney-General and the Commissioner of Lands if he is capable of even taking over the land straightaway without referring to anybody? Why is he saying that the Attorney-General and the Commissioner of Lands are going to help him? They are not involved in land belonging to county councils.

**Mr. Kiangoi:** Mr. Speaker, Sir, as you may appreciate, a title deed having been issued to some other allottee though illegally, there are legal complications, which the Attorney-General may advise us on, because he is the Chief Legal Government Advisor. The Commissioner of Lands comes in because he is responsible for issuing and cancellation of title deeds.

**Mr. Kiunjuri:** Mr. Speaker, Sir, it is common knowledge that during the general election year, public land is used to induce the electorate to vote for a certain political party. Which immediate action is the Assistant Minister taking to ensure that our bus parks, public toilets, schools and cemeteries are safe from the KANU Government and that they will not be used as an inducement to woo voters?

*(Mr. ole Ntimama withdrew from the Chamber)*

**Mr. Wambua:** On a point of order, Mr. Speaker, Sir. Mr. ole Ntimama is leaving the Chamber and yet he is supposed to answer my Question. Could you please tell him to sit down and wait for my Question so that he can answer it?

**Mr. Kiangoi:** Mr. Speaker, Sir, the policy of my Ministry is to protect all public utilities and lands that are vested in various councils. Admittedly, sometimes, councils go the wrong way and allocate land. We are trying, as much as possible, to instil discipline in our councils, some of which are run by other political parties, including the DP.

**Mr. Mwenje:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to insinuate that there are some councils run by the DP when we know there is only one Government run by KANU? At the moment, the DP does not run any government until next year. Is he in order to say that some councils are run by DP? Is there any council run by a DP government?

**Mr. Kiangoi:** Yes, Mr. Speaker, Sir.

**Mr. Mwenje:** Mr. Speaker, Sir, most councils in this country are run by a KANU Minister and the Permanent Secretary who is appointed by the KANU Government. The DP may have councillors in various councils, but they do not run the them. Councils are run by the KANU Government which will be thrown out of power next year!

**Mr. Speaker:** Order! I think the two of you can argue about this to the end of time!

**Mr. Muchiri:** Mr. Speaker, Sir, the allottees of the land were innocent Kenyans who were allocated the land by a former town clerk. They have paid the council over Kshs1 million. They have also paid the Commissioner of Lands a lot of money. I have given the Assistant Minister the receipts. What remedy will he offer to those allottees so that they do not suffer and avoid litigation against the school?

**Mr. Kiangoi:** Mr. Speaker, Sir, the hon. Member is being double-faced. At one point, he is trying to protect the public land. I have told him that we shall liaise with the other Government departments in order to revoke the allocation. Now he is going back to the allottee; the person who got the land illegally. I fail to understand the hon. Member. But, nevertheless, when those matters come up, those other issues will also be discussed. I do agree with you that a council's decisions are made by resolution. The resolutions are made at various councils. I was saying that, in those various councils, the DP-run councils are the most notorious in flouting the laws.

**Mr. Muchiri:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to say that I am double-faced, we have been elected into this House to look after the interests of Kenyans?

**Mr. Speaker:** Order! In fact, Mr. Kiangoi, if you did ever say Mr. Muchiri is double-faced, that is an insult and you must withdraw and apologise to the House. It is an insult!

**Mr. Kiangoi:** Mr. Speaker, Sir, I wish to withdraw. At one point, the hon. Member is protecting the same interest and attacking the same interest. I was wondering aloud.

**Mr. Speaker:** Order! Mr. Kiangoi, you are not allowed by the Chair to wonder, whether aloud or quietly, in an insulting manner! That is insulting and you must withdraw and apologise to the House. There are no two ways about it!

**Mr. Kiangoi:** Mr. Speaker, Sir, fine, I have no problem. I withdraw and apologise to the House.

**Mr. Speaker:** Very well.

For the second time, Mr. Wambua's Question!

*Question No.401*

HARDSHIP ALLOWANCE FOR MASINGA  
CIVIL SERVANTS

**Mr. Wambua** asked the Minister of State, Office of the President:-

(a) whether he is aware that Yatta and Masinga Constituencies have been declared hardship area and teachers are being paid hardship allowance while Government officers are not paid the same; and,

(b) whether he could correct the anomaly.

**Mr. Speaker:** Is there anyone here from the Office of the President? Where is the Minister?

**Mr. Wambua:** On a point of order, Mr. Speaker, Sir. This Question was supposed to be answered by Mr. ole Ntimama and he has already left the House. Could the Chair ask Mr. Gumo to answer this Question?

**Mr. Speaker:** Order! Mr. Gumo is no longer an Assistant Minister. Therefore, I cannot ask him to answer the Question.

**Mr. Wambua:** Mr. Speaker, Sir, there are many Ministers in the Office of the President. Could Mr. Samoei be asked to answer this Question because he is an Assistant Minister in that Office?

**The Assistant Minister, Office of the President** (Mr. Samoei): Mr. Speaker, Sir, it is true that Mr. Sunkuli

had actually given an undertaking that we would answer this Question when it was asked next time.

**Mr. Anyona:** Mr. Speaker, Sir, in all seriousness, Minister ole Ntimama, at the very least, owes the House an apology. He did come in and he must have seen the Order Paper. I thought he was going out maybe to get the answer, but he has disappeared. To that extent, it becomes contempt of the House. I think he does owe the House an apology.

**Mr. Speaker:** I will defer the Question. Mr. Wambua, bring it to my attention when we resume. I do not expect Ministers to casually walk out of the House to avoid answering a Question without any apology or explanation. It is very bad. Will you bring it to my attention when the Question up comes next? The Question is deferred.

*(Question deferred)*

### QUESTIONS BY PRIVATE NOTICE

#### RECRUITMENT OF MILITARY OFFICERS FROM BURA

**Mr. M.A. Galgalo:** Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Is the Minister aware that military officers did not recruit young men and women from Bura Constituency on 26th June, 2002?

(b) Is he further aware that for the last ten years, no officers from the area have been recruited to the disciplined forces?

(c) What urgent measures is he taking to rectify this anomaly including revoking of the exercise of 26th June, 2002, and conducting fresh recruitment in Tana River District?

**The Assistant Minister, Office of the President (Mr. Samoei):** Mr. Speaker, Sir, I had, indeed, answered this Question. I was supposed to bring to the House the names of recruits from Hola Station in Tana River District. One cadet officer by the name of Oliver Heribai Dada was enlisted in the Kenya Army. Seven servicemen were enlisted in the army by the names: Isaac Meti Eba, Benjamin Dabala James, Osman Sadiki Nate, Saidi Kasale, Mohki Watichu Korosho, Usa Samwel and Janika Tabito Bakari. Three servicemen were enlisted in the Kenya Airforce. These were Timona Abia, Kasekwa Busisa Julius and Yusuf Komoro Abdalla. The Kenya Navy did not enlist any person.

**Mr. M.A. Galgalo:** Mr. Speaker, Sir, is the Assistant Minister aware that the officers who had gone to this district to carry out the recruitment exercise were from the same community? These officers went there, recruited relatives from their community and left out other communities.

**Mr. Samoei:** Mr. Speaker, Sir, I think it is difficult for me to believe the hon. Member. This is because, initially, he had made a sweeping statement that there was not a single person who was enlisted. I have had to get the names of those people who were enlisted, and he cannot deny today that they come from Hola. So, I do not want to believe what he has said. In fact, what he has said may have very little truth, if any.

**Mr. Twaha:** Thank you, Mr. Speaker, Sir. The officers who came to carry out the recruitment exercise in Lamu District came with a prepared list of people who were either related to them or were connected to them in another way, but pretended to have recruited them from this district. The population in Lamu District is three times that of Ijara District--

*(Mr. Kamotho was escorted to the Chamber by Mr. Angwenyi)*

*(Applause)*

**Mr. Speaker:** Order, hon. Members!

*(Mr. Kamotho greeted Mr. Nyachae and Mr. Kones before taking his seat at the Back Bench)*

*(Applause)*

Order! Order! It does appear to the Chair that there is a very interesting corner out there!  
Proceed, Mr. Twaha!

