

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 9th June, 1999

The House met at 9.00 a.m.

*[The Temporary Deputy Speaker
(Mr. Imanyara) in the Chair]*

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 027

CREATION OF DISTRICTS IN NAIROBI PROVINCE

The Temporary Deputy Speaker (Mr. Imanyara): Mr. N. Nyagah not here? Next Question.

Question No. 228

MURDER OF MR. KARIUKI MUORIA

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

(a) whether he is aware that Mr. John Kariuki Muoria of Maiella was assaulted on 15th December, 1998 and later died on 17th December, 1998 and the matter was reported to Kongoni and Naivasha Police Stations;

(b) what action has been taken against the person who assaulted the deceased; and,

(c) whether he could ensure that the culprit is arrested and charged with murder.

The Minister of State, Office of the President (Maj. Madoka): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

Yes, we are aware that Mr. John Kariuki Muoria was assaulted and died on the 17th of December, 1998. Investigations into this case have been undertaken and the matter is still being investigated.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, we know the current record of our policemen. Could the Minister tell us whether it is the same policemen who are carrying out these investigations or it is some independent body?

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, it is the same policemen.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, the man who is alleged to have committed this murder was arrested after being identified at a public parade and was released on a bond of Kshs20,000. Is it normal for a person suspected to have committed murder to be released on bond?

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, in connection with this incident, a Mr. ole Retes(?) who was reported to be in charge of the dam area where this incident occurred, was arrested as a suspect and was released on a cash bail of Kshs5,000 on the 16th of January, 1999. But he was again re-arrested on the 20th of January, 1999 as a suspect in respect of this murder. Mr. Tums(?) was released after recording a statement due to lack of evidence to sustain a charge against him.

Mr. Muchiri: Thank you, Mr. Temporary Deputy Speaker, Sir. If a person is arrested for having committed murder by a policeman who is investigating a case, is it for the policeman or a court of law to decide whether there is enough evidence to sustain a charge?

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, we did not say that this was a murderer; we said that he was a suspect.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, when can we expect investigations into this matter to be completed? It is a long time now since this incident occurred and the alleged murderer is still at large and probably interfering with witnesses.

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, the matter has been forwarded to the Attorney-General and we are hoping that we will get a response soon.

Question No.170

COMPLETION OF IJARA MATERNITY WING

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Weyrha not here? Next Question, Mr. Njeru Kathangu!

*Question No.206*MOTOR ACCIDENTS BETWEEN MAKUTANO
AND KIMBIMBI MARKETS

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Kathangu is not here? Next Question; Mr. Mwangi Kiunjuri!

Question No.177

NON-PAYMENT OF NSSF DUES TO MR. MBIVU

Mr. Kiunjuri asked the Minister for Labour:-

(a) whether he could explain why Mr. Joseph Githinji Mbivu - NSSF No.006281621, a former employee of Kenya Railways Corporation has not been paid his NSSF dues since he retired in April, 1994; and,

(b) whether he could ensure that these dues are paid immediately.

The Temporary Deputy Speaker (Mr. Imanyara): Anybody from the Ministry of Labour? Next Question!

Mr. Kiunjuri: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Minister of Labour, knowing clearly that he has a Question ahead of him, not even to send an apology and not to be found in the House during the right time?

The Temporary Deputy Speaker (Mr. Imanyara): Let us go to the next Question! We will see during the next round whether they will be here. Next Question; Mr. Gitonga!

*Question No.203*NON-PAYMENT OF DUES TO ROAD
MAINTENANCE WORKERS

Mr. Gitonga asked the Minister for Public Works and Housing:-

(a) whether he is aware that more than thirty (30) people engaged by the Government during 1997/98 financial year to maintain rural access roads in Kinale and Kamae Locations of Lari Constituency have not been paid their dues; and,

(b) if the answer to part "a" above is in the affirmative, whether he could inform the House when these people will be paid their dues.

The Assistant Minister for Public Works and Housing (Mr. Khaniri): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that 30 people who were engaged by the Government to maintain rural access roads in Kinale and Kamae Locations in the 1997/98 financial year have not been paid their dues. However, I am aware that 13 casual workers have not been paid for the month of June, 1998.

(b) The Ministry is making arrangements to pay the outstanding amount before the end of June this year.

Mr. Gitonga: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister is misleading this House. First, the number of people involved is 54 and I would like the Minister to take note of that because I know these people who have been working on this road. These people were paid at the end of April for the period from November, 1997 to March 1998. The balance has not been paid; for the months of June to August, 1998. How come the Assistant Minister says that they are only 13 people while I know that they are 54 and they were paid for the period I have mentioned?

Mr. Khaniri: Mr. Temporary Deputy Speaker, Sir, I am not misleading the House. The information I have given to this House is correct and I have the payrolls to support my point. I insist that they are 13 people and not 54 people. I lay the payrolls on the Table.

(Mr. Khaniri laid the payrolls on the Table)

Mr. Gitonga: Mr. Temporary Deputy Speaker, Sir, while I would like to see those payrolls, because I

know the number of people involved, why were these people not paid for the period that they had already worked from 1997/98 to 1999, when I raised this Question?

Mr. Khaniri: Mr. Temporary Deputy Speaker, Sir, the delay in making the payment is caused by the cashflow problem at the Ministry and at the district level.

The Temporary Deputy Speaker (Mr. Imanyara): Very well! Next Question!

Question No.230

WASTE DISPOSAL BY FISH FACTORY

Dr. Ochuodho asked the Minister for Environmental Conservation:-

- (a) whether he is aware that the left-overs that are dumped at the Nalkinyi along Kendu - Homa Bay Road by a fish processing factory based in Homa Bay Town pose a major health hazard; and,
- (b) if the answer to "a" above is in the affirmative, what steps are being taken to rectify the grave anomaly.

The Temporary Deputy Speaker (Mr. Imanyara): Is the Minister for Environmental Conservation not here? Okay, Question No.027 for the second time.

Question No.027

CREATION OF DISTRICTS IN
NAIROBI PROVINCE

The Temporary Deputy Speaker (Mr. Imanyara): Mr. N. Nyagah still not here!

(Question dropped)

Question No.170

COMPLETION OF IJARA MATERNITY WING

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Weyrah also not here!

(Question dropped)

Question No.206

MOTOR ACCIDENTS BETWEEN MAKUTANO
AND KIMBIMBI MARKETS

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Kathangu, also not here!

(Question dropped)

Question No.177

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Mr. Kiunjuri asked the Minister for Labour:-

- (a) whether he could explain why Mr. Joseph Githinji Mbivu - NSSF No.006281621, a former employee of Kenya Railways Corporation has not been paid his NSSF dues since retiring in April, 1994; and,
- (b) whether he could ensure that these dues are paid immediately.

The Temporary Deputy Speaker (Mr. Imanyara): Anybody from the Minister of Labour.

(Question deferred)

Question No.230

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 (b) if the answer to "a" above is in the affirmative, what steps are being taken to rectify the grave anomaly.

The Temporary Deputy Speaker (Mr. Imanyara): The Minister for Environmental Conservation!

(Question deferred)

Dr. Ochuodho: On a point of order, Mr. Temporary Deputy Speaker, Sir. You realize that we are not serious, especially the opposite side of the House. I would want to know what your ruling is going to be on this particular matter. This is a case whereby you find we do not have Ministers to answer four or more Questions, whereas they are supposed to be here from 9.00 a.m. We need your guidance.

Mr. Kiunjuri: On a point of order, Mr. Temporary Deputy Speaker, Sir. Although you have not replied to the point of order raised by Dr. Ochuodho, it is clear evidence that when these Ministers know that there is a Question on a burning issue like this one of mine where they have "eaten" all the NSSF money from the employees, they do not appear. They should be made to come here and answer these Questions. It is very disheartening to hear that people on the streets and old men in the villages have no money even to educate their children when these Ministers are still lying at home. If they had been called to the airport, they would have been there very early to go and meet or see off the President, but they cannot answer the Questions that we are raising.

The Temporary Deputy Speaker (Mr. Imanyara): Well, apart from the Ministers, quite a number of other hon. Members are also not present. So, I am going to defer all these Questions and refer them to Mr. Speaker, to be included in the Order Paper as soon as possible. I will now go to the Question by Private Notice.

QUESTION BY PRIVATE NOTICE

OCCUPATION OF PRIVATE LANDS BY HERDSMEN

Mr. Kihara: Mr. Temporary Deputy 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 an extremely dangerous situation is brewing in Naivasha and Gilgil divisions where herdsmen with large herds of cattle and goats have illegally occupied private lands, denying the legal owners an opportunity to cultivate their lands?

(b) Could the Minister apply the law of trespass and have these herdsmen and their livestock removed from the lands they are illegally occupying?

The Minister of State, Office of the President (Maj. Madoka): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

First of all, the hon. Member had asked a similar Question No.207, in July 1998. I am not aware of the alleged serious situation in the Naivasha/Gilgil area. Arising from that answer, part "b" does not arise.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, I will ask the Question a thousand times so long as the Speaker allows me, and if I am satisfied that what I have asked has not been complied with. This situation is still persisting although I asked the Minister and he has done nothing about it. So, I will keep asking the Question so long as the Speaker allows it and for the Minister to tell me what he is going to do about this situation.

The Temporary Deputy Speaker (Mr. Imanyara): Maj. Madoka!

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, he has not asked anything.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, I have told the Minister that I will ask the Question a thousand times so long as I am allowed, if I do not get action taken. So, what action has the Minister taken since I asked the Question last time and what does he intend to do this time round?

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, it is common knowledge that the Maasai herdsmen normally move and graze their cattle in uncultivated areas of the same division during the dry spells; when pasture is not easily available. However, when the rains come, they normally move out of those specific areas. I believe, in fact, they have moved out.

Mr. Magara: Mr. Temporary Deputy Speaker, Sir, this is a very serious issue. This is one of the ways in which these people encourage clashes. If you trespassed in my piece of land and when I complain, like the hon. Member has complained, and the Government does not address that issue, it leads to tribal clashes. So, what is the Minister doing to ensure that there are no trespassers on this property that belongs to private persons?

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, it is worth noting that no case of trespass has been reported to the Provincial Administration.

Mr. Gitonga: Mr. Temporary Deputy Speaker, Sir, does the Minister encourage these people to go and graze on other people's land or what is the purpose of saying that the Maasai can graze anywhere where land is not occupied when this land is owned by individuals?

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, we do not encourage it, but you know how the nomads live.

Mr. Kajwang: Mr. Temporary Deputy Speaker, Sir, what the Minister is saying is that the Maasai have a divine right to graze their animals everywhere; they own all pasture everywhere; they can graze on private land at any time, and if you joke around with them, then they kill you. Is this what the Minister is telling us? If that is the case, then we are going to ask Mr. Kihara to organize his morans to deal with these Maasais.

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, that is not what I am saying.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, it appears quite clear that there is tribalization of the application of the law; where if certain communities commit crimes against certain communities, that is not regarded as crime. Why does the Minister find it acceptable for the Maasai to graze on other people's land? If you drive on that road, you will see thousands of herds of animals still there. It has rained, but they have not gone back. Could the Minister make sure that they vacate this land so that the owners can cultivate and plant crops?

Maj. Madoka: Mr. Temporary Deputy Speaker, Sir, if there are areas where animals are occupying people's land and, if the matter is reported to the Provincial Administration, we will ensure that those criminals are moved out of those areas.

Mr. Shill: On a point of information, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): Do you want information, Maj. Madoka?

Maj. Madoka: No, Mr. Temporary Deputy Speaker, Sir.

Mr. Osundwa: On a point of order, Mr. Temporary Deputy Speaker, Sir. The answer given [Mr. Osundwa]

by the Minister is totally irrelevant. I have visited Naivasha, and it is apparent that Maasais go to Naivasha for water. Could the Minister do something to make sure that Maasais get water in their area when it is dry so that they do not come to Naivasha to get water for their animals?

The Temporary Deputy Speaker (Mr. Imanyara): What is your point of order there, Mr. Osundwa?

Mr. Osundwa: Mr. Temporary Deputy Speaker, Sir, my point of order is that the Minister is totally out of order.

POINT OF ORDER

VIOLENCE IN SCHOOLS

Dr. Ochuodho: On a point of order, Mr. Temporary Deputy Speaker, Sir. I wish to request for a Ministerial Statement from the Ministry of Education and Human Resource Development with regard to incidents of violence in schools.

Increasingly, this country is witnessing unusual recurrence of violence, murder, maltreatment and other forms of weird happenings in our schools. In order to ensure that these incidents, which are a clear reflection of absolute moral decay and total breakdown of socio-cultural values, are brought to an end, I seek the Statement with regard to the following matters:-

- (a) What the Ministry believes is the single major contributing factor to these rampant acts of

lawlessness.

(b) Plans in place to permanently stem out the acts.

(c) If widespread devil-worshipping is being pursued as a lead, and when the Government intends to make public the findings on the Commission on Devil Worshipping.

(d) What were the findings of the Ministry's investigations of recently reported incidences of devil worshipping in Homa Bay District.

(e) To what extent might widespread abject poverty and cultural erosion have contributed to these incidences.

(f) What is being done to eradicate drug abuse and indiscipline among Kenyan students.

Mr. Ayacko: On a point of order, Mr. Temporary Deputy Speaker, Sir. Yesterday, I sought a Ministerial Statement on what the Provincial Commissioner, Nyanza, had done, but the Minister said that he would not make the Statement yesterday. So, I would like to ask the Minister to tell the House when he will issue the Statement, as people from Nyanza have already called and asked me when this will be done.

The Minister of State, Office of the President (Maj. Madoka): Mr. Temporary Deputy Speaker, Sir, I was hoping to give the Statement tomorrow, but I cannot. So, I will give it on Tuesday next week.

MOTIONS

PRESENTATION OF ANNUAL BUDGETS IN KENYA SHILLINGS

THAT, in view of the fact that the Kenya Pound is not in every day use as a designation of the Kenya currency; considering that all transactions in Kenya currency are in shillings and not in pound, including payments by the Kenya Government; noting that even the Twenty Shilling currency note does not bear the word "pound"; further considering that both Members of Parliament and members of the public have to keep converting the figures stated in the annual estimates from pounds to Kenya Shillings in order to clearly grasp the magnitude; this House resolves that the next annual Budget and all subsequent Budgets be presented in Kenya Shillings.