**Mr. Twaha:** Thank you, Mr. Speaker, Sir. Although the population of Lamu District is three times that of Ijara District, only five people were supposedly recruited from this district, while ten people were recruited from Ijara District.

*(Mr. Angwenyi consulted with Mr. Kamotho)*

**Mr. Speaker:** Order, hon. Members! I am making a special appeal to that corner, which comprises of very interesting occupants, if we could kindly proceed!

*(Laughter)*

**Mr. Twaha:** Mr. Speaker, Sir, the population of Lamu District is three times that of Ijara District, and yet only five people were supposedly recruited from there when ten people were recruited from Ijara District. Even the five people who were recruited from Lamu District were not from this district. A list was prepared in Nairobi, and the officers went to Lamu District to purportedly recruit people. Does the Assistant Minister think that this is fair? The only way we can get redress is by having the exercise repeated.

**Mr. Samoei:** Mr. Speaker, Sir, while I do admit that there were some very glaring anomalies in the recruitment exercise, we have carried it out and it is not possible for us to reverse it. But I would like to undertake to this House that a repeat of what happened in the last recruitment exercise will not be there.

*(Loud consultations)*

**Mr. Speaker:** Order! Order, hon. Members! I think this is a very important Question, and hon. Members should listen to what is being said.

**Mr. Anyona:** On a point of order, Mr. Speaker, Sir. If my memory serves me right, in a supplementary question, the Question was expanded and the Assistant Minister was expected to table the complete list of the recruitment exercise, and he has gone back to give us an answer he refused to give us in the first place. Could he give us a complete list of those people who were recruited?

**Mr. Speaker:** I thought, at the insistence of the House, Mr. Samoei, you undertook to give a list of all recruits countrywide. In fact, when we came to the second time round either you or Mr. Sunkuli said that the exercise was still going on and you expected it to be completed by the end of last week. The exercise should have been complete by now. That is what transpired.

**Mr. Samoei:** Mr. Speaker, Sir, indeed, Mr. Sunkuli did undertake that this list was still in the process of being prepared. We do admit that we do not have a complete list yet because most of the people who were enlisted have yet to go through medical tests and other checks in order for them to be ascertained whether they are fit to serve in our Kenya Armed Forces. Mr. Sunkuli said that we should be able to produce a comprehensive list by October, this year.

**Mr. Wamae:** On a point of order, Mr. Speaker, Sir. In order for that list to make meaning, could the Chair consider that they also indicate the constituencies where these recruits come from so that we can really assess the type of recruitment that was carried out by these officers?

**Mr. Samoei:** Mr. Speaker, Sir, that is fine.

**Mr. Ndwiga:** Mr. Speaker, Sir, are you satisfied when the Assistant Minister says that those people who were recruited are yet to go through medical examination to confirm that they can serve in the Kenya Armed Forces? The main issue here is not whether they will go for training or not. The main issue here is that those people were recruited at the district level. We do not have to wait until October this year before a complete list is out, because people have been recruited. Whether these people will undergo further test or not is not the issue before the House right now. Who was recruited?

**Mr. Speaker:** Order! It all boils down to one simple fact; fairness and justice in recruitment! I think that is what the House is demanding to know. Was that exercise fair and just or it was not? That is what the House wants!

**Mr. Samoei:** Mr. Speaker, Sir, I have admitted that there were anomalies, some of them very glaring and we have taken note of them. Even before this Question was brought to this House, we had discussions at the Ministry and we are taking very serious measures to make sure that what happened in the last recruitment exercise---

**Mr. Maitha:** On a point of order, Mr. Speaker, Sir. You have heard the Assistant Minister admitting that there were anomalies in the recruitment exercise. Is he in order to keep that list, if he can order the exercise to be repeated? He should order the recruitment exercise to be repeated now that he has admitted that there were anomalies.

**Mr. Speaker:** Order! An hon. Member who makes an honest admission should not be held against it. That is something that should never happen in the House. I think an hon. Member who is honest to admit what is the fact, even if its a mistake, should be applauded rather than being condemned for it.

*(Applause)*

**Mr. M.A. Galgalo:** Mr. Speaker, Sir, would the Assistant Minister confirm or deny that the total number of people who were to be recruited into the Armed Forces was 2,250; and that 1,500 people were recruited countrywide and that 750 were State recruits? When I say "State recruits", I mean that senior Army officers, Ministers and Permanent Secretaries recruited their brothers and sisters. Could he confirm or deny that?

**Mr. Samoei:** Mr. Speaker, Sir, I do not have the complete list yet. But the recruitment was done as per district.

**Mr. Kiunjuri:** On a point of order, Mr. Speaker, Sir. You realise that when the Question by Mr. Wambua came up, Mr. ole Ntimama walked out to meet hon. Kamotho. Is he in order to come back when the Question has been deferred?

**Mr. Speaker:** Order, Mr. Kiunjuri! The Speaker does not require your policing in this House. If you want the work of being a police officer, then be the commissioner of the policies of Parliament! For the time being, I do not require any policing!

**Mr. Angwenyi:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order, all of you!

Mr. Kihoro's Question.

**Mr. Kihoro:** Mr. Speaker, Sir, I beg to ask Question No.2 by Private Notice to the Minister for Education, "Ngenye Kariuki."

**The Assistant Minister for Education, Science and Technology** (Mr. Awori): Mr. Speaker, Sir, I am not hon. Ngenye Kariuki. I am sorry, the hon. Questioner will have to bear with me!

**Mr. Speaker:** Order, hon. Members! Questions are directed to the Ministries but not individuals. Mr. Kihoro, what do you have against Mr. Ngenye Kariuki? He is not even the Minister for Education!

#### INTRODUCTION OF NEW SCHOOL LEVY

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

(a) Is the Minister aware that there is a new proposal to introduce a levy of Kshs80 per student in primary and secondary schools in Nyeri District?

(b) Could he explain the circumstances under which this levy is being introduced?

(c) Could he intervene and stop the levy as it will lead to children dropping out of school?

**The Assistant Minister for Education, Science and Technology** (Mr. Awori): Mr. Speaker, Sir, I beg to reply, and vary my answer from the written reply.

(a) Yes, I am aware that money has been collected from parents, but not a levy. A levy implies that it is a permanent situation. The amount of money that has been collected from the parents is not Kshs80 but Kshs47.

(b) The circumstances which necessitated this to happen are that there are certain activities that require money. One of the activities is continuous assessment. The other activity is going out for sports and music festivals. Just like today, when the music festival is taking place, money is required.

(c) Under the circumstances, there is no intervention required from the Ministry of Education.

**Mr. Kihoro:** The answer which I have indicates that no money is going to be collected. But now the Assistant Minister has admitted that a certain amount of money is going to be collected. I have been denied access to the second answer that he has given. Could the Assistant Minister inform this House why he is withholding that answer? Could he give me that answer, so that I can ask supplementary questions?

**Mr. Awori:** Mr. Speaker, Sir, I did indicate that I was going to vary the answer. I do not have a written variation of the answer. I think it is necessary that I should be given the correct version. After the answer was sent to Parliament, I checked and found that the province used a circular from the Permanent Secretary, Ministry of Education, Science and Technology. The circular went out to the provinces indicating that there were no permanent levies, but whenever there was need for money, the parents came together and did a fund raising only once! I have got a copy of a circular here which gives the District Education Officers that authority of sitting with the parents to fund raise once only, and that was the case.

**Dr. Kituyi:** Mr. Speaker, Sir, this is a very grievous matter. Over the past weekend, there were some primary school pupils who slept in the car park opposite Parliament. Those are little children going without a meal. The reason is that the Government announced publicly that there will be no levies for activity fees. When a circular is sent out secretly, most parents do not pay because it was publicly announced that there will be no levy. What emergency action can the Assistant Minister take, to make sure that those poor little children do not continue starving and sleeping in the cold outside the Parliament of Kenya?

**Mr. Awori:** Mr. Speaker, Sir, there must be a breakdown of authority from those schools that have brought children to sleep in the cold outside Parliament. As I have mentioned, there is authority given to schools through their District Education Boards to fund-raise once only, to bring children to such occasions as the music festival. I think it is a terrible thing for teachers who are also parents to subject poor little children to sleeping in the cold, particularly in the month of August. That is a terrible situation!

**Mr. Kihoro:** Mr. Speaker, Sir, my understanding of this Government's policy on education is that free primary education will be provided in this country. The money the Assistant Minister has referred to is going to such activities as the purchase of vehicles for District Education Board officials, provision of transport and office of supplies. Could the Assistant Minister confirm that this Government has abandoned the policy of free primary education and introduced levies that fly on the face of that policy, and there is no way it can claim that it is providing free primary education? Could he admit that?

**Mr. Awori:** Mr. Speaker, Sir, I cannot admit that. As I have said, that money is for specific purposes. The first purpose in this case was the continuous assessment. I think it is in the interest of everybody that our children who require to be assessed continuously are assessed. But this costs money. So, the parents are required to pay for that. The second thing is that extra curricular activities, such as music festivals and drama, help in building a whole child. This is not within any other grants that the Government gives, and so, the parents are requested to pay once only. Similarly, if the children are to go on a geographical tour, the parents will be required to pay once only. But this is not a permanent levy.

#### NON-PAYMENT OF COFFEE FARMERS' DUES

**Mr. Ndwiga:** Mr. Speaker, Sir, I beg to ask the Minister for Agriculture the following Question by Private Notice.

(a) Why has the Coffee Board of Kenya failed to pay coffee farmers the proceeds of sales 29, 30, 31, 32, 33 and 34?

(b) Is the Minister aware that failure to pay farmers has caused major financial hardships to them?

(c) What urgent measures is he taking to facilitate immediate payment of these sales?

**The Assistant Minister for Agriculture and Rural Development (Mr.J.D. Lotodo):** Mr. Speaker, Sir, I beg to reply.

(a) The current position in respect of sales 29, 30, 31, 32, 33, and 34 is as follows:

With regard to sale No.29 of 2001/2002 season, the proceeds were released by the Coffee Board of Kenya to the respective paying agents. Sale No.30 of 2001/2002 season; all farmers who were paid US\$276,202 were paid on 27th June, 2002. However, farmers whose proceeds are paid in Kenya shillings are yet to be paid through their paying agents. Sales Nos.31 to 34 of 2001/2002 season; the Coffee Board of Kenya has been unable to pay growers for proceeds of sales Nos.31 to 34, due to lack of collateral before the change of the law from Cap.333 to the Coffee Act 2001. The Board has access to funds via a consortium of banks, which lend against stocks.

(b) I am aware.

(c) The Ministry is looking into ways and means of assisting the Board to raise funds to pay farmers.

**Mr. Ndwiga:** Mr. Speaker, Sir, this is, perhaps, the most ridiculous answer I have ever heard. The Assistant Minister admits that coffee was actually sold; sales Nos.30 through to No.34. He goes ahead to tell us that they have no money to pay the farmers. We are talking about a whopping Kshs620 million, and the farmers' children are not going to school now. What happened to the proceeds of sales Nos.30 to 34?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I did say that the proceeds of sale No.29 of US\$1,387,348.84 were paid. For sale No.30, US\$397,454.30 was also paid. Proceeds from sale No.31, US\$815,753.92, were not paid. All sales up to sale No.34, because of the change of the law - you remember we had Cap.333, which we changed into the Coffee Board Act of 2001 - did not allow the Coffee Board of Kenya to get collateral.

**Mr. Speaker:** I do not know what is wrong with the microphones in this Chamber. The microphone to my left is so okay, the one to my right is not okay! In simple terms, Mr. Assistant Minister, where are the proceeds of the sales?

*(Applause)*

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, the money has not been received because, previously, the Coffee Board of Kenya used to get collateral from the Co-operative Bank of Kenya and pay the farmers before the agents could pay the money.

**Mr. Keriri:** Mr. Speaker, Sir, I think the Minister is either not understanding the Question or he is trying to avoid it. The point is, coffee was sold and money was received by the seller. Now, there is no question about collateral and so on. That money should have been paid to the farmers, less statutory deductions! Where did the money for coffee that was sold go to? It could not have gone to another person's bank!

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I did say that the money was paid on 27th June, 2002. Therefore, I think there are other sales, like Nos.31 to 34, whose money has not been paid.

**Mr. Mwenje:** Mr. Speaker, Sir, you can see that this is money which the Coffee Board of Kenya does not retain. Sales Nos.36, 37, 38 and 39, through KPCU, have also not been paid for. Where is the money for the subsequent sales which were done by KPCU?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I am not aware of the said sales. I am aware only of sales Nos.31 to 34, which have not been paid.

**Mr. Wamae:** Mr. Speaker, Sir, the directors of the Coffee Board of Kenya, at the time of sales, were appointees of the Government of Kenya, before the change over to the new Act. So, the Government is fully responsible for what happened! Could the Assistant Minister tell us when the Government is going to pay the farmers this money which they are withholding?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, following the change of the Act, the Government, in conjunction with the Coffee Board of Kenya, is trying to see the best way it can ensure farmers are paid accordingly.

**Mr. Ndwiga:** Mr. Speaker, Sir, this Assistant Minister does not seem to understand this Question! Yes, he has explained about sale no.29, which we understand perfectly well. With regard to sale No.30, he explained perfectly well, and we understand that those who were being paid through US dollars were paid, but those who were being paid through Kenya shillings were not paid. The question is: Sales Nos.31 to 34, for coffee auction totalling to Kshs620 million, have not been paid. The subsequent sales by KPCU, sales Nos. 35 and upwards, have been paid for according to the law; within seven days, and I can confirm that. But the money which was paid to a Government parastatal, the Coffee Board of Kenya, has not been paid to farmers. That is the bulk of the season's coffee, which means, therefore, children will not go to school when schools open next term. Could the Assistant Minister tell us where the money is? Coffee was sold and paid for in hard currency! Where is the money?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, as I said, the money for sales Nos.31 to 34 has not been paid to the farmers. But the Coffee Board of Kenya has the money and, therefore---

*(Several hon. Members stood up in their places)*

**Mr. Speaker:** Order! Order, all of you! Mr. Assistant Minister, save us the time! If the sales took place, where is the money? Is it with the buyer, the seller or did it get lost?

**Mr. J.D. Lotodo:** Mr. Speaker, Sir, I was answering the same question, but hon. Members made noise. I was, therefore, unable to answer. I said that money is with the Coffee Board of Kenya and, therefore, when the law changed from Cap.333 to the Coffee Board of Kenya Act, 2001--- That is why the modalities of trying to reconcile the same so that the money can be paid is being done through the directors.

**Mr. Ndwiga:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order! It is time out! That marks the end of Question Time! Mr. ole Ntimama, where were you when your Question was being asked?

## POINT OF ORDER

### HARDSHIP ALLOWANCE FOR CIVIL SERVANTS DOCKET OF ANOTHER MINISTER

**The Minister of State, Office of the President** (Mr. ole Ntimama): On a point of order, Mr. Speaker, Sir. I stand to make a very brief Statement on Question No.401, asked by hon. Wambua.

Mr. Speaker, Sir, with due respect to the House and to hon. Wambua, allowances and anything to do with



night outs and hardship allowance is not under my docket. Thank you.

**Mr. Wambua:** On a point of order, Mr. Speaker, Sir. You can see how the Ministers are behaving. Each of the Ministers in the Office of the President is saying that: "This does not belong to my docket." To whom does this Question belong?