(Eng. Muriuki on 12.5.99)

(Resumption of debate interrupted on 12.5.99)

The Temporary Deputy Speaker (Mr. Imanyara): Eng. Muriuki was on the Floor, moving the Motion when the Business of the House was interrupted. So, may he proceed.

Eng. Muriuki: Mr. Temporary Deputy Speaker, Sir, the Motion seeks the presentation of the Budget in Kenya Shillings rather than in Kenya Pounds. The point is that the Government's income and expenditure is at the moment in Kenya Shillings. All the taxes levied on Kenyans by the Government, be they Excise Duty, Import Duty, Value Added Tax (VAT), Income Tax, and other charges, are received in Kenya Shillings.

The expenditure and the income are also in Kenya Shillings, including the Development Expenditure, the Recurrent Expenditures, salaries and other allowances for civil servants. Even in the Development Expenditure, where the Government has to commission outsiders to do any work for the Government, all the payments are made in Kenya Shillings. Perhaps the Kenya Pound becomes visibly important only once in a year, when the Minister for Finance presents the annual Budget in the august House.

Also, all commercial, trading and financial transactions are done in Kenya Shillings. You will notice that even Parliament, after the annual Budget has been discussed, all contributions by hon. Members are done in Kenya Shillings, because that is the form of the currency that is understood. The Kenya Shilling is the form of currency which is in common use in this country. During the House's common business, when hon. Members ask Parliamentary Questions involving money, or funding, the figures are given in Kenya Shillings. Also, the replies to such Questions are practically given in the same currency form.

Mr. Temporary Deputy Speaker, Sir, the same is true when it comes to issues of national interest. For example, at the moment, we are confronted with a small debate regarding the constitutional review process. We have been informed that one of the reasons why Kenyans cannot be asked to contribute to the constitutional review process is because the Government wants to save Kshs4.5 billion, which is the estimated cost of the process. You

will have noticed that, yesterday, when the annual estimates were tabled, I took some time to see whether the money has been provided for. However, because it is quoted in a strange currency form, trying to find out that was not easy.

Mr. Temporary Deputy Speaker, Sir, as a matter of fact, I kept on trying, but I could not tell whether the Kshs4.5 billion has been included or not. I kept on converting all the figures which I thought were relevant to that particular item to no avail. In fact, tomorrow, I will ask the Minister for Finance to kindly tell us where the amount in question has been included in this Year's Budget if it has, indeed, been included.

Most of our Development Expenditure is sourced from international donors. Most of these donors forward their donations, or loans, or whatever assistance, in the their countries' currencies. However, when it comes to spending that money, we do not convert it to Kenya Pounds. We always convert it to Kenya Shillings. It appears that those officers who draft the annual Budget, first of all get all the expenditure, both recurrent and development, in Kenya Shillings. Then, they convert this figure into Kenya Pounds, so that the Minister for Finance can present the Budget in Kenya Pounds. Thereafter, the officers reconvert the same figures into Kenya Shillings, so that the Government can spend the money and provide services to Kenyans.

Mr. Temporary Deputy Speaker, Sir, I would like to give an example of the confusion the Kenya Pound and the Kenya Shilling forms bring. Recently, we were in one of the Departmental Committees of this House. I recall that an hon. Member was referring to a particular item in the budgetary estimates. The hon. Member thought that the figure was K£2 million, which a Minister, who was also in that Committee, thought that it was K£200 million. The particular hon. Member is a computer expert, and the Minister, to my understanding, is a renowned Mathematician. However, both the hon. Member and the Minister required calculators to find out how much the amount involved was. It eventually turned out that none of the two was initially correct; the figure was K£20 million.

I also feel strongly that perhaps even those people who approved the Goldenberg scandal figures, they did so when the figures were in Kenya Pounds, only to discover later on that they had actually approved the award of billions of Kenya shillings. There is the argument that when quoting figures in Kenya Pounds, you require narrow columns in the books of Budget Estimates. However, considering the inflation the country is experiencing, we can present the figures in units of 1,000 rather than in Pounds. This way, I think the columns in the Budget books can even be narrower.

In the same breath, I would like to request the Ministry of Finance to kindly demystify the presentation of annual Budgets by publishing all the 36 Votes, both Current and Development, in the local Press, so that Kenyans can see the provisions in the various Ministries and Government Departments in a language and currency form which they can understand.

I would like to conclude by saying that Kenyans are not normally able to debate issues properly, or feed hon. Members with material with regard to contributions on Budgetary Estimates because the figures involved in the Budgets are in a currency form which was in use 35 years ago. I would like to urge all hon. Members to support this Motion, so that the next Budget can be presented in Kenya Shillings.

Mr. Temporary Deputy Speaker, Sir, with that introduction, I would like to ask the Shadow Minister for Economic Planning, hon. Keriri, to second the Motion.

Mr. Keriri: Thank you, Mr. Temporary Deputy Speaker, Sir. I think the Mover has explained why he has moved this Motion and I stand to second it. One of the things that must be said is that, there is no currency in this country called "Kenya Pound". This is a confusion by the Ministry of Finance in referring to money in the Budget to a currency called "Kenya Pound". It is never there; it is never printed in "Kenya Pounds" and we have no notes or coins called Kenya Pounds. So, we do not know why we have continued to have the Estimates printed in something called Kenya Pounds which does not exist. Now, money has legal tender and Kenya Pound has no legal tender in this country because it is not legal. In fact, one can go ahead and say printing Estimates in Kenya Pounds can amount to a criminal offence because this currency is not legal tender and it does not exist.

Mr. Temporary deputy Speaker, Sir, the Ministry of Finance has been following colonial relic. In 1963 when Kenya became independent, we had something called Kenya Pound because our colonial masters used something called "British Pound" which was denominated in pounds, shillings and pence. In Kenya we were then told to have a Kenya Pound which was by that time Kshs20, equivalent to one British Pound Sterling. So, we continued using that Kshs20 equivalent of Pound Sterling to show our Estimates as Kenya Pounds which nowhere in the Estimates is it shown that the Kenya Pound is equivalent to Kshs20. We continued to print it. This is colonial relic! After 1967, the British Pound was valued very highly against the Kenya Shilling and we no longer had Kshs20 making one Pound Sterling. We continued with a currency that was not equivalent to anything and nowhere are we told that the Kenya Pound is equivalent to Kshs20. The continuation of this is unfortunate because the wananchi cannot understand what is meant by the Estimates as they see them in the big books. Those

Estimates are not merely meant for Parliamentarians; they are meant to be studied and understood by Kenyans, including those in the villages, but they do not know what a Kenya Pound is. So, we would like to appeal to the Minister for Finance to change this attitude and format which is outdated; it is nowhere. If he does change this one, everybody will understand what we are talking about.

As the Mover has said, everybody in Kenya, including the Minister himself, thinks in terms of Kenya Shillings. Nowhere do we discuss anything in Kenya Pounds, we discuss everything in Kenya Shillings. The Mover did mention that, there is a likelihood that the Minister is trying to save the columns in the books that he prints, but this is not right. We have a currency like the Japanese Yen which is a very small denomination compared to the Kenya Shilling and the Japanese print their Estimates in Yen. The Italian Lira is a very small denomination and the Italians print their Budgets in Italian Lira. They do not borrow US Dollars or British Pounds to sort of save space. It is not right that we should continue printing our Estimates in a currency that Kenyans do not have an idea what it is. When we print the Kenya Pound in the Estimates we see the parastatals have their Budgets in Kenya Shillings. The Kenya Government does give loans and grants to Parastatals, they print a figure in Kenya Pounds which is non-existent; then, they give Parastatals loans or grants in Kenya Shillings. They have to get some fellows somewhere to convert this in their heads; they do not have to write anywhere. It is inconvenient and I think we should change it. It is unfortunate that the current Estimates, although this Motion has been in the pipeline for a long time, that the Minister has not thought it advisable to print the Estimates in Kenya Shillings. He has continued to print this in Kenya Pounds. So, we would like to appeal to the Minister to come back next time, starting from the Supplementary Estimates, although we do not like them and if he has to bring any Supplementary Estimates in this coming planning Fiscal Year, he should have them in Kenya Shillings. There is no difficulty at all. I do not think there is any quarrel in just going back to what we know as Kenya Shilling; the currency of this country and the currency that everyone, including the Minister, puts in his pocket; the currency that buys bananas, maize, goats and the currency that everyone uses to buy their suits, if they buy them in this country. Those who buy in Britain or elsewhere, they buy in foreign currencies when they go there, but when we buy suits and everything here, we buy in Kenya Shillings. So, let us go back to Kenya Shilling and do it in our Estimates.

With those few remarks, I beg to second.

(Question proposed)

The Assistant Minister for Finance (Arap-Kirui): Thank you, Mr. Temporary Deputy Speaker Sir, for giving me this opportunity to respond to this Motion.

I agree that all transactions in Kenya are carried out in Kenya Shillings and that, the Shilling is, in fact, the designated currency of this country as per Section 19, Sub-Section (i) of the Central Bank of Kenya Act. But if we look at Sub-Section (ii) of the same Section, it says that: "Kshs20 shall equal one Kenya Pound". So, the use of the Pound is not against the law in this country. The use of the Kenya Pound also saves space. If we translate the numbers divided or multiplied by 20, we are talking about shillings; there is quite a bit of expense. These figures are reproduced several times and once we look at that, it may not look like much, but it does amount to quite a bit of money when we talk about Government expenditure.

Mr. Temporary Deputy Speaker, Sir, I sympathise with the Motion that, we should expect all transactions to be in Kenya shillings. But the use of the Pound has a long tradition in this country and we agree that, it is not reflected on our currency notes. But that does not change the fact that, we are used to the Pound. It is not unusual that in fact, when we refer to the IMF, we have Special Drawing Rights. This is not a known legal currency, but we know and it is known internationally that, one Special Drawing Right is equivalent to so many dollars or so many sterling pounds. We also have the Unit of Account of the Preferential Trade Area that is, the UAPTA which, until recently, was very currently used in Eastern Africa and while this UAPTA note was not legally established in any country, it was well known what it stood for. We also have the African Unit of Account which again, is in a similar situation. We now have the Euro Currency Unit with the European Union and we know that European countries are in the future going to be using the Euro Currency as a legal tender and this is already in current usage. So, our use of the pound is not an isolated event and that is why I say that we sympathise with the views expressed in this Motion.

Mr. Keriri: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Assistant Minister to mislead the House when he refers to his other expression of money when he is talking about putting them in the Estimates and yet, we are talking about printing Estimates in our currency?

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Keriri, you should allow the Assistant Minister to complete his contribution, since that is an expression of his feelings. Carry on!

The Assistant Minister for Finance (Mr Arap-Kirui): Thank you, Mr. Temporary Deputy Speaker, Sir, because I think that was not really a point of order.

Mr. Temporary Deputy Speaker, Sir, as I was saying, it is not unusual that we use the Kenya Pound in this country and as I said earlier that in fact, legally in our laws, the Kenya Pound does exist. Maybe, the only anomaly if that is what it might be called, is that we do not have it printed on our currency. As I said, using the Kenya Shilling can be expensive in terms of stationery and printing time when we talk about estimates and it is not as though Kenyans do not understand the Kenya Pound and then, we should give our people a lot more credit than is suggested in this Motion. Kenyans are smart and they can work out when you talk about one pound, two pounds and five pounds. They can quickly translate that into shillings without any problem at all. However, as I said earlier, we do as the Government, sympathise with the views expressed by the Member and I think it would be in order to say that, every effort will be made in the future to use the Kenya shilling. However, what I would like to suggest is that, we should not be in haste and throw away the Kenya Pound. I think there is the risk that later on, we might suffer a certain amount of nostalgia when we might regulate what we might do in haste.

Mr. Temporary Deputy Speaker, Sir, so, I would like to suggest or propose a small amendment which I hope the Mover of this Motion will agree to. The amendment is a very simple one.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Arap-Kirui, I must direct you to Standing Order No.47 which touches on the amendment of Motions.

The Assistant Minister for Finance (Mr. Arap-Kirui): Mr. Temporary Deputy Speaker, Sir, I think I was under the impression that, this proposed amendment had been forwarded to you. However, the amendment is a very simple one considering that, the next Budget is tomorrow and it has more to do with this than anything else. I think the Motion to that extent you might say, has been overtaken by events because the next budget is tomorrow. So, I would like the amendment to read: "That this House resolves that as soon as possible, the annual Budget shall be presented in Kenya shillings".

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Arap- Kirui, you have to keep to the Standing Orders on amendments, since you have not handed over this to the Clerk.

The Assistant Minister for Finance (Mr. Arap-Kirui): Mr. Temporary Deputy Speaker, Sir, I think as I said earlier, I was under the impression that, this had been forwarded to you and this---

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. I rise on a point of order to ask whether, in your judgement, it is decent for a lady Member of Parliament to be here in a long trousers, because I can see one dressed in trousers and I thought that was only for male Members of Parliament?

(Laughter)

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Munyasia, may I have the attention of the Standing Order that you are referring to?

Mr. Munyasia: Mr. Temporary Deputy Speaker, Sir, I am talking about the Speaker's rules which talk specifically about men wearing trousers, coats and ties but that is not about women who should be in decent dresses like hon. Mugo is, but I can see hon. Kittony in trousers.

(Laughter)

Mrs. Mugo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I think hon. Munyasia is misleading the House and I do not think that there is anywhere it is written that wearing trousers by women is indecent. Indeed, it covers the whole body and many muslim ladies wear trousers. We refuse to be dictated to and we should concentrate on more useful remarks in this House.

Mr. Maitha: On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): Order, Mr. Maitha!

Mr. Maitha: On a point of order, Mr. Temporary Deputy Speaker, Sir. Has hon. Mugo defected to KANU because she is speaking from the KANU side?

(Laughter)

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! Well, I have looked at the Speaker's rules and I am satisfied that the gracious Lady is properly dressed. She has not breached any rules.

The Assistant Minister for Finance (Mr. Arap-Kirui): Thank you, Mr. Temporary Deputy Speaker, Sir.

As I said, we are sympathetic to this Motion. The way it is framed, I think, it has been overtaken by events. I would like to propose a small amendment:

"This House resolves that---" and delete the words "the next" and replace with "as soon as possible", annual budget and delete the next four words there upto the word "budgets" and replace with "shall". Then the Motion will read: "This House resolves that, as soon as possible, annual budgets shall be presented in Kenya Shillings".