**Mr. Speaker:** Mr. ole Ntimama will help! To whom?

**The Minister of State, Office of the President** (Mr. ole Ntimama): Mr. Speaker, Sir, we are four Ministers in the Ministry and it belongs to one of the four Ministers.

*(Laughter)*

On a point of order, Mr. Speaker, Sir. I am sorry, I was ignorant that hon. Sunkuli said this was my Question.

**Mr. Speaker:** It is!

**The Minister of State, Office of the President** (Mr. ole Ntimama): Well, that was really malice because it is not my Question. It is either him or Mr. J. Nyagah! He must have been thoroughly malicious, and he is always malicious, as far as I am concerned. One of these days----

*(Laughter)*

*(Loud consultations)*

**Mr. Speaker:** Order! Order! Hon. Members, could you listen to a Ministerial Statement by the Assistant Minister for Transport and Communications?

### MINISTERIAL STATEMENTS

#### DISMISSAL OF KENYA AIRWAYS EMPLOYEES

**The Assistant Minister for Transport and Communications** (Mr. Keah): Mr. Speaker, Sir, I rise to issue a Ministerial Statement in response to concerns raised here by Mr. N. Nyagah and other people out there, regarding the dismissal of 32 employees of Kenya Airways (KA).

Mr. Speaker, Sir, four concerns were raised, the first one being that the said employees were dismissed without being given a chance to defend themselves. I am informed that KA management dismissed 25 employees for participating in abetting illegal trafficking of drugs. Three other employees who were responsible for the administration of the flight crew duty roster were dismissed for abetting the alteration of the duty roster to facilitate travel by several of the dismissed employees to destinations which are known conduits of illicit trafficking in narcotics. Before the employees' dismissal---

*(Loud consultations)*

**Mr. Gitonga:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order, Mr. Gitonga! The Assistant Minister is responding to a point of order.

**Mr. Gitonga:** Mr. Speaker, Sir, we cannot hear what the Assistant Minister is saying because hon. Members are consulting rather too loudly.

**Mr. Speaker:** Order! Order! Hon. Members, could we communicate? Mr. Keah, could you hurry up? You have taken a lot of time.

**The Assistant Minister for Transport and Communications** (Mr. Keah): Mr. Speaker, Sir, before dismissal, each of the 32 former employees was served with a letter requiring him or her to show cause why he or she should not be disciplined for the above offence. The former employees replied to the letters, but their responses were found to be inadequate. So, they were dismissed. The company's rules and regulations, as well as the Collective Bargaining Agreement between the Transport and Allied Workers Union (TAWU) and the KA, provide for avenues for redress. The former employees, however, chose not to invoke this procedure and, instead, instructed their lawyers to initiate legal proceedings against the KA. The lawyers threatened to take legal action against the KA for both wrongful dismissal and defamation. However, so far, they have filed suits on behalf of the former employees for defamation.

Secondly, I was requested to explain who conducted the investigations leading to the dismissal of the said

employees, and why the Kenya Anti-Narcotics Squad was never involved. On receiving written complaints from some cabin crew staff, alleging that they were being coerced by some of their colleagues to engage in illegal trafficking of narcotics, the KA management initiated internal investigations, which were conducted by its security detail.

In their letters of complaints to the management, the affected cabin crew staff alleged that they had been threatened with death if they refused to collaborate with the narcotics traffickers. The management investigations linked the affected employees to these allegations. In addition, information obtained by the KA internal investigators was passed over to the Anti-Narcotics Squad of the Kenya Police.

Mr. Speaker, Sir, the third issue was on the length of service and terms of service of each of the affected employees. Out of the 32 former employees, 26 were on permanent terms of employment, and had served for between three years and 25 years, while the other six were serving on contracts of between two years and three years.

The fourth issue is a request to the Government to order immediate and unconditional reinstatement of the affected KA employees to service. I would like to clarify that the affected employees were dismissed under Clause 37(a) of the Collective Bargaining Agreement, and not under Clause 37(c). I had been requested to order the immediate and unconditional reinstatement of the dismissed employees. Kenya Airways is a public company with limited liability, and operates under the Companies Act under the direction of the Board of Directors.

**Mr. Speaker:** Mr. Keah, could you wind up your Ministerial Statement?

**The Assistant Minister for Transport and Communications** (Mr. Keah): I am almost through.

Mr. Speaker, Sir, given that the 32 employees were dismissed by the company under the relevant company rules, it is not legally possible for me to order their reinstatement, or employment of any other person.

In conclusion, since the dismissed employees have filed legal suits against KA, alleging defamation, discussions on the merit or otherwise of the action taken by KA should be left to the Judiciary.

**Mr. Speaker:** Mr. Assistant Minister, why did you issue this lengthy Ministerial Statement? You had addressed this issue before. Why did you revisit it? You have not said anything new!

**The Assistant Minister for Transport and Communications** (Mr. Keah): Mr. Speaker, Sir, I have given the details as requested by Mr. N. Nyagah.

**Mr. Speaker:** Mr. N. Nyagah, could you seek your last clarification on this matter?

**Mr. N. Nyagah:** Mr. Speaker, Sir, I would like the Assistant Minister to understand that the KA has given him information according to what he would have liked to hear. So, arising from his Ministerial Statement, I would like him to clarify the following issues.

Could he explain the investigation that was conducted, leading to the serving of the former 32 employees with the show-cause-why letters? The letters were written on 17th April, 2002, and delivered to the sacked employees at 4.00 p.m., and they were required to respond to them and explain why they should not be dismissed from service by the end of the same day. Could he also explain why, on the same night, at 10.00 p.m., the employees were served with their letters of dismissal? This shows that their sacking was pre-determined.

The second issue I would like the Assistant Minister to explain is the issue of re-scheduling the cabin crews.

**Mr. Speaker:** Mr. N. Nyagah, could you hurry up?

**Mr. N. Nyagah:** Mr. Speaker, Sir, because there is no time for me to read out some documents I have with me here, I will table them. However, a letter issued to Mr. H.D. Mamo Metto by Mr. S. Mwakitawa, Head of Network Planning and Alliance, in part, reads as follows:-

"...I highly appreciate their concern, and have raised the same issue with the Crew Scheduler. I, however, wish to point out that while we try to address the issue, similar situations are likely to occur..."

So, it is clear that the rules and regulations allow the planners to effect rescheduling. It is normal to reschedule rosters of both cabin crew and pilots.

**Mr. Speaker:** Mr. N. Nyagah, could you also wind up? You are turning this time into debating time.

**Mr. N. Nyagah:** Mr. Speaker, Sir, it is because of the gravity of the matter at hand. Thirty-two employees, each of whom has a family to provide for, have been sacked. Please, allow me to seek clarification from the Assistant Minister. I have only two more clarifications to seek from the Assistant Minister.

Could he also explain a letter written to the Managing Director of Kenya Airways by the Kenya Airline Pilots Association, in which they said: "Since the inception of the East African Airways and, subsequently, the Kenya Airways, and worldwide, it has been normal, under Clause No.3, to reschedule rosters for cabin crew and pilots, and yet some employees have been sacked over that practice".

I would also like the Assistant Minister to clarify his statement to the effect that the former employees of KA were sacked under Clause No.37(a) of the Collective Bargaining Agreement between TAWU and Kenya Airways, whereas this letter of dismissal to one of the affected staff, whose subject is "Summary Dismissal", partly reads as

follows:-

"In accordance with Clause 37(c) of the CBA between TAWU and Kenya Airways Limited, you are hereby summarily dismissed with immediate effect."

Mr. Speaker, Sir, Clause 37(c) of the CBA partly reads as follows:-

"If during working hours, he is found and certified by a registered medical practitioner to have drunk spirits or intoxicating liquors or taken or used drugs to such an extent as the registered medical practitioner may deem excessive and incapacitating him from performing duties---"

All this will prove what has been happening.