With that amendment, I support this Motion.

The Assistant Minister for Finance (Mr. Keah): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity. I second the amendment and I will be very brief.

First, it is impracticable to implement this Motion in tomorrow's Budget. Secondly, yes, we sympathise with the sentiments that the Kenya Pound does create very many problems for people to convert and, therefore, the Ministry is not averse to considering making changes to those rules which, by the way, under the relevant Central Bank Act, Cap.491 Clause 19, subsection 2, we are permitted and it is in order to use Kenya Pounds. One Kenya Pound is denominated as Kshs20. But taking the sentiments expressed by the hon. Member, the Ministry will be looking into this matter with a view to studying on the possibilities of utilising Kenya Shilling; maybe, by knocking off some "zeros" so that, millions and billions are accommodated. In any case, we are computerised and in this process, we will take these sentiments into consideration. Because of this impracticability, we are, therefore, unable to accede to the Motion as it stands. But in good faith, it is being amended to take those sentiments into consideration.

With those few remarks, I beg to second.

*(Question of the first part of the amendment,
that the words to be left out be left
out, proposed)*

Eng. Muriuki: Thank you, Mr. Temporary Deputy Speaker, Sir. As the Mover of the Motion, I do not have any objection to that amendment in principle. However, can we remove the word "next" and replace it with "annual budget, year 2000/2001"? That is specific.

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

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

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

(Question of the Motion as amended proposed)

Mr. Maitha: Bw. Naibu Spika wa Muda, ninasimama kuunga mkono Hoja hii kama ilivyorekebishwa; kwamba wakati ujao, nchi hii itumie sarafu ya nchi yetu kama vile sisi wenyewe tunazozitamka.

Kama tunavyojua, tumetawaliwa na Wakoloni na sheria nyingi ambazo zipo katika vitabu vyetu sasa, ni za wakoloni. Wakoloni walipenda sana kila kitu tulichonacho kitajwe kikwao. Hii ndiyo sababu mambo mengi walikuwa wanatumia pauni wakati tuna sarafu yetu ya shilingi. Ukienda kule Uarabuni, pesa zao hata ingawaje wanatumia sarafu za kigeni, lakini zao zinatajwa kwa Kiarabuni kama vile rupia. Hata Japan, kuna Japan Yen. Pia huko Uchina wana sarafu yao. Hata Afrika Kusini, wanatumia sarafu yao kama vile Uganda na Tanzania. Ni Kenya tu ambayo inatumia sarafu ya kigeni katika Bajeti yake. Ni jukumu la Mawaziri wote wahakikishe kwamba sheria ambazo zinazotumia lugha ya kigeni zimebadilishwa, kwa sababu tumepata uhuru ili tujitawale kwa kufanya mambo yetu. Hata ingawa tuliathiriwa na minyororo ya ukoloni, sasa tuko katika Kenya huru. Mambo ya kutumia pauni katika taarifa ya Bajeti na ukifika katika sehemu yangu ya uwakilishi Bungeni ya Kisauni, unasipomama katika jukwaa na unawaambia wananchi: "Serikali ilipitisha pauni milioni mbili kujenga barabara hii". Mgiriama aliye kule hajui pauni milioni mbili ni nini, lakini ukimwambia shilingi milioni fulani kwa sababu

zimeandikwa katika Bajeti, hata ukimpatia taarifa hiyo, ataweza kujisomea mwenyewe.

Haya ndiyo mambo ambayo, mpaka sasa, yanazungumzwa, hata katika Katiba. Watu wanapiga makelele kuhusu Katiba. Katiba ile imeandikwa huko Uingereza na Kizungu chake kingi ni cha Kiingereza. Hata siku moja, Kenya haijatafsiri Katiba ile kwa Kiswahili ili Wakenya wote waweze kusoma. Bado ipo katika Kiingereza na watu wanapiga kelele juu ya Katiba ingawa inatajwa Constitution; Kizungu. Katiba pia ni Kiswahili na watu hawajaisoma ili wajue Katiba yote inasema nini. Watu hawajui ni nini kiliandikwa katika Katiba ile na mambo mengineyo, kama sheria za mashamba. Ni juu ya Kenya kutambua kwamba Wakenya wenyewe baada ya kupata Uhuru miaka 36 iliyopita, sheria ambazo zinawaumiza watu ziondolewe; sheria ambazo zinazungumza mambo ya Uzungu zitambuliwe kwamba hazifai tena katika nchi hii. Pia ingekuwa vizuri kama Serikali, badala ya kuwasilisha Hoja na Miswada Bungeni ambayo inachelewesha, iunde kamati badala ya kuwa na tume nyingi zinazochunguza mambo ambayo hayana maana, tuwe na tume inayochunguza sheria za Kizungu ili zibadilishwe na ziwe za Kiafrika au zetu za Kenya. Kwa mfano, ukiangalia watu wetu wa Kenya hata wale wanaopelekwa kortini kuhusu Vagrancy Act, mtu anashikwa bila sababu na kupelekwa kortini kwa kukojoa ama kurandaranda ovyo. Hajui kwenda ni kurandaranda ama kukojoa ni hatia. Ni sheria ambazo Mzungu, kwa sababu alikuwa hamjui Mwafrika, anamgandamiza. Mwafrika ni mtu ambaye akienda kwa barabara na akihisi mkojo, anakojoa pahali popote anataka. Hayo si matusi kwa Waafrika wengi, kwa sababu ndio mila na tabia zetu ingawaje Wazungu hawataki Waafrika wakojoe barabarani ovyo ovyo, kwa sababu walikuwa wanatuchukulia kama punda au mbwa. Hii ndiyo sababu walitunga sheria kama hizo. Tunaona sheria kama hizo miongoni mwetu. Mtu anayeelekea kukojoa, anaelezwa kuwa alikuwa akikojoa ovyo ovyo. Sasa, Mwafrika hata akipita huko Mombasa na ahisi mkojo, na aende nyuma ya nyumba na kukojoa, hiyo siyo dhambi. Lakini mzungu anakataa.

The Assistant Minister for Finance (Mr. Keah): Hoja la nidhamu, Bw. Naibu Spika wa Muda. Mhe. Maitha anazungumzia mambo ya usafi; je, ni sawa na haki kwa yeye, badala ya kujadili na kuongea juu ya mambo ya usafi kwa wananchi, yeye afikirie ya kwamba watu waendeleo tu kukojoa ovyo, ovyo? Nafikiri hayuko kisawa, akizungumza juu ya wananchi kujikojolea tu ovyo ovyo.

Bw. Maitha: Bw. Naibu Spika wa Muda, mimi najaribu kuelezea juu za sheria za kizungu ambazo ni za kikoloni na ambazo zilikuwa zikitugadamiza sisi Waafrika. Hata babu yake Mhe. Keah, naamini, hakuchimba choo alipokuwa kijana, mpaka wakati alipokuwa mzee; alikufa bila kuchimba choo. Ni Mhe. Keah tu, kwa vile amesoma, ambaye ako na choo. Hata zamani, Waafrika hawakuwa wanaruhusiwa mavi ya watoto wao yachanganyikane na mavi ya watu mzima. Na mila hizo mpaka leo ziko katika jamii ya Luo; huwezi kunya halafu mtoto wako wa kike achanganye na mavi yake. Lakini utakuta mzungu anakunya na mtoto wake katika choo moja, na inaendelea hivyo. Nimesema hivyo kwa sababu sheria ambazo tunazizungumzia hivi sasa, kwa kutumia sarafu ya Kenya Pound, ni sheria ambazo mzungu alizandika katika ile sheria ambayo imesomwa na Waziri. Hii ni sheria ambayo haijabadilishwa; Benki Kuu ya Kenya haijaketi na ikaona ya kwamba sisi hapa Kenya tutaje pesa zetu na kuzitukuza katika lugha yetu ya kienya; Kenya Shilling.

Sasa, shillingi inaweza kuwa shillingi ya Ulaya, ikawa shillingi ya Marekani, lakini ubaya ni kwamba hata wale Waingereza waliotutawala, wenyewe wanatumia sarafu ambayo inaitwa kwa jina lingine. Sisi tunatumia ile sarafu ya Marekani, ambayo ni Dollar, lakini hao hawakututawala wakati wa ukoloni. Sasa, unakuta ya kwamba dolla inatumika ulimwengu mzima kama sheria inavyosema, lakini Wamerekani wanayo yao, na ukifika huko Ulaya, hawa wana sarafu ya Pound Sterling. Kwa nini wasiite pesa zao pia dolla? Wanaziita kwa jina lingine. Ikiwa ni lazima tuite sarafu yetu ya matumizi kama vile wanavyotaka; kwa sababu hawa Waingereza ndio waliotutawala, tungeita pesa zetu kwa jina la Sterling. Ndiyo ninasema ya kwamba, sheria kama hizo mara nyingine, zinaonyesha nchi fulani kwamba hazijatoka katika Ukoloni Mamboleo. Ni hasusa ziwe zibadilishwe.

Hata ingawaje tumesoma, lakini utamaduni wetu ni kitu cha kujivunia. Hata vijana wetu ambao wanasoma sasa, utakuta ya kwamba mtoto unapomzaa na kwa vile ulienda shule, unakataa asiseme kabila yako; kutoka nyumbani mpaka shule, aongee Kizungu mpaka awe mtu mzima. Kama wewe ni Mkikuyu, hutaki yeye aongee Kikuyu; kama wewe ni Mgiriamu hutaki aongee Kigiriamu, kwa sababu yeye amezaliwa wakati wa uzungu. Vitu kama hivi ndivyo vinatufanya kuwa watu kama watumwa. Kule kwetu Pwani, tulitawaliwa na Waarabu, lakini sisi tukizaa watoto wetu hatuwafundhishi Kiarabu; tunawafundisha Kigiriamu na lugha za kabila ambazo ziko kule. Tumetawaliwa pia na Waingereza na Wareno, lakini hatukujua lugha hizo zao. Tuliambatana na mila zetu, tukaishi tukijua ya kwamba tunaishi kama wananchi wa Kenya wa Waafrika.

Kwa hivyo, Bw. Naibu Spika wa Muda, ninaunga mkono Hoja hii; ya kwamba tunaposoma Bajeti, ama tunaposoma makadirio, lazima kila wakati tuwe tunajivunia kutaja pesa kwa Shillingi ya Kenya; Kenya Shilling. Tuwe tunataja na kujivunia ya kwamba tunaweka hesabu zetu katika Shillingi ya Kenya. Utaona ya kwamba watu wengi ambao wanaishi katika nchi hii yetu, ni watu ambao wanajivunia lugha na tabia zao, na vile ambavyo wamezaliwa. Pia, tungetaka ofisi zetu za serikali zisiwagadamize watu wetu kwa kuwalazimisha kutenda yale

ambayo yako katika sheria za kigeni; ambazo sisi wenyewe hatujakaa na tukasema zitatupiliwa mbali, ama zisiwapoteze watu wetu. Ni lazima Mmaasai avae Kimaasai; hata tunataka wale Mawaziri kutoka Jamii ya Maasai wakija hapa, wavae kikwao. Kama kuna Mnandi ambaye anajua kuvaa kikwao, siku nyingine avae pia.

Bw. Naibu Spika wa Muda, hata sheria zingine za Standing Orders ambazo tuko nazo hapa, ni sheria ambazo ni za kizungu. Unakuja hapa na korti na tai, huku tukiambiwa ni desturi ya Westminster. Sawa, lakini kama tuko Afrika, ni haki yetu siku nyingine tubadilishe hizo sheria na tuseme: "Kama Mbunge ni Mgiriamama, aje na shuka lake la Kigiriamama." Hivi itaonekana ni Bunge la Waafrika na la wenyewe, ambao wanaishi katika nchi ya Kiafrika. Lakini utakuta ya kwamba sheria zetu zinatugadamiza sisi na tunaachana na mila zetu na tunapoteza vitu vyetu vingi, kwa vile sisi wenyewe tunajichukulia kama ni watu ambao wamejipoteza na kujiweka katika sheria za kigeni.

Kwa hayo machache, ninaunga mkono Hoja hii kama vile ilivyobadilishwa.

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. Arising from my point of order that I raised earlier this morning regarding the mode of dress for women legislators while in the House, we have consulted with my friend hon. Kittony, the National Chairperson of Maendeleo ya Wanawake, who feels upset about it. You will realise that, this is my seventh year in this Parliament, and I was asking that question in all good faith---

The Temporary Deputy Speaker (Mr. Imanyara): Order, Mr. Munyasia! What is your point of order? If you have a point of order to raise, then do so, but you should not stand up to make a speech on a point of order.

Mr. Munyasia: Mr. Temporary Deputy Speaker, Sir, I wanted to ask you to give me this opportunity to apologise to hon. Kittony who feels upset about that remark I made. I was just raising that point of order in good faith, because for the past seven years, we have never seen lady hon. Members coming in long trousers. It was not meant to upset her, nor to embarrass her.

(Mrs. Kittony and other hon. Members applauded)

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Munyasia, there is a ruling on it already.

Yes, Mr. Madoka!

The Minister of State, Office of the President (Maj. Madoka): Bw. Naibu Spika wa Muda, ninasimama kuunga mkono Hoja hii vile ilivyorekebishwa. Ni kweli kwamba wananchi, hata kule vijijini, wanaelewa juu ya mambo ya Shilingi ya Kenya. Hatuwezi kusema eti wanaelewa sarafu ya Pound Sterling. Tukiwa tunajitayarisha kwa ule muungano wa nchi za Afrika Mashariki, ni lazima tufikirie juu la jambo hili. Hata ukienda Uganda sasa, wanaongea juu ya Uganda Shilling; ukienda Tanzania, pia wanaongea juu ya Tanzania Shilling. Kwa hivyo, hata hapa Kenya, ni vyema tuwe tunaongea juu ya Kenya Shilling. Ingawa vile Mhe. Keah alisema itachukua nafasi kubwa katika Bageti tukiwa tunaandika kwa Kenya Shillings, lakini ni kitu ambacho kinawezwa kurekebishwa. Mimi naunga kabisa kwamba tuwe tukiongea juu ya Shilingi ya Kenya, kwa sababu hivyo ndivyo inavyoeleweke na watu katika Kenya nzima.