Lastly, the CBA provides that no employee shall absent himself from duty during office hours, leave his appointed place of work---

**Mr. Speaker:** Order! Order! Mr. N. Nyagah, you should now sit down! You could be a very good advocate for these people in a court of law. I recommend you for that.

*(Mr. N. Nyagah laid the documents on the Table)*

**Mr. Speaker:** Mr. Attorney-General, could you now issue your Ministerial Statement?

#### PROGRAMME OF COMMUNITY ORDER SERVICE

**The Attorney-General** (Mr. Wako): On a point of order, Mr. Speaker, Sir. On the request of the Deputy Speaker, I undertook to give further information on the programmes undertaken under the Community Order Service while answering Question No. 127, raised by Mr. Gor Sungu, on Wednesday, 17th July, 2002. So, for the information of this House, I beg to table a list of programmes and re-affirm the Government's commitment of ensuring that the Community Service Order Act operates effectively and efficiently to rehabilitate and reform convicted persons and decongest our prisons.

In the year 2000/2001, over 170,372 offenders were supervised under this scheme. Thirdly, the Government intends the scheme to contribute to the building of public projects and infrastructure. All the public projects are in these three documents, which I now table.

*(Mr. Wako laid the documents on the Table)*

#### COMMUNICATION FROM THE CHAIR

##### ADJOURNMENT MOTION TO LAST ONE HOUR

**Mr. Speaker:** Before we go into debate on this Motion, I want to give a direction from the Chair. The Motion for Adjournment will be continued from where we left off last Thursday. We debated it for two hours and, therefore, we have one hour left to debate it. I will, therefore, direct that the question will be put at 5.20 p.m.

#### MOTION FOR THE ADJOURNMENT

##### ADJOURNMENT OF THE HOUSE TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY

*(The Minister for Transport and  
Communications on 8.8.2002)*

*(Resumption of Debate interrupted on 8.8.2002)*

**The Assistant Minister for Health** (Dr. G.B. Galgalo): Thank you, Mr. Speaker, Sir. I would like to add my voice to the voices of those who supported this Motion of Adjournment. The break will give us time to go back to our people as we are on the eve of one of the most important general elections in the history of this country. It will, therefore, give us an opportunity to be with our people and show them the way forward as we approach the general election.

Having said that, I should also say that we should not lose sight of the many problems that are facing our people. We know that the economy of our country has not been doing well because of the many problems that are facing our people. The issue of poor infrastructure is a glaring one. There is lack of water and poor health facilities and schools, especially in marginalised areas of northern Kenya. As one of my colleagues said here last week, the road

between Isiolo and Moyale has become impassable. This is a highway that links us to a neighbouring region with a population of over 60 million people, who would have helped us by purchasing our industrial products. Now, traders are unable to transport their goods to Moyale and beyond our borders because of this bad road.

*[Mr. Speaker left the Chair]*

*[Mr. Deputy Speaker took the Chair]*

In fact, motor vehicles are now using the road that goes through Garissa and Wajir, which is double the normal distance which they should travel. Something has to be done about this road so that it will help us to uplift trade and industry in that region.

Mr. Deputy Speaker, Sir, the economy of this country has also been doing poorly because of impossible donor conditions. Our so-called donors always strangle us whenever we try to jump-start our economy. They impose on us conditions that are not of economic but of political nature. If donors would bear with us and let us do our internal house-keeping, assist us to jump-start our economy as brothers, then we would get onto the right footing. I would hasten to add that the economy of the northern Kenya region is tied to livestock production, and livestock production in this country has been very wanting. We do not have water for our livestock, and because of insecurity, we cannot graze them freely. The Ministry of Agriculture and Rural Development has no policies that are aimed at improving livestock production in the northern Kenya region.

There is talk that the Kenya Meat Commission (KMC) will be revived, but we are not seeing any signs to this effect. The other day, we praised the Minister for Finance for promising to do something about this but, unfortunately, there are no signs to show that the KMC is being revived. So, I would appeal to the Government to come up with clear policies that will help us utilise the potential of livestock production in pastoral areas. Again, as we go back to our people, we should be aware of the fact that the two issues, namely, the constitutional review and succession, are in the minds of our people. These issues concern all of us. We want to have a Constitution that will be fair to all people, and which, unlike the current Constitution, will recognise the rights of the marginalised people from the northern Kenya region. There are many issues that need to be addressed. We are in a very critical time of our history and we want to have leaders of a new generation.

With those few remarks, I beg to support.

**Mr. Khamasi:** Thank you, Mr. Deputy Speaker, Sir, for giving me an opportunity to contribute on this Motion.

I find it rather strange that we are going on recess when we have not debated one very important Vote, the Vote of the Ministry of Roads and Public Works. This undermines a lot of the gains which have been made. I do not know when the Ministry will allocate funds to the constituencies, particularly from the Fuel Levy Fund, so that repair work could start on our very bad roads. I think the passing of the Vote of this Ministry has been deliberately delayed so that money collected from the fuel levy can be misappropriated. One would like to know why the Ministry of Tourism and Information was given preference over very important Ministries, such as the Ministry of Roads and Public Works. Already, we have a problem even with the money that has been allocated to constituencies. We do not know how that money is being used. There is no transparency in how that money is being spent. The district roads engineers and the district works officers have made it a habit to misappropriate the fuel levy funds, and have very little regard for the District Roads Committees. It is important that this issue is looked into.

I would also like to talk about what happens when we go on recess. When we go on recess, there is a tendency by the Government to harass hon. Members, especially hon. Members from the Opposition who want to address public rallies, educate their people and sell their policies. I hope that during the months of August and September, when we will be away, the police will not be let loose and harass hon. Members. These days, the Provincial Administration is also in a habit of harassing the ordinary mwananchi who is found enjoying his *busaa*, even when he does not offer it for sale. We would like, at least, these people to be inducted and advised on what the law says, particularly with regard to traditional liquor. Drinking of *busaa* that is not for sale and which is made in one's own home is not illegal, but this has not been appreciated particularly by the police. It is, therefore, necessary that our people who are actually enjoying drinking their traditional liquor during the festive seasons, like August in my area, are given the opportunity and let free to enjoy their *busaa*. *Busaa* is not an illegal drink so long as it is brewed and consumed by people following the right regulations.

Mr. Deputy Speaker, Sir, I would also like to touch on what is very important in our place and that is the Kakamega Forest. We are having a problem with that forest because the rate of logging is very high and most of it is illegal. One wonders where the Ministry concerned is. We are having strangers coming in and doing logging although we understand there is a presidential ban on forest harvesting. Where do these people get licences? I would like to

know how these people are getting licences to come and practise logging in Kakamega Forest, incidentally which is the only remaining tropical forest in this country. Why has the Government not deployed enough security to make sure that this forest is protected? It is important that we can be able as a country, to appreciate the importance of a resource like the Kakamega Forest and invest money in it to make sure that it is properly protected.

Mr. Deputy Speaker, Sir, I would like to touch on the issue of teachers, particularly the recruitment that has been advertised by the Teachers Service Commission (TSC). There is no transparency and fairness in the way that exercise is being done. We would like to see a lot of transparency in that exercise, so that whoever is recruiting does so in a much transparent manner.

I beg to support.

**The Assistant Minister for Transport and Communications** (Mr. Keah): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to join hands with my colleagues in supporting this Motion of Adjournment. I have two issues that I want to raise very seriously. This year the rains failed at the Coast and more particularly in Kilifi District. With the failure of the rains, the dams have dried up and there is not a drop of water, particularly in the areas of Tsangatsini, Mwanamuinga and Kayafungo locations in Kaloleni constituency, as well as areas of Ganze constituency. I want to use this opportunity to ask the Minister for Water Development to come to the aid of the *wananchi* in these areas who have to trek over 30 kilometres to get a *debe* of water from the nearest water point in Mariakani and Kaloleni.

Mr. Deputy Speaker, Sir, the situation is desperate. I have offered for this week to supply three water tankers personally out of my salary income from Parliament, but I cannot sustain this because each water tank costs Kshs12,000. People in these areas have a right to have water, and here I am appealing not only to the Ministry, but also to well-wishers and NGOs to come to the aid of my people in Kaloleni because they are suffering due to lack of water. It is not their fault; it is the fault of the weather. Otherwise, when the long rains fall, there is plenty of water in the dams and we do not have to make this appeal. I hope the entire country is listening to my cries on behalf of my people. I would like, indeed, everybody in this august House listening to these cries, to join hands with me in this appeal. The situation is extremely difficult because there is no water. Because of the failure of the rains, there is also no food in those particular locations because the crops also failed. However, at least, we can easily get *unga, et cetera*, from other areas transported there. It is not so easy to transport water in the same way as you can transport bales of maize meal.

Mr. Deputy Speaker, Sir, this situation of water shortage is exacerbated by the fact that the water from Mzima Springs II, which has been talked about for the last ten years, has not even materialised. Had the Mzima Springs II or Mombasa Water Project II come to fruition, we would certainly be having no problems in terms of water in the areas that I have spoken about. I know the District Water Officer is struggling, but he too can do nothing. I have been to the offices of the National Water and Conservation Pipeline Corporation in Mombasa, and all they said is that they can spare only three tankers for my constituency per week for three locations, and each location has over 20,000 people. This is a crisis and I want to take this opportunity or these few moments to appeal to the whole country to come to the aid of the Kaloleni people because there is no water due to failure of the rains. I hope this message is loud and clear. I hope all my colleagues have heard.

*(Several hon. Members stood up in their places)*

**The Assistant Minister for Transport and Communications** (Mr. Keah): Mr. Deputy Speaker, Sir, I have not yet finished making my contribution.

Mr. Deputy Speaker, Sir, the only second point is to appeal to the Ministry of Roads and Public Works to do something about our roads.

I support the Motion of Adjournment.

**Mr. Kombo:** Mr. Deputy Speaker, Sir, I will support the Motion for two reasons. Firstly, the normal rites which are carried out when somebody is on his deathbed is that people normally call in a priest to practise the final rites. We know that the Government of KANU is on its deathbed. So, we want them to go back and call in the priest for the final rites to repent for the sins they have committed against the Kenyan society, and particularly the Ministers who have not performed effectively. You can actually look at almost all the Ministries. If you look at the Ministry of Agriculture and Rural Development, you will find that the Sugar Bill we passed here is being flouted. The farmers are not being paid in accordance with the Bill we passed and the Minister just looks at it and smiles.

Mr. Deputy Speaker, Sir, if you look at the Minister in charge of the *El Nino* projects, you will find that projects were done in a very shoddy manner and he has never followed up the issue to ensure that the sins he has committed against Kenyans are rectified. If you go to a place like Webuye, there was *El Nino* money to rehabilitate the water project to the tune of Kshs16 million. Pictures were taken and put in the Press, saying: "This is the new power house". Unfortunately, no power house has been built in Webuye. The picture was that of a powerhouse built in 1972,

and that is what is being shown as a completed new project in Webuye.

So, these are all sins being committed against the Kenyan society by the KANU Government and they need to repent as they prepare to go to their Maker.

Mr. Deputy Speaker, Sir, in May, we rushed here an anti-corruption Bill up to the Second Reading and it was supposed to go to the Committee Stage. We rushed it because the donors were pushing the KANU Government. We are now going into recess and yet that Bill has not been brought to the Committee Stage. You begin to wonder what the Attorney-General and the Leader of Government Business are thinking about. Why should a Bill lie between the Second Reading and the Committee Stage for so many months? Of course, they did rush because they were hoping that the donors would release funds as soon as we had passed the Bill through the Second Reading. But I think those donors are not stupid. They know that unless the Bill has gone through all the stages and has been signed, it does not mean much. I would like the Attorney-General and the Leader of Government Business to spend this time thinking about how they will ensure that, that Bill is brought to the House for the Committee Stage as soon as we resume from the recess.

Mr. Deputy Speaker, Sir, I understand that there are people in KANU who are afraid to have that Bill go through because the amnesty clause was not incorporated in the Bill that we debated. But amnesty is a matter that only Kenyans can decide upon. Only Kenyans can negotiate an amnesty for people who have committed crimes. I do not think we can legislate it by the stroke of a pen. That would be tantamount to legislating theft. So, we must make sure that those who are against that Bill, during this holiday, examine themselves and repent, as I said earlier on, as they prepare to move on to the next world.

Mr. Deputy Speaker, Sir, the second reason why I am supporting the Motion of Adjournment is because the National Alliance for Change freedom train is going to take off. We are going to spend time telling Kenyans that the salvation of this country lies in the NAC and not in the Uhuru Project. So, starting from next Saturday, the NAC freedom train will be starting off from Githunguri, move on to Nyeri, Meru, Kisumu, Kakamega and many other places, explaining what we are all about.

Finally, Mr. Deputy Speaker, Sir, I want to appeal to all those who want to jump onto this freedom train that there are various stages to join it.

With those few remarks, I beg to support.

**The Assistant Minister for Trade and Industry** (Mr. Ekirapa): Thank you, Mr. Deputy Speaker, Sir. That very last contribution by the hon. Member is very interesting. But before I raise my own points, let me assure Mr. Kombo that, that freedom train may be heading towards the wrong direction because I do not think that there are lines there. But the Uhuru Project may result in the biggest vote that the presidential candidate has ever garnered in this country. So, let us take a bet and meet here next year and see who was right and wrong.

Mr. Deputy Speaker, Sir, I want to support this Motion of Adjournment and I want to join my colleagues who are asking for this time to be used in educating our people about several things which are happening, for instance, the question of the succession debate that is raging here and there. People are talking about the debate in KANU, and I think we want to assure doubtful Members that the debate in KANU is healthy and democratic. In the end, we are going to zero in on leadership. I want to assure my colleague, Mr. Kombo, that, that leadership is going to win. We will sensitise our people and they will return a very good yes vote to this side and the KANU Government will be in power.

Mr. Deputy Speaker, Sir, let me talk about the issue of the Constitution of Kenya Review Commission (CKRC), which is confusing Kenyans. I know that this National Assembly only recently approved a request by that Commission to extend the life of Parliament up to January next year. It is a worrying development that several commissioners out there do not believe that, that time will be adequate for the Commission to submit their report. I hope that when we resume, the Committee that is responsible will ask this Commission whether, indeed, they are going to deliver a report by that time. We do not want to be taken for a ride. I think everybody does accept that we expect a new Constitution to be in place before the next general elections. Therefore, this Commission must be made to deliver according to the programme they have given us.

Mr. Deputy Speaker, Sir, as we go to the countryside, I want to appeal to my colleagues to be responsible in the manner in which we talk to our people. Our people have now matured and we want to tell them about the problems the country is experiencing and ask them to be tolerant and understand some of the problems this country has got without leaders taking advantage of the situation to incite the public. If we do not that, then the next general elections, which we all expect to be peaceful, may not be that peaceful. I want to appeal to everybody to go out there to educate them and ask them to support the programmes that this House has approved. Let us go to the next general elections with that in mind; that the election should be a peaceful exercise and those who are lucky to come back, will come to a peaceful House.

Mr. Deputy Speaker, Sir, there is the issue of security which is of great concern to everybody. I would like to

ask the Minister responsible, maybe, to talk to the police about the insecurity that is now rampant in the country, both in Nairobi and also spreading to the countryside. The police have been accused of so many things, but I think we must also understand that the police are working under tremendous pressure. Let us encourage them to be civil and deal with the people responsible in a fair manner, without being arrogant.

With those few remarks, I beg to support.