Bw. Naibu Spika wa Muda, mimi langu ni hilo tu.

The Temporary Deputy Speaker (Mr. Imanyara): I will now call upon the Mover to reply.

Eng. Muriuki: Mr. Temporary Deputy Speaker, Sir, there have been a few sentiments expressed in support of this Motion and I must start by expressing my appreciation to the Government side for recognising the fact that, Kenyans require to be fully informed and to be informed in Kenya Shillings regarding the Budgetary Estimates and the Government's financial activities. However, I do note that there was a comment that, it is perfectly legal to use Kenya pounds because it is quoted somewhere in the Central Bank Act. But the issue here is not whether it was legal or not. It is what should be used because that is what we understand and it is the currency in use. We, therefore, have to accept the legality which is there. The question of the columns, that it will take more space---If you look at all the financial reports other than the actual Budget itself be they for Government Corporations or any other Government activity, we are cutting the three zeros at the end and expressing everything in thousands. That way, the Budgetary columns may even become narrower than they are at the moment.

It has been said that, this practice of using Kenya Pounds has been traditional and I think I fully accept that. It is time we break that unwarranted tradition after 36 years of Independence. There is a comment regarding the use of SDR by the IMF and also the use of the Euro in Europe. But it is worth noting that, there is a reason why the European countries are using the Euro. They are coming together in a common market and they needed a common currency. But individual countries have their budgets stated in the currencies of those individual countries. It is only fair that Kenyans do use their own currency. The fact that Kenyans are smart and they are able

to convert--- I have a lot of reservations about that. I am a mathematician in my own right and I have to use a calculator all the time when I am reading those heavy books to be able to understand how much money has been allocated to Ol Kalou and other constituencies.

I appreciate the fact that, the Government also has the sympathy for this Motion and I hope the amendment which we agreed upon will be put into operation in the year 2000 rather than saying "as soon as possible". So, I urge the Minister for Finance to put extra efforts, so that the words "as soon as possible" are converted to mean the year 2000/2001. We have information that Tanzania and Uganda who used to use the British Pound in their budgets have now reverted back to their own currencies. So, it is only fair that we also do not look that foreign. I also appreciate the fact that the Minister of State in the Office of the President, found it necessary to just support the Motion and he did not spoil it with other words.

With those few words, I beg to move.

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

Resolved accordingly:

That, in view of the fact that the Kenya Pound is not in everyday use as a designation of the Kenya currency; considering that all transactions in Kenya currency are in shillings and not pounds, including payments by the Kenya Government; noting even that the twenty shilling currency note does not bear the word "pound"; further considering that both Members of Parliament and members of public have to keep converting the figures stated in the Annual Estimates from pounds to Kenya shillings in order to clearly grasp the magnitude; this House resolves that as soon as possible, all Annual Budgets be presented in Kenya shillings.

CONSOLIDATION OF URCHINS
REHABILITATION PROGRAMME

THAT, in view of the rapid increase of urchins in the streets and slum areas of the Nairobi City and other urban areas in the country; aware that such an influx is not only a menace and a waste of their human productivity, but also a threat to the security of other residents, this House urges the Government to consolidate the existing Urchins Rehabilitation Programmes, so as to rid the urban places of the urchins in order to tap their potential by training and to settle them in order to improve their conditions.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Kombe is not here? The Motion is dropped.

(Motion dropped)

DECLARATION OF GOVERNMENT POLICY
ON HOUSING OF CIVIL SERVANTS

THAT, in view of the traditional role played by the Government in housing some civil servants in houses or buildings which are Government owned; cognisant of the fact that the Government is now committed to a policy of divestiture of residential properties in the public domain which could lead to the sale of many of these houses; apprehensive that many of the employees aforesaid are likely to become tenants of private landlords who will invariably raise their rents and aware that the salary of the affected employees has not been adjusted to reflect loss in the low rental accommodation, this House recommends that no Government owned residential houses should be sold until the Government declares its housing policy in respect of all public employees and more, especially in respect of the affected employees.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Kihoro also not here? The Motion is dropped.

(Motion dropped)

ESTABLISHMENT OF FISH DEVELOPMENT AUTHORITY

Mr. Kajwang: Mr. Temporary Deputy Speaker, Sir, I beg to move:-

THAT, in view of the Government's concern to eradicate poverty and considering the great potential of wealth and employment generated from effective development of the fishing industry; this House recommends that the Government establishes Kenya Fish Development Authority under the Fisheries Act Cap. 378, of the Laws of Kenya, to foster, promote and develop the fishing industry in Kenya.

Mr. Temporary Deputy Speaker, Sir, Mbita Constituency in Suba District is basically a fishing constituency. Most of my voters are either fishermen or dependants on the fishing industry. If the fishing industry develops, then the people of Mbita Constituency will develop; and if the fishing industry collapses, then the people of Mbita Constituency will collapse economically. That is why this Motion is very important for my constituency and for the other constituencies which surround the Lake Victoria and other lakes like Lake Naivasha, Lake Turkana and even the Indian Ocean. So, this is a very important Motion for the fish industry.

Most of the products in this country, especially agricultural produce, have different development authorities which look at the development of these products. Just to give a few examples, there is the Coffee Development Authority which looks at the development of coffee, the Pineapple Development Authority under the Agriculture Act, there is the Horticultural Crop Development Authority, the Wheat Development Authority, the Kenya Sugar Development Authority, the Cotton Board of Kenya which has since collapsed; there is the Pyrethrum Board of Kenya, and there is the Kenya Tea Development Authority which we were discussing this morning. Without mentioning any others, these authorities seem to support the development of these industries in several ways. I want to say that, fishing has been neglected or that, the Government policy has not focused on the development of the fishing industry in this country. The development has been left to peasant fishermen who use crude means of fishing and, therefore, they cannot harvest enough fish. Consequently, they end up gaining very little from what they would otherwise turn into a very viable industry.

Mr. Temporary Deputy Speaker, Sir, I would like to give you an example of what happens in Lake Victoria and, at least, in my constituency. A fisherman would have about one boat which costs between Kshs20,000 and Kshs25,000 to develop; he would need a few fishing nets and some other gears which would cost about Ksh100,000. So, for a fisherman to fish in the most peasant way, he would require something like Kshs150,000 to go into the lake and catch some little fish.

That is a lot of money for a lot of people around Lake Victoria. Although we are just next to the lake, some people just look at that expansive water and have no capacity to carry out fishing. It is a very sad situation. I would like to expose to you how beneficial it can be. If I am hungry and I go to the lake, I just need a string and a hook. I will look for a worm, put it on the hook, stand on a stone hoping that some little fish will smell the worm and I will hook it out. So, if I am hungry, I can eat without planting, putting fertiliser, waiting for it to mature and without suffering from vagaries of weather and so on. There is a big mine field in Lake Victoria. But we are sitting on a mine field and we have no capacity to exploit the field. Who then exploits the fishing industry? It is the Asian community around Lake Victoria who seem to have some money, and the Jewish community who seem to know something about fishing. They put some money in the lake and employ our people as labourers. There is nothing else you can do because you cannot raise the minimum amount required of Kshs150,000 to be able to fish meaningfully.

Then, there is something for a few people who can afford a few boats and nets here and there. When they fish and land their fish, the prices are controlled by middlemen and other businessmen who do not know anything about fishing. The prices fluctuate at the whim of the purchaser of your fish. In the morning, he can come and say: "Today, fish will cost Kshs50 per kilo." In the afternoon, he says: "Now, the price is Kshs30 a kilo." In the evening, he says: "Now, it is Kshs20 a kilo." A fisherman who catches this fish has no control over the prices of fish. Why? Because fish is a highly perishable commodity. You cannot store it in a cold storage. You have to dispose of it by the price determined by the purchaser himself, who happens to be a middleman, and who happens to be either an Asian or a Jew.

This is the predicament that our people face. They put a lot of efforts and money in fishing and waste their lives in water. But when they land the fishing, it is bought at a throw-away price and there is nothing you can do about it. Either it rots or you sell it at the price which is determined by the companies. Although the trend is to throw away authorities like the Kenya Tea Development Authority - the people who are affected by it wants it to be thrown over-board because it is frustrating them and not developing them any more - we in the fishing industry have not reached that stage yet. We have no capacity to exploit our fish products. We need to be assisted so that our people can acquire loans to buy boats and fishing gear so that our people can be able to develop cold-storage facilities and, that, our people can be able to process and export or sell their fish in the open market at prices which can give them adequate returns.

What then, would the authority do to this industry, which the Ministry of Natural Resources has not been

doing under the Fisheries Department? If you look at the Act, the Fisheries Department has been created deliberately to control fishing. It wants to control the manner in which you fish; the kind of fish which you catch; the kind of fishing nets which you use and, of course, levy a certain levy, which we do not know what they do with. But eventually, the job of the Fisheries Department is a matter of policy and control, rather than development of the fishing industry. That is why we are of the view that an authority should be created to develop the fishing industry, and not merely to control it.

If we are not careful, the Kshs8 billion fishing industry in Lake Victoria will continue to be controlled by foreigners. I can assure you that it is not being controlled by Kenyans. If there are a few Kenyans there, definitely, it is not controlled by the people of the lake! There is a lot of wealth, about Kshs8 billion which is generated from Lake Victoria every year from exports alone; leave alone the fish which is eaten locally. We should even double that amount! All this money goes to pockets other than the pockets of our people. We are saying that this money should be retained in the area where fish is harvested; and that it is recouped in the development of the fishing industry in the said area.

So, what would the Authority be doing? If the Fisheries Department merely controls, we are of the view that the authority will do research on the types of fish which would do well in Lake Victoria. It would, therefore, produce certain seedlings if you like! Research should be done in such a way that those seedlings of fish which will produce fishlets will then be improved just like we improve our livestock by--- What do you call it? By "cross-pollination" if they were plants. That is what we are talking about. There is some research being done by the Fisheries Research Institute somewhere in Mombasa. We have not seen its effect. We would rather have this Fisheries Research Institute be brought under this authority so that it can be properly funded. The research will be properly orientated to give benefits to the people who produce fish in Lake Victoria, other lakes and even in the sea.

The authority, if it does not produce its own seedlings, it can even purchase certain good seedlings from other countries. I would like to give an example. In 1960s and early 1970s, the most notorious fish in Lake Victoria which we used to eat was the Tilapia. The Tilapia was not caught in large quantities. So, it was not exported. So, nobody noticed fish as an industry. But when some researchers introduced the Nile Perch in Lake Victoria, in the later 70s, we caught the Nile Perch in such large quantities that we started talking about exporting fish. Now, the Nile Perch has become one of the single-most needed food in the European Union. If you read yesterday's paper, there was an article that the European Union alone import our fish to the tune of Kshs4 billion every year. What we are saying is that we could produce even more if there was an authority which was serious developing fish production in Lake Victoria, other than controlling its harvest. We would then require that the authority would create a cold storage facility along Lake Victoria. In my own constituency, there is a cold storage facility which was developed by the World Bank. It is only one. There is another one in Kilifi, I suppose. Those two cold storage facilities have never worked. In my own constituency, it has been there for the last 15 years. Every time, the Fisheries Department puts in some little money and the Ministry of Public Works and Housing tries to do some work. They contract the work to some contractors who just eat. It has now turned into a white elephant in Mbita constituency!

Mr. Temporary Deputy Speaker, Sir, we would want this authority to develop those cold storage facilities so that our people can find a place where they can put their fish, and then, determine the price at which they will sell. This way, they will not be threatened by the destruction of their fish. Just like the people who grow tea or coffee, we need a cooling facility. If there was no cooling facility for milk, then it could go bad within a few hours. If there was no cooling facility for tea, I am sure that tea would go bad in a few hours. For the same reasons, we require a cold storage facility along Lake Victoria and along the shores of other lakes in this country so that the fisherman can find a place to store the fish in order for it not to rot and they get a good price for it. They can also have sufficient time to bargain for a good price. If they can develop those cold storage facilities, they will also develop certain processing and manufacturing facilities, transportation for sale and eventually, even market the fish products in the European Union, Israel, Middle East and America. I am sure the fish from Lake Victoria seems to be a little different from other fish products from the sea because it is fish from a fresh water lake, which is a rare phenomenon in other countries of the world. Many people are looking for these fish products and we need to develop what we have so that we can benefit from it.

Secondly, Mr. Temporary Deputy Speaker, Sir, the Authority would, in my view, be advancing loans to the fishermen. A fisherman now cannot get a loan from the AFC or other financial institutions because his business is not about farming. If you go to the banks, they say that the boats are not insurable. So, there is no place that you can go and ask for a loan to buy a boat, a net or a boat engine. For that reason, we have lagged behind in development of this industry and we are leaving it in the hands of foreigners who are exploiting our people to the maximum.

On top of that, if they were to develop and offer it processing factories, then we would be selling fish as a processed product to other markets. Consequently, we will be earning more money than we now do by merely landing fish and selling it as it is. If the Authority makes some money like it will definitely make, then they can invest it, maybe in production of boats, engines and fish nets so that our people can buy those boats and nets cheaply. Consequently, they will improve their ability in harvesting and selling of fish.

Mr. Temporary Deputy Speaker, Sir, I am not saying that when this Authority is created the Government will spend a lot of money because the Authority can raise some money by creating certain levies. If the Authority was to levy a certain fee on harvested fish, then definitely, that money will be put in the development of this industry so that the Authority will not be a very big expense to the Exchequer. I hope that when the Minister responds he will be able to appreciate that this industry or Authority can sustain itself and even generate money for the development of the industry without need of Exchequer issues.

Mr. Temporary Deputy Speaker, Sir, maybe, the fear which other people have and which I want to allay is that we are going to create one mammoth body which will suffocate everybody and make sure that fishing is only done by the Authority and it will drive out certain businessmen and fishermen from this business. I think the job of the Authority will be to supplement efforts of the fishermen and even improve their ability to catch more fish. The local people or Kenyans may also buy shares in this Authority. I hope that when this Authority is established, it will provide that a given percentage of its shares be bought by fishermen and other people who are interested in the development of the fishing industry so that it does not become a wholly government owned parastatal.

Mr. Temporary Deputy Speaker, Sir, my plea to the Ministry is that they should think of this Authority as a body which will facilitate and improve fishing in this country. The Motion will be seconded by hon. Oburu.

Dr. Oburu: Thank you, Mr. Temporary Deputy Speaker, Sir. The importance of fish in this country cannot be over-emphasised. Just as we have pastoralist and farming communities in this country, we also have fishing communities. The area where I come from is a fishing area. Just like gold, coffee and tea to other areas of this country is important in income generation, fish is the major source of income for my people.

For the Coastal people, they are specialised in fishing in the ocean - the saline water. But my people are specialised in fishing in fresh water lakes and they do it everywhere, not only in Lake Victoria. For example, if you go to Lake Turkana today, a majority of the people fishing there are Luos. If you go to lakes Chala and Jipe, it is the same. If you go to Tana River, the people fishing there are from my community.

However, the fishing industry has been neglected by the Government for many years. If you look at the toiling or the labour spent on fishing by the ordinary fishermen in this country, it is so great and yet the reward or remuneration or the return from the labour is almost nil.

The establishment of this Authority is long overdue. This Authority should have been established immediately after Independence. Looking at the conditions of fishing in the lake, some of you might not know that major fishing is done at night. These people spend sleepless nights going deep into the lake to catch small and big fish under very hazardous conditions in places infested with mosquitoes and so on. When they come out of the lake, what they get from the middlemen is a paltry payment. They are unable to bargain for a better price because of lack of cold storage facilities at the shores of the lake.

Mr. Temporary Deputy Speaker, Sir, if you look at the infrastructure along the lake, you will realise that the road network there is completely absent. It is not that it has been eroded by the *Eli Nino* rains, as people are claiming in other areas. In the Lake Region, the infrastructure is completely absent. People have to use paths to go there and those who come pay very little because they want to be compensated for the breakdown of the vehicles which they use to go to the lake shore. When we talk of infrastructure, we mean road network, electricity and telecommunication. Along the lake shore where I come from, there is no telecommunication at all. If it is there, it is very minimal. There is no telephone communication. The road network, as I said, has completely broken down. There are no facilities for electricity along the lake shore.

Mr. Temporary Deputy Speaker, Sir, we are advocating for the establishment of fish roads, just like we have tea and coffee roads. We also want to see that fish roads are maintained in the same manner that coffee, tea and sugar-cane roads are maintained. This cannot be done unless we have an Authority which will oversee the maintenance of the infrastructure along the shores of the lake where people carry out fishing.

Again, another area which is dominated by foreigners, and where there is massive exploitation of fishermen, is in the area of fish processing. If you look at the processing of fish along the shores of the lake, you will find that the only people who do that work are either Europeans or Asians. There are no indigenous people who process fish along the shores of the lake. The only indigenous authority which was established is being frustrated by our own Government. A lot of money was put into the body, and the matter has been brought before this House several times, but it appears that nobody is heeding the cry of our people to have, at least, one indigenous industry to be called "Lake Victoria Fish Industry". The only one industry that there is, going under

receivership before it has even started to process fish. I hope that the pleas of our people will not go into deaf ears, and that this industry, which is the only one that is owned by the locals, will be allowed to take off.

The Authority will look after the cold storage facilities along the shores of the lake. The middlemen exploit our people because they lack cold storage facilities for their fish. Without those facilities our fishermen cannot have the bargaining power. That means that they cannot store their fish and bargain for good price. It is for this reason that we want an Authority to be established to make sure that cold storage facilities are established along the shores of the lake. These facilities will enable us to store our fish while we bargain for a good price.

Mr. Temporary Deputy Speaker, Sir, another important aspect is funding or credit facility. As you might be aware, there are no specialised credit institutions to finance the fishermen who live along the shores of the lake. The credit institutions are actually geared towards financing big business people who have collateral, for example, title deeds and so on. Unfortunately, the majority of our fishermen do not have title deeds. Therefore, we would like to have specialised institutions which will use other means of assessing credibility of fishermen who are living along the shores of the lake, so that they can also benefit from the credit facilities. This cannot be done haphazardly by the Fisheries Department or agricultural finance institutions, which are more agriculture-oriented than fishing-oriented. Fishing is a specialised industry and it is not the same as agriculture.

Mr. Temporary Deputy Speaker, Sir, I would like to emphasise the reason why an Authority like this one will be more useful, than placing fishermen under the Department of Fisheries. First of all, the Department of Fisheries is very corrupt. In fact, it is one of the most corrupt departments in the Government.

(Applause)

Having worked for the Government, I also know that the Department of Fisheries is the most inefficient department within the Government. If I wanted to give you an example, I would tell you that junior officers in that department are the most corrupt people. Those officers collude with the Provincial Administration officials to take bribes from fishermen. They even squeeze money out of the fishermen who have got licences! An authority like this one will combine both development and control of fishing to ensure that corruption is done away with in the Department of Fisheries. This is because this department is both inefficient and corrupt in its operations.

Recently, you heard about the ban on the sale of fish in the international market because of poisoning. Poisoning is something which can be eliminated overnight from the lake if the Fisheries Department was upright and had priorities and the right officers in place. Poisoning was there because of corruption within the Fisheries Department. It is because of corruption that we still have trawling, which is illegal within Lake Victoria. This cannot be controlled because of collusion of fisheries officials who benefit from the depletion of fish and the destruction of the small fishermen's nets. The owners of the trawlers cannot compensate the fishermen because they are too small and do not have enough power to defend themselves against corrupt officials in that department and the Provincial Administration.

Mr. Temporary Deputy Speaker, Sir, I would like to emphasise the importance of establishing this Authority, which will, in a summary, create a conducive atmosphere for fishermen to gain from properly planned credit facilities, and which will also control the depletion of our fishing resources. When I was a small boy, I used to enjoy eating very tasty species of fish got from our lake. As I am speaking here today, most of it is gone because there are no policies to control and sustain the correct balance in fishing.

With those few remarks, I beg to support the Motion.

(Question proposed)

The Assistant Minister for Finance (Mr. Keah): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. This is an important Motion and it has got a lot of sentiments within it.

In principle, I am in favour of this Motion, but I want to begin with caution. I would like to make the following observations. I hope that when the Mover of the Motion stands up to respond, he will, perhaps, elaborate on some of these matters.

First, I would like to observe that we have liberalised our economy. We are privatising most aspects of the economy and, therefore, I am worried about the creation of many authorities or parastatals. This is something which we should not go back to. This is because we know that parastatals have contributed immensely to the downfall of this economy. I am just raising that point as a caution.

Mr. Temporary Deputy Speaker, Sir, secondly, I would like to say that we should avoid a proliferation of many authorities. The proposed Authority is meant to cater for the fishing industry. I would like to say that I and

my people, who are in Kilifi District, will benefit from the establishment of this Authority. However, I hope that this will not open the floodgates for the establishment of the Kenya goats, cows, sheep and chicken authorities. I also hope that it will not lead to the establishment of other authorities which we may be tempted to create in order to foster and develop those particular sectors of the economy.

I would also like to caution that there is need for funding. I agree this will require budgetary support and, therefore, even if we pass this Motion, it will take up to the 2000/2001 Financial Year before we can make funds available for the implementation of this Motion. That is yet another caution. I would like to recollect also, that we had a parastatal called the Kenya Fishing Industry, which collapsed because of various reasons, including, as my hon. colleague said, corruption. There is no reason why that company should have collapsed, but it did. Are we now creating another facility for that purpose? I hope not.

But having put those cautions, I am sympathetic with this Motion because I know when it comes to funding, the Kenya Fisheries Department, although it could be deemed to be able, or it can be facilitated to foster, promote and develop the fishing industry in Kenya, has not done so for a start. Being a department of a Ministry, it will be purely dependent on whatever the Government can allocate funds to that department. Therefore, as we know, with the financial constraints we are facing, that would not be possible. Therefore, I agree that from a funding and financing point of view, an Authority would be independent; it can borrow or we can facilitate that Act which sets up the Authority to borrow and, therefore, do better in the promotion, development and fostering of the fishing industry. So, to that extent, I am very sympathetic with this Motion because the Authority will facilitate the availability of funds for the development of the Fishing Industry. Therefore, I give it a tick.

We will give it borrowing authority, which we cannot do to the Fisheries Department. Also, we will be able, with the funds that we borrow, to develop cold storages for use after fishing, fish rods, processing of the fish and the marketing aspect of the fishing industry. Indeed, as an Authority, Kenya Fish Development Authority is not just limited to the lake basin or other basins; it is country-wide and, therefore, it will cater for Lake Victoria, Lake Turkana, all the lakes and, indeed, the Indian Ocean. Therefore, it is, in my view, a very worthwhile Authority to be created. I must, therefore, concede that there is need for such an authority, provided, of course, that we, in debating and establishing the Act that will bring this Authority into being, make sure we have checks and balances that will ensure there is no corruption, and that all the necessary controls are in place, so that the Authority does in fact, foster, promote and develop the Fishing Industry which, indeed, brings billions of shillings into the economy. But, unfortunately, these billions of shillings that come to this economy do not go into the hands of us, the indigenous people. This is really a pity.

I trust and hope that the Authority will also be able to look after our 200-mile shoreline better because that should come under the governance of this Authority, as well as indeed making sure that all the lakes and rivers are not only, developed--- Look at the water hyacinth in Lake Victoria at the moment! If we had the Authority, perhaps, it would attempt to do the control of water hyacinth there better than we are doing through the Fisheries Department at the moment. Of course, I do sympathise with the water hyacinth, recalling that I, myself, have, through the Global Environment Facility, of which I am a member, assisted to a great extent in making funding available for the tackling of the water hyacinth. I, therefore, want to sympathise with and I do support this Motion because it does have credentials and it does create a flexible organisation that is to some extent, detached from the control of the Ministry and the fact that Ministries usually have their ceilings. Those ceilings, because of the revenue constraints cannot really, develop this industry. But if we let it go to the Authority, then we will be better placed as a nation to develop the industry. I am, therefore, sympathetic and I hope that we can agree on this with the Ministry involved, because it is something that is positive and has no negative elements in it. The only negative elements are the cautions that I started off with, so that we do not get carried away with forming so many authorities; for example, Kenya Goats Authority, Kenya Chicken Authority, Kenya Cows Authority *et cetera*. We really, must think of development, fostering and promotion in the manner in which this Motion envisages.

Mr. Temporary Deputy Speaker, Sir I do support this Motion wholeheartedly. I am sure that my colleagues will also do so and because, it is an important Motion, I stop there and hope that my colleagues will also be in support.

Thank you.

Mr. Wanjala: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this golden chance to speak about the fishing industry.

Mr. Temporary Deputy Speaker, Sir, this Government will be remembered by the fishing community if it is really going to be serious and implement this Motion. The fishing community has never had anything tangible from the two regimes we have had since Independence. But we are going to be overwhelmed and very happy if this Authority is put in place. The fishing community has really been neglected; nobody has thought about them. That is why one hon. Member said that the Fisheries Department is very corrupt and the fishing community has

nowhere to go.

Mr. Temporary Deputy Speaker, Sir, when you look at the people handling the Fisheries Department, you will be surprised that most of them are not from the fishing community. This is why they have tended to impoverish the fishing community, so that, probably, they achieve their political gains. The fishing community has really suffered, yet, they are one of the highest contributors to the Kenyan economy. I can confirm that this Government earned over Kshs6 billion in revenue from the fishing industry last year. But when you look at the state of the roads in the areas of the fishing community, you will be surprised that those people have no roads. Instead, their roads have been turned into gullies. The European Union has always complained that the beaches should be developed and improved to European standards. When you look at the amount of revenue the fishing industry earns the Government vis-a-vis the way fish is being handled, you will find that the fishing industry is not being handled properly. That is why we feel that if we have this Authority, that will be the way forward to improve fish handling and also improve the living standards of the fishing community.

Most authorities that have been there, like the Kenya Sugar Authority, have not been doing their duties properly because we have, indeed, seen people importing sugar sometimes duty-free. The fishing industry mostly relies on imported fishing materials, which have turned out to be very expensive and the fishermen are not able to import them. Of the few factories that are there, there is one in Kisumu, the Kenya Fishnet, which manufactures fishnets. The Government has raised the tax so much that the factory is almost being closed down because the Kenyan fishermen cannot be able to buy from them because of the exorbitant prices. That factory is likely to lay off the workers. Indeed, as you know, we have to create jobs. The Government should at least waive some taxes for the Kenya Fishnet Industry in Kisumu so that they can also compete with other companies that deal with the imported materials that are being sold in Kenya. The previous speakers talked about the exploitation of our fishermen by the Asians. Indeed, they do it. You will find that a purchaser has bought fish, maybe, at exorbitant prices. These days the Asians do not pay money to the people who supply them with fish. They use their own money to supply the companies owned by Asians with fish. If one has got five tonnes of fish and takes them to the factory, one will find that in the factory, the supplier does not know the area where the fish is weighed or examined. They will tell him that he supplied five tonnes but three tonnes were rejects. This fisherman will not even see the fish. The company will not return the fish to him; he will only be told that the fish was rejected and lose money in that manner. Our fishermen have lost money continuously and the Government has kept mum on this issue. That is why we are striving for the creation of the Authority. The fluctuation of prices has really given our fishermen a problem. Just as my colleagues have said, we should have cold storages along the fishing beaches. This will enable the fishermen possibly to control their prices. They cannot bargain since fish is a perishable item. When they try to sell fish, the Asians take an advantage of frustrating them because they have got no alternative.

We have lost several types of fish in Lake Victoria because the fishermen do not have authority to control them. They were very good and sweet to eat. For example, *Vidonge*, *Chitire*, and *Chimungu* are no more. Although they may not have English names, we used to call them so in our community. They are no longer in existence because nobody controls them. If we have this Authority and then we channel the money to the researchers, they will be able to return these species of fish so that we can enjoy eating them. We never liked the Nile Perch but we have come to like it because the other ones are not there. The *Erisachi* was a very sweet fish. Whenever our people wanted to get a favour from someone else, they would offer him that fish and he would really enjoy it and do them a favour whenever they went to his office.