**Mr. Kibaki:** Mr. Deputy Speaker, Sir, while supporting the Motion of Adjournment, there are very serious matters that we should bring to the notice of the Government. First, I want to demand that the Government stops using public resources for KANU campaigns. They are committing a crime and they know it. It is robbery. Why should they take taxpayers' money to fly around their helicopters and use all these resources for campaign? It is against the law. In fact, that is misappropriating the resources of the Republic of Kenya and they should stop it, whoever they are.

Mr. Deputy Speaker, Sir, as you know, Prof. Ghai has assured us that the draft report will be ready in September this year. We do not want the Government to try to interfere through the back door and begin to pretend here as if they know anything about what is being written; that the Constitution cannot be ready by 15th September. How do you know that? The only people who are qualified to speak about this issue are the Chairman of the Commission and the Commissioners. How can other people who are sitting around here begin dreaming of the kind of Constitution they would want? Why can they not be patient like the rest of Kenyans and facilitate the Commission so that their work is completed by 15th September; we get the report and pass it in a national convention by October? That is what we all want. There is no reason for them to continue dreaming of what they tried to push through this House and failed. I hope they have abandoned the idea of extending the Commission's time.

Mr. Deputy Speaker, Sir, the quantity of Government borrowing today is extremely excessive and the interest rates are going up. We have heard that in order to finance themselves, the Government will begin printing money, which is the same game they played in 1992.

**Hon. Members:** Shame!

**Mr. Kibaki:** Mr. Deputy Speaker, Sir, that game destroyed the economy of this nation and we have never recovered even today. I hope that the Governor of the Central Bank of Kenya will stand firm and refuse the mischief of this particular Government to print excessive notes which are not needed.

**The Assistant Minister for Trade and Industry** (Mr. Ekirapa): On a point of order, Mr. Deputy Speaker, Sir. I am sorry to interrupt my friend here, but the question of printing money is a very serious allegation. Could I ask for substantiation?

**Mr. Deputy Speaker:** Order! You are making the situation even worse because he cannot give you substantiation for something that intends to be done.

Proceed.

**Mr. Kibaki:** Mr. Deputy Speaker, Sir, the hon. Member does not know a single thing of what is going on, and he claims to be in the Government. The serious matter is that, today, in the money market and the situations we deal with, there is suspicion that the Government is laying plans to actually print money the way they did in 1992. That is a criminal act. They destroyed this economy and it has never recovered ever since then.

Finally, let me say this: We want to revive the marketing of milk.

**The Assistant Minister for Trade and Industry** (Mr. Ekirapa): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to cast aspersions against me by alleging that I know nothing about what is going on in the Government?

**Mr. Deputy Speaker:** Order! The hon. Member is merely expressing his opinion.

**Mr. Kibaki:** Mr. Speaker, Sir, we, the farmers, want the marketing of milk to be restored. We demand that milk factories which were closed be re-opened. They should not be looted as is happening now. These factories at Nanyuki, Kiganjo, Sotik and other places are being looted, and yet they belong to us, farmers. The Government is seeing it all happening and yet it is doing nothing to stop this. We have excess milk, but nowhere to market it. The Government should stop that looting and go back to restoring these factories.

We are coming to a new school term in about six months' time. We expected the Government to promise introduction of free primary school education, but they are hesitant to do so. Children are still being expelled from primary schools due to lack of school fees. These children are going without education, and yet we passed a law here pledging to give children proper education, but this is not being implemented. It is terrible! **The Assistant Minister for Local Government** (Mr. Kiangoi): Thank you, Mr. Deputy Speaker, Sir. I also want to add my voice in support of this Motion. In doing so, I want to address two or three issues. As we go for recess, we will be faced with the question of unemployment which is prevalent. At the moment teachers are being recruited and I would appeal for fair play in the recruitment exercise. Sometimes you will find junior officers in the Ministry who do not follow the laid-down

procedures. If there is a vacancy in a particular area, it would only be fair that a person is recruited from that particular area.

Secondly, I would like to touch on the tea sub-sector. In this House there have been various issues arising from the tea sub-sector, regarding particularly the running of the farmers' organisation in the tea sector by the directors. Farmers' money is very crucial to them. It is only prudent that those who are charged with the responsibility of running tea factories do it in a professional manner such that the farmer gets profits from his investment. We are approaching election time. Civil servants and those who work in public offices have a moral obligation to resign from those positions. Civil Servants have been told to quit their positions. It would also be fair that those directors of farmers' organisations who intend to run in the next elections, should quit their posts immediately. If they retain their posts, the underlying danger is that they will run down farmers' organisations by trying to please their supporters so that they can be voted in. I think they should be warned to quit their posts immediately, so that they leave farmers' organisations to be run by people who are not interested in politicking.

The last point I want to touch on is constitutional review. I would urge the Commission charged with this exercise not to give empty promises. If they say there will be a draft Constitution in December, they should ensure that, that is the case. There has been a tendency in the past of giving promises which never materialise, and we have found ourselves in a position where we have to give them extra time. Even the so-called extension plan by this Parliament was because of the indecisiveness of this Commission. If this Commission had not said that they would be ready by May, nobody would have even suggested that Parliament be extended. Since they had already set a date, we decided to extend their time. Some hon. Members took this to mean that KANU had a design to prolong their rule in this particular time. That is not the case. The true position is that the Commission asked for extension of time and, therefore, we obliged. This time round, they should be serious and we should see that draft Constitution in September so that we complete the exercise.

Mr. Deputy Speaker, Sir, I beg to support.

**Mr. Ndicho:** Thank you very much, Mr. Deputy Speaker, Sir. There is something more important than everything else in this country. This nation is more important than each and every individual leader.

The other most important component in our nation is the people of Kenya. When leaders make pronouncements here and there, they seem to forget that we, as leaders, have come and we shall go. There were the colonialists who came to this nation, and they went away and left this nation and the people of Kenya. The regime of Mzee Kenyatta came and it left this nation and the people of Kenya. The regime of President Moi came in 1978, and it will go at its own time and leave the nation and people of Kenya behind. So, there is something more important than what we are talking about. It is God who gave us this nation and the incumbent Vice-President of this nation. It is God who gave us the second President of this nation. It is the same God who will give us the third President. We might have differences in opinions and choices about that President, but may I plead with Kenyans and leaders that we should leave it to God to give us the best leader after President Moi. There is no point of fighting; there is no point of calling one another names. There is no point of me disagreeing with my old friend because of our different support of the person who wants to take over the Presidency.

Mr. Deputy Speaker, Sir, we are a democratic society. In fact, in 1992, we embraced multipartyism and, therefore, everybody has got a right to speak his or her mind.

**Mr. Munyasia:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Ndicho:** Mr. Deputy Speaker, Sir, this hon. Member always likes to stop me from speaking.

**Mr. Munyasia:** Mr. Deputy Speaker, Sir, we know that the KANU Government rigged itself during the 1992 and 1997 elections. Mr. Ndicho is telling us that it is God who gave us--- Could he be asked to substantiate that?

**Mr. Deputy Speaker:** Order! When Mr. Ndicho finds a way of communicating with God directly, I will also be interested.

*(Laughter)*

**Mr. Ndicho:** Mr. Deputy Speaker, Sir, Mr. Munyasia always likes attacking my contribution with frivolous points of order. All I am saying is that, and this is what even the Bible says, you cannot be a leader unless Heaven has agreed. He could not be an hon. Member unless God purports it. So, all I am saying is that we have a duty, as leaders, not to break this nation.