The fishermen have really had a problem on the side of security in the lake. As one speaker said here, people do fishing at night. Since we do not have an Authority through which they can voice their problems, they have been frustrated by thugs in the lake. They have also been frustrated by the Ugandans. Kenya has got about 12 per cent of Lake Victoria. Uganda Army officers have really tended to frustrate our fishermen at night because we do not have security there from the Kenyan side. That is why we are striving for the creation of this Authority, so that it will ensure that the Kenya Navy that is only based in Mombasa has another unit based in Lake Victoria to protect the fishermen along Lake Victoria shores on the Kenyan side. We would also request the Authority to appoint the people from the fishing community. The Authority should be handled by the people from the fishing community.

We were surprised when Prof. Meme just stood up suddenly and imposed a ban on night fishing because he does not understand what fishing means, because he does not know when fishing should be done. He just made a statement that scared off even the fish consumers. We should also ensure that the appointment made in the Authority should only be from the fishing community. The Lake Basin Authority has failed because of that. It would have even reclaimed Yala Swamp if we had people from that community. That should also be ensured. We do not have banking facilities in the fishing community and yet the fishing industry handles a lot of money. In my constituency, in Port Victoria, at Marenga Beach, we are able to collect at least not less than Kshs10 million in a

day, but we do not have banking facilities because we do not have an Authority to see that the fishermen are also taken care of.

With those few remarks, I support this Motion.

Mr. Badawy: Asante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii niunge mkono Hoja hii ambayo lengo lake ni zuri. Nina hakika kwamba mhe. Kajwang alipoleta Hoja hii hakusahau kwamba samaki ni wengi zaidi katika bahari, kuanzia Kiunga mpaka Vanga. Sina budi kuunga mkono Hoja hii kwa sababu samaki sio tu chakula muhimu au ni wengi, lakini kwa sababu maisha ya wale watu wanaoishi karibu na Lake Victoria na wale wanaoishi katika mwambao wa Pwani yanafungamana sana na yanategemea kazi ya uvuvi. Hiyo ndiyo sababu imenifanya niunge mkono uanzishaji wa Halmashauri ya Ustawi wa samaki yaani, Fisheries Development Authority, kwa sababu ile faida ambayo ingesaidia maisha ya watu wanaoishi katika sehemu hizi haijaangaliwa kadri inavyotakikana. Ukweli ni kwamba uvuvi leo uko katika kiwango cha kupata chakula tu. Kazi ya uvuvi kwa hakika ingekuwa ni kazi hata ya kuweza kuipatia nchi pesa za kigeni kama kungekuwa na exploitation iliyoko.

Bw. Naibu Spika wa Muda, umuhimu wa kupatikana kwa Halmashauri ya Ustawi wa Eneo la Ziwa kusimamia mambo haya ni mwingi zaidi. Ninaweza kuihakikishia Wizara inayohusika na jambo hili kwamba usimamizi wa uvuvi ni kazi kubwa ya Idara ya Uvuvi, na vile vile kusimamia tarakwimu za idadi ya samaki wanaopatikana. Lakini idara hii haitoi usaidizi kuhusu jinsi ya kupanua uvuvi, kuongeza mapato ya samaki, na uuzaji. Haya ni mambo ambayo Wizara inayohusika haiyashughuliki kabisa. Labda hii ni kwa sababu wale wasimamizi wa idara hii hawana ujuzi kamwe wa kazi hiyo kama vile wenzangu wamesema. Lakini pia ni kwamba, mambo yenyewe yameingiliwa na zile shughuli za kawaida za Wizara. Kwa sababu hiyo, ningependa Serikali ichunguze sababu ambazo zilikuwa zinastahili kuweka halmashauri za ustawi tofauti kwa mazao tofauti tofauti kama chai, kahawa na mengineyo.

Bw. Naibu Spika wa Muda, kulingana na wingi wa samaki na umuhimu wa uvuvi, na mapato ya samaki kwa maslahi ya watu wanaoishi katika sehemu hii, iko haja ipatikane halmashauri ya kusimamia mambo ya samaki pekee. Usimamizi wa samaki ni muhimu sana kwa sababu uvuvi kule Pwani si uvuvi wa kupata chakula pekee; ni uvuvi ambao ungeweza kupanuliwa kupata, kama nilivyotangulia kusema, pesa nyingi sana za kigeni. Masikitiko makubwa ni kwamba nafasi hiyo imepatiwa wageni kuvua rasilmali za baharini. Lakini kwa nini wananchi hawawezi kupatiwa usaidizi? Ukweli ni kwamba, hata kile kiasi ambacho wavuvi wenyeji walikuwa wakivua kwa mapato ya zaidi na chakula chao, leo zemezorota kwa sababu ya mambo tofauti tofauti. Sababu moja ni kwamba, gharama za vifaa vya uvuvi, kama mishipi, nyavu, chambo na hata gharama za kutengeza mashua zimekuwa ni kubwa zaidi, wakati ambapo wavuvi hawapati usaidizi wa aina yoyote.

Bw. Naibu Spika wa Muda, ninaunga mkono maneno yaliyosemwa na mwenzangu kutoka upande wa Upinzani kwamba, iko haja ya vifaa vya uvuvi visamehewe ushuru, kama vile nyavu. Leo wavuvi wetu wanahunua nyavu kutoka Tanzania na wanazipata kwa bei nafuu kabisa. Katika soko la nyavu huko Tanzania, bei yake ni Tshs15,000. Hapa kwetu nyavu zinazwa kiasi cha Kshs35,000 hadi Kshs40,000 kwa sababu zinatozwa ushuru. Kwa hivyo, ikiwa kutakuwa na halmashauri ya ustawi wa uvuvi, zile aina tofauti tofauti za uvuvi zinaweza kupanuliwa. Hii ni kwa sababu uvuvi unaoendelea kwetu hivi sasa ni ule wa kupata chakula pekee. Lakini uvuvi wa biashara unafanywa na matrola makubwa makubwa ambayo mara kwa mara, na karibu kila siku, yanaleta ugomvi mkubwa baina yao na watu wetu. Licha ya uhakikisho ambao tumepatiwa hapa na Wizara inayohusika juu ya uendeshaji wa matrola, na jinsi yanavyofanya kazi, ningependa kuiambia Wizara hii kwamba ule uhakikisho tunaopewa hauna maana; ni kudanganywa. Ni uongo tayari kwa sababu kwa muda ambao tutakuwa tuna wale kamba ambao ni wa thamani kubwa sana katika Ungwana Bay, kutokana na mchanganyiko wa maji ya bahari na maji ya Mto Sabaki na katika Mto wa Tana, uvuvi wa matrola utaendelea kwa kiwango kikubwa zaidi.

Kwa hivyo, ni jukumu la Serikali kuona kwamba kutakuwa na utaratibu wa kitaalamu kuhakikisha kwamba, prawns wanavuliwa, lakini, wakati huo huo, wapambane na ule uvuvi wa wenyeji ambao unasababisha kuharibiwa kwa nyavu na mashua za watu na mazingira, na kufukuza samaki wadogo wadogo ambao wako katika maeneo ambayo wavuvi wetu wanaweza kufikia, kwa sababu hawana vyombo vya kuweza kutoka nje kabisa. Hii ni sababu moja ambayo itatufanya tuhitaji halmashauri ya ustawi wa uvuvi ili tuweze kuwasaidia wavuvi wetu kuwa na mashua za kuweza kwenda nje kupambana na uvuvi wa kisasa.

Bw. Naibu Spika wa Muda, kuna uvuvi wa sport fishing ambao umeachwa tu. Wageni wanaendelea na sport fishing na unaleta mapato ya kigeni vizuri sana. Lakini wenyeji hawana namna ya kuingilia mambo haya. Kuna "aquarium Fishing" yaani samaki ambao wanatumiwa katika mapambo nyumbani. Huu nao unafanywa na wageni. Idara ya Uvuvi haijui ni kitu gani kinachoendelea.

Uvunaji wa corals unaendelea katika bahari. Wizara hii ingehakikisha kwamba mazingira hayaharibiwi. Kama kungekuwa na halmashauri ya usimamizi wa mambo ya uvuvi kama ilivyosemwa na aliyepata Hoja hii, halmashauri hiyo ingehakikisha kwamba kuna uvuvi bora unaoleta manufaa na mapato mazuri kwa watu wetu. Kwa hivyo, ninarudia tena kwamba hili ni jambo la dharura kwa sababu Wizara inayohusika na uvuvi imeshindwa

kuhudumia wavuvi. Imeshindwa kusimamia mambo ya uvuvi hata kwa upande wa uuzaji. Ningelijulisha Jumba hili kwamba samaki wa Somalia ambao wanaletwa kwa wingi wanauzwa kwa bei nafuu zaidi kuliko wale samaki wa kwetu hapa kiasi kwamba, wavuvi wa kwetu sasa hawaoni maana ya uvuvi kwa sababu hawawezi kupambana na ile bei ya samaki wanaoletwa kutoka Somalia. Uvuvi wa kwetu ni wa gharama zaidi na wavuvi wetu hawawezi kwenda mbali wakati wavuvi wa Somalia na Tanzania wanasaidiwa na Serikali zao. Wamepatiwa mashine za uvuvi. Wavuvi wetu mpaka leo wanategemea "tide"; wanategemea maji ya kuingia na kutoka ili waweze kwenda baharini kuvua. Wavuvi wetu hawawezi kwenda pahali samaki wanakuwa wengi. Kwa hivyo, naamini kwamba halmashauri inayopendekezwa ambayo ninaunga mkono, italeta manufaa makubwa sana kwa watu wetu. Ni masikitiko kwamba, kuna samaki wanaopatikana pahali kama Lamu lakini soko la samaki hao ni Mombasa, Nairobi na pahali pengine. Wavuvi hawana vifaa vya kuhifadhi samaki. Kwa hivyo, ni matumaini yangu kwamba, tukiwa na halmashauri ya ustawi wa uvuvi, tutaweza kusimamia maslahi kama hayo, na kufikiria kuweka vifaa vya kuhifadhi samaki.

Ni masikitiko kwamba pamoja na hali ya uvuvi ilivyo kubwa kabisa katika Ziwa Victoria na baharini, hakuna shule ya uvuvi ya maana ya kuweza kuwaelimisha wavuvi wetu na maofisa wanaosimamia kazi kama hizi. Kwa hivyo, iko haja kupatikane shule za uvuvi kadhaa kwa sababu wale maofisa wanaosimamia uvuvi ni watu ambao wamepata shahada za veterinary na vile vile za kilimo, zoology au biology, ambazo ni za ujumla. Lakini hawana ujuzi halisi wa usimamizi wa mambo ya rasilmali za baharini, uvuvi, na kadhalika. Hii ndio sababu tunapambana na mizozo hiyo, kama alivyosema mwenzangu. Mtu anajitokeza na kuzungumzia mambo ya sera ya uvuvi, hali hata haelewi samaki ni kitu gani. Kwa hivyo, ni muhimu sana kupatikane shule ya uvuvi ambayo itawaelimisha wavuvi kuhusu mbinu mpya za uvuvi, na vile vile kuwapa ujuzi maofisa ambao wamewekwa kusimamia mambo ya uvuvi. Wakati ambapo kutaundwa halmashauri ya uvuvi, tutakuwa na wasimamizi ambao wamepata ujuzi kuhusu mambo ya uvuvi.

Bw. Naibu Spika wa Muda, nikiendelea, kuna Halmashauri ya Ustawi wa Pwani na Halmashauri ya Ustawi wa eneo la Ziwa Victoria. Moja ya miradi yao ni mambo ya uvuvi. Sera kadha wa kadha zimeundwa, na wafadhili wameletwa katika halmashauri ya Ustawi wa Pwani kusimamia mambo ya uvuvi. Lakini kwa sababu hakuna halmashauri ya kusimamia mambo ya uvuvi, mapendekezo yoyote ambayo yametolewa na halmashauri hiyo kuhusu ustawi wa Pwani ni mambo ambayo yamo katika makaratasi tu na yamewekwa katika mafaili na madawati; hakuna utekelezaji. Kwa hivyo, hiyo ni moja katika faida ambazo zitapatikana tutakapokuwa na halmashauri ya uvuvi.

Bw. Naibu Spika wa Muda, kwa hivyo, ninaunga mkono Hoja hii kwa nguvu kabisa, ili tuwe na halmashauri ya usimamizi wa mambo ya uvuvi chini ya sheria ambayo imetajwa.

Mr. Kihoro: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. I was beginning to get concerned that those who have not been brought up on fish and have not eaten fish in their lives, might not have an opportunity. But I am very grateful for the opportunity to contribute to this very important Motion.

Mr. Temporary Deputy Speaker, Sir, it is important that we promote our fish resources, not only in Lake Victoria and the inland waterways, but also at the Coast. During the negotiations on the Law of the Sea Conference in the 1980s, Kenya kept on sending a delegation for ten years and extended her coastline by 200 miles. Kenya has got an economic zone of 200 miles at the Coast. It is very important that we start exploiting the fish resources in this area. It is very clear that foreign ships have been exploiting the resources in this economic zone. Ships have come from as far away as Japan to exploit our fish resources. They have also come from Brazil and South-East Asia. If only we formed this Kenya Fish Development Authority, it would be very important in making sure that these factory ships that come from abroad, some of which stand at sea for six months and process fish from Kenya and take it abroad for sale, will not be able to do so. This way, we will promote our own people to be able to catch and market the fish that is in this economic zone, not only at the Coast, in the 200-mile-zone, but also in Lake Victoria.

It is important, therefore, that we continue supporting this Law of the Sea participation by Kenya, a treaty which Kenya has signed. Unless we form this Authority to enable Kenyans to exploit that exclusive economic zone, it will be of no value. We could as well have remained with the 12-mile coastline that used to be the traditional area that a country could operate economically. If we do not exploit the 200-mile economic zone, it will be of no value.

Mr. Temporary Deputy Speaker, Sir, equally, also, on Lake Victoria, it is important that we should not be left behind by countries like Uganda and Tanzania with whom we share the lake. We need to promote the people in Nyanza and Western provinces to be more adept at catching fish, and introduce new methods in terms of fishing in Lake Victoria; new methods in terms of conservation of the fish that has been caught, and also new methods in terms of marketing of that fish.