I am also appealing to various institutions - public and private - including media houses, to be cautious because they have a special and big role to play, either to break this nation or to sustain it. Many nations in Africa have been destroyed because of irresponsible journalism. You wonder how one media house paid a lot of money to something called the Media Institute so that it goes out and collects views from Kenyans about the forthcoming elections. When the Media Institute brought those results, one of the leading media houses deliberately refused to



publish the results, simply because the leader they wanted was not rated as the leading candidate. It is irresponsible, and this is one of the media houses that preaches against corruption and other vices. So, when they deliberately refuse-- - That media house was involved in the formulation of media ethics and regulations, and the first rule is to report events without bias and without destroying somebody's character. It is all about openness and fairness. But why did one media house refuse to publish that opinion poll? I understand they now have a fight because it is controlled by about four factions, where every tribe has got its own agenda. They are all fighting. Some columnists were removed because they were perceived to be writing in favour of some candidates. Lastly, I wish to congratulate my friend, Mr. Kariuki, for having been appointed the Minister for Labour and Manpower Development. We have said that we, the people of Central Kenya, want to join the Government, and we want to be on the Government side next time. Mimi nimechoka kuwa upande huu. I want to be on that side, and I want to join the Government.

I beg to support.

**The Minister for Roads and Public Works** (Mr. W.C. Morogo): Mr. Deputy Speaker, Sir, I stand to support this Motion. I think it is time we went back to our constituencies so that we are with our people and do what they are doing there. Obviously, our job is to legislate, but we have to get time to be with them.

First, I want to allay the fears of Mr. Khamasi because I heard him say that the Vote of the Ministry of Roads and Public Works was not brought to the House because it was the intention of the Government to delay it. Let me assure the House that there is nothing like that. The Vote will be brought to the House on time. I, personally, did request the Speaker and the House Business Committee to defer the Vote on the Ministry of Roads and Public Works because, the week that it was appearing on the Order Paper I was going to be out of the country. So, there was no malice. It was a request, and I would urge hon. Members to, first, get their information right rather than put forward some remarks like those ones. Secondly, I would like to remind Mr. Kombo - because he said that KANU is going to a bloodbath, and since he is in the Opposition - that KANU is still very much alive. It reminds me of a saying in my own tribe where we say that a hyena is a hungry animal all the time. So, when he sees somebody walking and throwing his or her hand to and fro, he waits for it because he thinks that it will drop. So, he follows this person hoping that the hand will drop so that he can eat it. I think my colleague, Mr. Kombo, is facing that problem because he thinks that KANU would be falling apart, and he has been waiting for that. I can assure him that he has a long time to wait because what he is seeing is mistaken. It is only healthy - and development of the party - to allow everyone to express his or her view.

As we go to recess---

**Mr. Kihoro:** On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to liken an hon. Member to a hungry hyena who hopes that the hand will drop off? Could he apologise to Mr. Kombo?

**Mr. Speaker:** Order! The hon. Member has not called Mr. Kombo a "hyena." He said that he is behaving like one!

*(Laughter)*

**The Minister for Roads and Public Works** (Mr. W.C. Morogo): Mr. Deputy Speaker, Sir, I will forgive him because I know that he is also suffering from the same problem as Mr. Kombo.

Because the political climate and temperatures are now rising, let us consider our people; let us consider our country. Let us put our country first when we speak and in our actions. This is because we have a duty to protect this nation; we have a duty to deal with what will assist the generations to come. This is because if we continue to recklessly make claims and allegations, like I just heard one hon. Member say that he heard--- I thought it was out of order for this House to deal with hearsay. Since he intends to be the President of this country, it would be very wrong for him to deal with hearsay. He should be factual.

Let us all be factual and let us tell our people what we think can help them. This is because political parties are simply avenues to take people to a better destination. It is upon us to articulate these issues, and where one political party is defeated by the other, that is normal. It should not be a question of people accusing one another, calling each other names. This is because if we do so, what will we be doing? We would only be showing a bad example to the generations to come. We are only setting a bad example. Right now, the East African Co-operation is in place, and our people should be told to take advantage of this market which has been expanded in order to do businesses that will help them.

I beg to support.

**Mr. Kibicho:** Thank you, Mr. Deputy Speaker, Sir. I support this Motion. In my constituency, coffee farming is very important. For a long time, when the prices of this crop failed, people thought it was deliberate so that those people from that part of the country can be ruled when they are poor. It is very saddening to learn that this Government is aware that the Coffee Board of Kenya owes farmers Kshs620 million. If the Government is holding that money, it means, therefore, that the attitude of my people that they are not being paid their money so that they can be ruled could be true. We, therefore, demand that this money be paid immediately.

Roads are very important. I know this House passed an amendment earlier on so that the cess money could be administered by the District Roads Committees. That arrangement is likely to make roads in tea and coffee growing areas impassable. If that money is going to be administered at the district level before tea has been transported to the tea buying centre and to the factory, then we will have a situation where a lot of our tea will go to waste. Things cannot be changed overnight. I would like to appeal to the Minister for Roads and Public Works, that money generated from a certain catchment area should be used only in that catchment area. Money generated in a certain area should be ploughed back to that area.

During this Session, we also passed a Motion dealing with an amendment to the Power Act. When we come from recess, that Bill should be given the first priority. In my own constituency, there is a micro-hydro-power project which is being held up simply because nobody can compete with the Kenya Power and Lighting Company Limited.

We know that we are now starting our campaigns. I subscribe to the same feelings of other hon. Members that the stability of this country is very important, and those who are ruling this country have a duty to Kenyans, to the extent that only the truth must be spoken. We have a duty to Kenyans and even parties must uphold democracy. Somebody may say that I do not belong to the ruling party, but whatever is happening today is going to have a bearing on this country for a long time. What this country requires is improved standards of living. Those high standards of living cannot come about without economic development. Economic development does not thrive in the middle of chaos. It does not thrive where people seem to be only interested in clinging to power for the sake of it, and where even people would want to have short cuts to power. That by itself will result in instability.

As we go to the recess, I would like to ask the Constitutional Review Commission to finalise its work so that we can go to the General Elections with a new Constitution. We are in a Parliament which is very interesting. We are in a Parliament where power must change hands. That power must change hands peacefully, because this country is more important than individuals.

With those few remarks, I support.

**Mr. Ngure:** Thank you, Mr. Deputy Speaker,

Sir, for giving me the opportunity to add my voice to this Motion of Adjournment. The dynamics of politics may not have been good for an adjournment, but as we know, this Parliament should adjourn because at one time, some hon. Members of Parliament have been acting as Members on sale. I say so because we have ceased to be hon. Members of Parliament in our utterances in the corridors and in the tent.

I know, at this time, we are debating very seriously the succession issue. To me, I do not think it should really be called succession. We are going to have new leadership at State House, and that is a constitutional requirement. What Kenyans out there are looking for and asking themselves is whether we are going to have a new leadership dispensed by the outgoing, or we are going to have a new leadership which is going to have its own clout. We know very clearly that some people have no idea what actually happens when somebody retires. A retiring person may express his wishes, but should never impose his wishes over the people. There is no constitutional dispensation that allows a retired President to assist a ruling President. In Kenya, we are looking for a leader that will rely on his Cabinet and members of the Civil Service and lead this country to greater economic heights.

Mr. Deputy Speaker, Sir, we know very well that once we have had a leader for a very long time, it is difficult for others to realise that he is retiring. There has always been the story of the difference between the farm nigger and the house nigger. At times it is difficult for the house nigger to know he has been freed. When the master frees the house nigger to go where he likes, the house nigger will say: "Master, I do not know what I will do when you are not there". We are now looking for a definite change in the leadership of this country. This change should not be dispensed down the throats of people. During the recess, while deliberating over this issue, Ministers whose Votes have not been debated should facilitate the construction of roads. I am particularly talking about my---

**Mr. Deputy Speaker:** Order! Hon. Members, we have now come to the end of this debate.

*(Question put and agreed to)*

## ADJOURNMENT

**Mr. Deputy Speaker:** Hon. Members, it is now time for the interruption of business. I wish to take this opportunity to wish you a happy recess and return, ready to continue with the hard work. The House is, therefore, adjourned until Tuesday, 1st October, 2002, at 2.30 p.m.

The House rose at 5.20 p.m.