It is important also, that when we talk, especially about Lake Victoria, we also think about the conservation of our fish resources on the lake. The hon. Member for Budalangi, hon. Wanjala, has already spoken about the many species of fish that have become extinct in Lake Victoria, some of which only exist today in name. But if only we had this Fish Development Authority, it would be of great value in terms of managing the fish resources and conserving various stocks that have been found traditionally in Lake Victoria, which have now become extinct. It is also true that as time goes by, more stocks are likely to become extinct. It would, therefore, be necessary to start an Authority that would start investigating and doing the necessary research in terms of what needs to be conserved. There could also be certain species that are overstocked in Lake Victoria, and an Authority in this direction would be of great assistance.

Mr. Temporary Deputy Speaker, Sir, it is important that when we think about the marketing of fish, where I started my contribution, and having come from Central Province, I know very many areas in Central Province where fish remains a stranger, and it is important that when we think about fish, we do not only think about the Coast and Nyanza. There is a very important market that can be exploited in Central Province, parts of Eastern Province and also parts of North Eastern Province. We know that poverty has been a frequent visitor in areas like North Eastern Province, parts of Eastern Province and even parts of Central Province. And introduction of fish caught in Lake Victoria would be of great benefit in these areas. It is true that when we speak about fish and chips, the people in Central Province and parts of Eastern Province never speak about fish and chips, they only speak about chicken and chips. It is very important that this common phrase known all over the world becomes part of the vocabulary that is spoken in Central Province and also parts of Eastern Province. So, let us also have fish and chips parlours in Central Province instead of chips and chicken only.

Mr. Temporary Deputy Speaker, Sir, we need to emphasize marketing of fish in areas outside the traditional coastlines in this country. Even our dietary habits sometimes run on tribal lines. It is important that we start breaking up even our tribalism in the form of what we eat and encourage our people to eat as much fish as possible from Nyanza and the Coast.

It is clear that if we modernize our fishing methods and industry in terms of storage, transportation and where we fish, it is going to provide employment. It is true that the Government has for a long time spoken about eradication of poverty. But until the Government also starts to investigate how people live and work, and what areas can be improved on, I think the poverty eradication programme on the part of the party opposite will be very difficult to implement. Therefore, I do support this Motion to the extent that we also need to modernize our fishing industry, and also introduce a new training programme for the fishermen. Young people can be introduced into this programme in terms of modernizing our fishing methods and marketing the fish that is caught, not only locally, but also in East Africa and abroad.

Mr. Temporary Deputy Speaker, Sir, I therefore support this Motion and would look forward to a situation where fish is going to be eaten in as many parts of this country as possible. It is going to provide employment for those people who would do the fishing, the transportation and the marketing. Let us not have the belief that we can only eat dry fish. We should introduce modern methods in terms of preservation and transportation of fish. Let us not only have *mbuta* being transported to the Coast. Every time I go to the Coast, I am told that when you pass around Mwembe Tayari, you have to close your nose tightly because of how that fish stinks. But I understand that it is still very good fish. So, it is important that we introduce new methods in terms of fishing and start looking ahead and provide for it. Short of that, it is true, that it is only foreigners who will come here and make a profit out of an industry like this one, when our people have been fishing since time immemorial. A fisherman will come from abroad with the capital, the trawlers and cold storage facilities, catch our fish and go and sell it overseas. Eventually, like the South Africans are selling orange juice to us, they will sell the fish to us, then eventually, it will be a question of what we are good at, if we are unable to improve the fish industry that has provided food to our people for a long time.

I beg to support.

The Assistant Minister for Labour (Mr. Ethuro): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I support this Motion wholeheartedly, because it has been brought to this House in view of the Government's concern to eradicate poverty, and with the consideration of the great potential of wealth and employment generated from effective development of the fishing industry. I think the Fisheries Act provides for the control of fish. However, it was not meant for the development of the fishing industry. I support this Motion because there is a tendency by some people to think that fish is only found in Lake Victoria. I would like to inform this House that, contrary to that belief, there is also plenty of fish in Lake Turkana. Also, I support this Motion because I think it targets poverty.

Developing the fishing industry is one way by which the Government can actually eradicate poverty. If you conduct some social studies on unemployment or poverty in this country, you will be referring to three

categories of people, namely, peasant farmers, fishermen and the hunters and gatherers. For some people in our areas, fishing is not just a sport; it is a source of livelihood. Some people in higher social classes take fishing as a sport. Also, some tourists undertake fishing as a sport in the Indian Ocean. However, in this country, there are places where fishing is the only reliable means of livelihood through which people get their daily bread easily.

Mr. Temporary Deputy Speaker, Sir, we are talking about the creation of an authority which will look into issues of developing the basic infrastructure, particularly in the marketing of fish. Also, we are looking for the creation of an authority which will look into issues regarding the provision of cooling facilities since fish is perishable; it will be an authority which will ensure that the high rates of malnutrition in certain areas are reduced by making fish cheap and readily available to people; it will be an authority which will ensure that the fishermen get adequate income to enable them buy other requirements. So, we are looking broadly at the Indian Ocean, Lake Victoria, Lake Turkana and other lakes which have fish in the entire country. The area I come from is predominantly a pastoral area. However, fishing has always been a good alternative income-generating activity. In times of drought, the only means of survival in the area is fishing. Also, people in that area have been able to generate enough capital from fishing to buy livestock. After the drought spells, people go back to pastoralism.

So, fishing in that area is not just a substitute economic activity; it is a really viable alternative economic activity. Unless this industry is developed with a view to improving it, we will continue to be subjected to the vagaries of nature. I think the time has come for us to manage our own affairs in a very able manner. We cannot entrust the development of the fishing industry to fisheries officials alone. I am experienced; recently, I asked some fisheries officials: "How many fishing boats have you licensed in Lake Turkana?", but they could not tell me that.

Mr. Temporary Deputy Speaker, Sir, the Arid Lands Research Project, which was initiated by the Government in the area, managed to provide a few boats and fishing gear to our fishermen. On the other hand, fisheries officers in the area are not even able to train fishermen. I find this very discouraging. I entirely agree with hon. Members on the issues of efficiency and corruption in the Fisheries Department. I have my own experiences, which can form pages. However, that is not the point I wish to make. The point is that I think the Authority being sought by this Motion should be able to develop local fishing associations which will manage specific areas where fishing is undertaken. For example, in my area, there is what we call the Lake Turkana Fishermen's Co-operative Society Limited. We are trying to see if this co-operative society can market the fish produce of its members. It requires just a few supporting facilities to do this.

During the days when the Norwegian Development Agency (NORAD) supported fishermen from Lake Turkana and other areas in the country, they built a very big fish freezing plant, which had big generators with the capacity to supply electricity to the rest of Turkana District. Those facilities are now all down. All that is required is just a bit of an assessment to establish what should be done. We have reason to believe that it requires very minimal inputs to revive this industry. Fishing is now a lucrative business in Lake Turkana. It is so lucrative that because of the Ferguson's Gulf, we can capture the fish in their breeding grounds. The only problem is that fishermen in that area lack basic fishing equipment.

Also, there is a ready market for the fish. The Kakuma Refugee Camp always requires fish, but the fishermen cannot meet the demand because they are not able to fish. The inability of local fishermen to fish has given some foreigners an opportunity to exploit our fisheries resources. As I have said, we want to encourage our people to undertake fishing and actually own the industry, so that they can also own the capital that can be generated from it. They should not just provide labour to other people, but should actually own that capital, so that they can increase income and fend for themselves. Therefore, we should consider the formation of an authority that will look into the provision of credit, as the Agricultural Finance Corporation (AFC) does, so that our fishermen can get some money. We are talking of Ksh20,000 to Kshs30,000 to construct a boat in Lake Turkana, and such a boat is enough to support a family of 10 people.

My people also need security, because they are forced to cross the lake to the Marsabit side. Ethiopians cross into our country and attack our people. A former District Commissioner, Mr. Rueben Rotich, promised to recruit some Kenya Police Reservists (KPR) in the area, but that has not been done to date. We need the KPR to provide the necessary security, so that we can also exploit the deep waters of Lake Turkana. We should not just be restricted to the shallow Ferguson's Gulf. Also, when the President visited Turkana District in February this year, this issue was highlighted. The Government promised to take action, but nothing has come of that promise as of now.

Mr. Temporary Deputy Speaker, Sir, in developing the fishing industry, we should not just be talking about the existing fish; we should also make a deliberate effort to look into aquaculture. The Italian Food Aid body set up an aquaculture project in Turkana. Immediately the project was handed over to the Ministry of Natural Resources, that became the end of it. The idea was to get a facility in which to breed fish fingerlinks, let them

grow to a certain size, and then take them to the lake, so that fish production in the lake can continue progressively. However, some junior Government officers are failing our people in terms of these kinds of projects. This is a project we would like to revive, so that our people can continue to enjoy the fruits of our efforts.

Mr. Temporary Deputy Speaker, Sir, I am also looking at the aspect of drought. When we talk about developing the fish industry, particularly in Lake Turkana, we should think of sustainability, so that drought does not just keep on coming and wiping out our cattle and people. We are actually looking for a sustainable and viable means of livelihood, so that even if drought comes, we shall have an alternative means of livelihood. Also, we should manage the water bodies that we have to make them reliable sources of livelihood, and so as to ensure that poverty is eradicated effectively by targeting what we consider to be crucial.

Mr. Temporary Deputy Speaker, Sir, it is important that fish bodies are preserved in a way that they will be useful to us. One aspect is research. We are aware of the research station in Mombasa which has also a sub-branch in Kalok, but what it is doing there, we do not know. It is time we made these offices properly accountable to our people so that the officers who have been hired are actually competent enough and will do what is right. Here is an opportunity; we can do more research to discover which fishes can thrive in particular areas of the lake and understand the migratory methods of the fish, so that we can educate our local fishermen about the peak seasons for production. We can also advise them on when those peak seasons are not there, and then they will look for other things. Right now, we have a lot of our fish in Busia and Kisumu, and we are feeding this country. We now even have travelling coolers in big vehicles, and we can get the fish to Mombasa or Nairobi where it will fetch better prices. Our fishermen are left to the middlemen who are buying fish at Kshs5 to Kshs10 per kilogramme, and so we reduce the whole purpose of getting an alternative that will be useful in terms of raising income for the poor people of this country. This is why I am recommending fishing associations that will be able to manage the produce by the local fishermen and negotiate with the business people for better prices, so that our people can realise better incomes. The risk of being out there on rafts is very high, and we need to protect our people by making sure that if we provide a bit of credit, they can make their own boats. We are not even asking for free things now because we know resources are scarce, but we are asking for the basic infrastructure so that when we reach a stage where we are now talking of the Kenya Tea Development Authority--- We are saying, maybe, it has outlived its role; that it should not be there, but for the fishing folk, we need an authority to develop the basic infrastructure.

Thank you, very much, I support this Motion.

The Assistant Minister for Natural Resources (Mr. Lengees): Mr. Temporary Deputy Speaker, Sir, as you have called upon me to respond to this very important Motion, before I support or oppose it, I would like us to go back to the Motion itself and amend a very small clause. The Motion should read:-

THAT, in view of the Government's concern to eradicate poverty and considering the great potential of wealth and employment generated from effective development of the fishing industry, this House recommends that Government establishes Kenya Fisheries Development Authority under the Fisheries Act, Cap. 378, of the Laws of Kenya, to foster, promote and develop the fishing industry in Kenya.

Sir, instead of "Kenya Fish Development Authority" I have inserted "Kenya Fisheries Development Authority". I beg to support the establishment of the Kenya Fisheries Development Authority. There is no one day the Kenyan Government has to ignore or neglect its assistance. Most of our people living around lakes; Lakes Victoria and Turkana, and the coastal part of the country, depend entirely for their livelihood on fish. I fully support the establishment of this very important Authority.

One of my Ministry's mandate is Fisheries Department, and the Management of Fisheries Act, Cap. 78 of the Laws of Kenya further mandates the Fisheries Department of my Ministry with the management, development, exploitation, utilisation and conservation of the fisheries resources. Now, with a newly established Fisheries Development Authority, the management, utilisation and conservation will be taken over by this very important Authority. These resources, namely, the inland waters and waters of marine zones, have great potential for the creation of wealth and eradication of poverty.

Currently, the fishing industry plays a major role in the eradication of poverty.

The fishing industry plays a major role in providing employment in the rural areas, curbs rural-urban migration, and contributes to the national food security. For example, around Lake Victoria alone, approximately 30,000 fishermen and women earn about Kshs200,000 each year from these fishing activities. Over the years, the Government has overseen various stages of development of the industries. In this process, the Government has however, experienced constraints like any other industry in the country. The fishing industry in the entire country has grown from subsistence to commercial levels. It is worth noting that along the Indian Ocean, the fishing technology has developed from dug-out canoes to motorised boats and a few modern trawlers. The total fish

harvest from Lake Victoria has risen from---

Mr. Badawy: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to tell this House untruths; that, the fishing along the Coast has changed from canoe fishing to motorised trawlers when, in fact, the number of canoes has increased in the Coast and we see a handful of foreign trawlers? Is he in order to mislead this House?

The Assistant Minister for Natural Resources (Mr. Lengees): Mr. Temporary Deputy Speaker, Sir, but there are trawlers in any fishing area. The total fish harvest in Lake Victoria has risen from 50,000 metric tonnes per year two decades ago, to 170,000 metric tonnes to date. Fishing in Lake Turkana has developed from rudimentary to modern fishing methods. In aid of these efforts, the Government came up with the Fishermen's Loans Scheme in 1960s as a revolving fund to facilitate the modernisation of fishing technology. At the same time, marketing strategies were improved through the "eat more fish" campaigns. The Government initiated under the co-operative movement, fishermen co-operative societies. These were meant to improve on the flock fishing gears and provided banking facilities where they were required. They were also meant to act as channels for orderly marketing of fish and to provide credit facilities. Due to poor management, common in co-operative movements, these societies have not served the fishing communities---

Mr. Maundu: On a point of order, Mr. Temporary Deputy Speaker, Sir. I thought, at one stage, the Assistant Minister was moving an amendment which is quite small. Is he still proceeding on that? And I see him reading, which is not parliamentary. Can he correct that situation and explain to us?

The Assistant Minister for Natural Resources (Mr. Lengees): Mr. Temporary Deputy Speaker, Sir, I am referring to the information that I have in the paper. I am not reading through it.

Due to the poor management in the co-operatives, these societies have not served the fishing communities effectively, and as a result, my Ministry is grouping the fishermen into marketing groups. In addition, the dormant fishermen loan's scheme is being revived with some developments of off-shore facilities. Of course, if the Authority is formed, we are very sure it will have to attract the donor agencies and, maybe, other foreign money. The Government, with the assistance of various donor agencies has constructed ice plants and cold stores; fish bandas and depots; landing jetties and slipways, in addition to gazetement of landing beaches around Lake Victoria and the coastal parts of the country. In the development of ASAL fisheries, the Government has established inland fish farms and hatcheries to provide fingerlings to fish farmers. These farms and hatcheries also serve as centres for research and extension services.

Mr. Temporary Deputy Speaker, Sir, lastly, in line with the Government policy on District Focus for Rural Development, district fisheries offices have been established. Besides uniformed cadre of personnel consisting of about 400 professionals at diploma and degree levels, 600 technical staff and 500 support staff have been trained over the years. However, there are also constraints. The development of the fishing industry has been hampered by a number of operational constraints. One is lower budgetary provisions resulting in the Ministry not being able to serve the industry sufficiently. We think with the Kenya Fisheries Development Authority, there will be more funds attracted from our foreign donors and even from the country's Budget.

Secondly, due to lack of credit facilities to the fishing communities, the fishermen cannot afford modern fishing gears and engines. Thirdly, unlike the other sectors, such as agriculture, the fishing industry does not enjoy duty remission on the equipment used. Fourthly, fish does not reach destined markets in the required quantities and quality in good time because of the existing poor roads and marketing systems. In view of what the Government has achieved and the policies in place; and despite the constraints highlighted, I beg to support this very important Motion. The proposed Development Authority, as a public institution, might likely face some challenges experienced by other existing institutions. Furthermore, funding for the proposed Authority might be a problem to the Government because it is not going to be included in the current Budget for 1999/2000. It might have to be included in the year 2000/2001.

Mr. Temporary Deputy Speaker, Sir, most Members have contributed very positively to the Motion, and they are aware that the current Government policy is geared towards privatisation and restructuring of such establishments. Definitely, this august House passed a Sessional Paper on privatisation and restructuring of the KTDA. The existing Authorities are performing very poorly and depend heavily on the Exchequer. Besides, the existing Regional Development Authorities all have fisheries development common in their respective mandate, but the Kenya Fisheries Development Authority will take over all these responsibilities. In any case, in the event of establishing a proposed KFDA, fisheries personnel can only be drawn from the existing institutions and, in particular, the Fisheries Department of my Ministry, because they are highly trained, in order to make the Authority give proper service to the people. It will, therefore, be more effective and economical to second this capacity for the Kenya Fisheries Development Authority to takeoff, so as to enable those who want to get benefits out of it do so.

Mr. Temporary Deputy Speaker, Sir, I am happy to inform hon. Members that my Ministry, through a Cabinet Memorandum on rationalisation, has recommended the development of a fisheries masterplan. That masterplan will facilitate in refocussing on the fisheries policy, reviewing legislation and outlining the development strategies. The Fisheries Department will be restructured in line with the demands of the master plan, to cope with the challenges of the fisheries sector development. Currently, as a matter of information, the Lake Victoria Environmental Management Project is undertaking a study to establish a Fish Levy Trust, which will support fisheries management initiatives at the national and regional levels. The study's aim is to ascertain the current methodology for revenue collection and its disbursement and the agencies involved. It will also make recommendations on the likely impacts of the various levels on the fishing communities. Through such initiatives, the Ministry hopes to address the issue of budgetary constraints, which have hampered the development of the fisheries sector in the past.

Mr. Temporary Deputy Speaker, Sir, it is my humble submission that this Motion, though supported by all the hon. Members, should nevertheless be amended. My Ministry recognises the hon. Members' good intentions of the Motion. I think I have already proposed the amendment on this very important Motion.

With those few remarks, I beg to move the amendment to the Motion.

The Minister for Agriculture (Mr. Mudavadi): Mr. Temporary Speaker, Sir, I just stand to second the slight amendment that was proposed by the hon. Assistant Minister, and in doing so, to just say that I support the spirit and direction that this Motion is seeking, because fishing is, indeed, one of the key sub-sectors of our economy, and it can even grow bigger than it is today if it is supported adequately.

So, with those few remarks, I second the amendment.

*(Question of the first part of the amendment,
that the word to be left out be
left out, proposed)*

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

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

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

(Question of the Motion as amended proposed)

Dr. Omamo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support the Motion. While doing so, I would like to declare my interest in this Motion, in that, I am very, very fond of fish.

(Laughter)

Fish has also proved to be very good. It is now time that we had a body like the Kenya Fisheries Development Authority to service the fisheries industry. I would like to thank the hon. Member for having brought this Motion at this time.

Mr. Temporary Deputy Speaker, Sir, I think it is the intention of this House, and that of our Government, that the farmer, including the fisherman or woman should be empowered. I can see the Minister for Agriculture in the House, and you will agree with me that he is doing everything he can to empower the farmer; to make the farmer benefit from the sweat of his or her labour. In this same spirit, we should try to empower the fisherman or woman by making opportunities available to him or her, and making him or her reap maximum benefits from the sweat of his or her labour.

Fishing is not easy and it requires a special talent and body build. That is why, as all Christians know, when our Lord Jesus Christ came into the world, he wanted disciples with vigour. He knew where to get them. He went for the fishermen because those were people who could be trusted as far as hard work was concerned. Let us do everything to reward the fishermen because they are hard working. I want to mention a few areas where this Authority, when it is set up, should look into. This Authority should come forward and set up an educational institute, at least one in the Lake Basin area, another one down at the Coast, and another one in the Lake Turkana

area, to help educate the fishermen in the latest techniques in fishing.

Mr. Temporary Deputy Speaker, Sir, right now, the way the fishermen struggle to catch the fish is terrible. They use some of the oldest ideas. The canoes are out-moded and because they cannot catch the fish properly, that is why they have to resort sometimes to this poisonous material to attract the fish. We should set up a training institute to help the fishermen. The other area is in building the boats. We should improve on the boat itself. Today, if you are in one of these boats and you have about four people fishing, and you face the wind and the waves; and, for natural reasons, you want to answer to the call of nature, say, you want to pass water, not the water you are rowing through, but the other water---- I mean, if you want to pass that water, it is so indecent! I would like to appeal to the Ministry that it should hurry up and improve the boat design itself. Up to now, the people that are driving these boats have no licences. I was surprised last Sunday when I interviewed a few of these coxswain and found that they had no licences at all. I think the Government and the authorities should move forward and do something to see to it that the fishermen have got proper licences and that the boats are insured, so that if there is an accident on the lakes, those who are involved are sufficiently covered.

Mr. Temporary Deputy Speaker, Sir, the other area where the Authority could help is in popularising fishing. I think there is great potential for improving fish farming not only along the lake shores, but also in the hinterland. Up to now, fish farming has not been popularised enough. There should be extension work to educate young Kenyans to take up to fish farming in the hinterland so that more and more fish is caught.

The other area where the Authority would be very helpful is in controlling the rate of fishing and exploitation of certain types of fish species. Today, there are some species which we cannot see. They have been over-fished and over-caught using the wrong nets. These days, I cannot see the fish they called "*suma*". *Suma* was this fish with a fairly sharp nose. It was very smooth but with a very sharp nose. I do not know the English word for it, but we called it *suma*. *Suma* has the characteristic that if you eat it, you do not need any sleeping pills. It helps you to sleep quietly as tranquilisers. It is very good. Where is *suma* these days? Where is *odhadho*, for example, these days? *Odhadho* was over-fished!

(Laughter)

As my time is over, I would like very much to support the Authority. Thank you very much, Mr. Temporary Deputy Speaker, Sir.

Mr. Raila: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the time to speak.

I am very happy that the Government is actually now supporting this Motion, which I consider to be of very great national importance. Fish is the cheapest source of protein. We know that protein is very important in human development. Therefore, it is important that they should lay emphasis on fisheries development. This is the reason why the now defunct East African Fisheries Research Institute did a lot of research work in trying to develop the fishing industry in the whole of the East African region.

Mr. Temporary Deputy Speaker, Sir, when we talk about starting a Fisheries Development Authority, we are not just talking about Lake Victoria. We are talking about the nation of Kenya as a whole. We are looking at fisheries in Lake Turkana, Lake Naivasha, marine fishing in the Indian Ocean and also fish farming inland, to be able to develop fisheries comprehensively. This is what countries like South Africa have done. In fact, the Act we are talking about already exists in South Africa. They have been able to expand and develop their fisheries and make fish available and affordable to the majority of their people.

The East African Fisheries Research Institute did a research on Lake Victoria before they decided to introduce other fish species like the Nile Perch and the other larger type of Tilapia, which is called by the local people the "*Nyamami*". At that time, they quantified the amount of fish in the lake. It was estimated to be 800,000 tonnes. The experts went further and said that, to be able to exploit the fish on the lake and allow for growth, the three countries together, Kenya, Uganda and Tanzania, could, each year fish 200,000 tonnes. At that time, the three countries together were only fishing out 3,000 tonnes. Most of it was going to Tanzania and Uganda because the Kenya side, which has more fish, was less developed in terms of technology.

Mr. Temporary Deputy Speaker, Sir, other players have come in. For example, there are big "fish sharks" that have come in the lake and are actually trawling as opposed to the traditional methods that were used in the past. There is a danger of over-fishing of the lake because of this trawling. Those trawler operators are the people who are actually using chemicals to do fishing. We said that there is need for some kind of Authority to regulate this. The bureaucracy has failed and that is why we need a Fishing Development Authority (FDA). Its role will be not only to regulate the fishing in the lake, but also to levy revenue from the fishermen, and to be able to provide services that are required and establish a fund. This fund will be used to develop the infrastructure around the lake--- Not just along the Lake Victoria; I am just using Lake Victoria as a sample.

But what I am saying about the lake applies with equal force to other waters, like Lake Turkana and the Indian Ocean. The Authority will be able to provide the infrastructure, develop the roads, open up the beaches for easy access and also put up cold storage facilities in all those landing beaches there.

At the moment, Mr. Temporary Deputy Speaker, Sir, lack of storage facilities in the landing beaches is facilitating massive exploitation of the fishermen by the bigger operators who come with refrigerated wagons all the way from Nairobi or Kisumu. They go to the beaches when it is late in the afternoon and they tell the fisherman, "I will buy your fish at Kshs10 per kilo", as opposed to Kshs50. "Take it or leave it." He knows that the fisherman is now desperate because he cannot keep the fish until the next day. The Nile perch has got a very short shelf life; you cannot keep it overnight and be able to sell it next day. Therefore, the fishermen are forced to sell to this big shark at his own price. So, fishing has become a buyer's market. Here is a case where the buyer dictates the price and not the producer or the fisherman, unlike the man who sells his cattle to the market. It is the owner of the cattle who bargains, but a fisherman cannot bargain because of lack of cold storage facilities. If we put up these facilities, we are going to empower our fishermen because the fish industry is big. At the moment, it is estimated that it is worth over Kshs10 billion. If it is properly developed, it is like the open-sea. You can raise it to the level of Kshs100 billion. Now, out of the Kshs10 billion that we are getting from fish at the moment, only Kshs500 million goes to the fishermen. The bulk of it is going to the middlemen; the Patels and the Shahs. It is unacceptable that 36 years after Independence, we should allow our fishermen to be exploited in this manner. A man spends sleepless nights deep in the waters, suffering the ravages of rain and mosquito bites, and then when he brings his fish the following morning, a Mr. Shah comes and says: "I am going to buy it at Kshs10 per kilo. Take it or leave it"

With these few remarks, Mr. Temporary Deputy Speaker, Sir, I support. Thank you.

The Temporary Deputy Speaker (Mr. Imanyara): The time left now is for the Mover to reply.

Mr. Kajwang: Mr. Temporary Deputy Speaker, Sir, I really have very little to say anymore. I think I have five minutes only because I left some to hon. Raila. Can I give some minutes to Mr. Magara?

The Temporary Deputy Speaker (Mr. Imanyara): You do not; you reply if you wish to reply.

Mr. Kajwang: Mr. Temporary Deputy Speaker, Sir, I want to thank all the hon. Members who have spoken on this Motion. If, after passing this Motion, we finally enact a Bill, we will liberate our people from merciless exploitation by the middlemen and then we will develop our areas. I want to tell you something about fish. Fish is a brain food. Those who eat fish have good brains! We need to develop it. First of all, it is white meat. It is very good. You do not have to get gout if you eat fish, and it is also good for your brain. And as hon. Omamo has said, you can also sleep well if you eat a certain type of fish. We need to develop fish because it is a lifeline for us and we need to support it. Those who fear the development of the Kenya Fish Development Authority (KFDA) should rest assured that we do not want an authority which will be as unprofitable as the other parastatals which we are now selling off. We want to start something which can generate its own funds. In fact, this Authority will generate its own money, and it will develop itself. The other thing that it will do is that the fishermen will join it and buy its shares through their co-operative society. They will then reap the benefits, just like the tea farmers do from the Kenya Tea Development Authority (KTDA). If it is modernised, as we now want it to be, it will facilitate the participation of tea farmers.

The water hyacinth, which only required Kshs100 million to remove from Lake Victoria, would not have been a problem if we had the KFDA, which would be generating billions of shillings every year from fish levy. We would have controlled the water hyacinth if we had dealt with it immediately it came there. But because we have to seek donor money every time there is a problem in this country--- Whenever there is a problem of reaching a beach, the Government has to seek funds from the World Bank to enable it open a small road to the beach. Whenever there is a ban on the sale of fish in the European Union, we have to go to the businessmen and try to improve their living standards. The KFDA will develop fish beaches and improve hygienic conditions which are required.

People have begun to eat a lot of fish in this country. Those who used to block their noses now like the smell of fish. As we develop the fishing industry, I am sure that this country will have healthier children who will eat *Omena* and other types of fish in order to get protein and calcium. These children will be very bright.

Mr. Temporary Deputy Speaker, Sir, thank you for giving me this opportunity to move this Motion. I am happy that everybody has supported it.

Thank you very much.

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

Resolved accordingly:

That this House approves that the Government establishes Kenya Fisheries Development Authority under the Fisheries Act, Cap 378 of the laws of Kenya to foster, promote and develop the fishing industry in Kenya.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Imanyara): There being no other business for this morning, the House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 12.20 p.m.