

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 16th November, 1999

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.436

REPAIR OF ROADS IN NAIVASHA

Mr. Deputy Speaker: Is Mr. P. Kihara not here? We will come back to the Question. Next Question, Mr. Michuki.

Mr. Michuki: Mr. Deputy Speaker, Sir, I have not received the written reply to my Question from the Ministry, but I will ask it.

Question No.640

REMUNERATION OF HOLDERS
OF CONSTITUTIONAL OFFICES

Mr. Michuki asked the Minister for Finance:-

- (a) whether the Government has at any time since 1977, increased the salaries and allowances of the holders of offices to which Section 104 of the Constitution of Kenya applies; and,
- (b) whether he could give the date(s) when such increases were made.

The Assistant Minister for Finance and Planning (Mr. Marrirmoi): Mr. Deputy Speaker, Sir, I beg to reply.

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is required under the Standing Orders to supply a written answer to the hon. Questioner. The hon. Questioner has actually stated that he has not got the written reply to his Question. The Assistant Minister does not either explain, or apologise; he just goes ahead to reply. He looks very uncivil.

The Assistant Minister for Finance and Planning (Mr. Marrirmoi): Mr. Deputy Speaker, Sir, we have forwarded the written reply of the Question to the House. So, it must be lying somewhere.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, could the Assistant Minister lay the written reply on the Table, if he has it?

Mr. Deputy Speaker: But he is reading out from his written reply!

Mr. Assistant Minister, do you have an extra copy of the written reply that you could supply to the hon. Questioner?

The Assistant Minister for Finance and Planning (Mr. Marrirmoi): Yes, Mr. Deputy Speaker, Sir.

*(Mr. Marrirmoi passed over
the extra copy to Mr. Michuki)*

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

- (a) Yes.
- (b) The following is the breakdown of the dates when the salaries and allowances of offices covered by Section 104 of the Constitution of Kenya were increased.

(a) The Public Service Commission (PSC) - The salaries and allowances of the members of the PSC

were increased as follows:-

(a) 1st July, 1977; 1st October, 1980; 1st July, 1985; 1st July, 1986; 1st July, 1987; 1st July, 1991; 1st July, 1992; 1st July, 1993; 1st September, 1994; 1st July, 1997 and 1st November, 1997.

(b) The Controller and Auditor-General:-

(a) 1st October, 1980; 1st July, 1985; 1st July, 1986; 1st July, 1987; 1st July, 1991; 1st July, 1992; 1st July, 1993; 1st July, 1994; 1st July, 1997 and 1st November, 1997.

(c) Allowances for Controller and Auditor-General's Office:-

(a) 1st July, 1985; 1st July, 1993; 1st July, 1994; 1st July, 1995 and 1st April, 1996.

(d) The Electoral Commission of Kenya (ECK) - The salaries and allowances of the above Commission were increased on the dates as follows:-

(a) 1st April, 1995; 1st January, 1997 and 1st February, 1997.

(e) The Attorney-General's Office - The salaries were increased on the dates as follows:-

(a) 1st October, 1980; 1st July, 1985; 1st July, 1986; 1st July, 1997; 1st July, 1991; 1st February, 1993; 1st July, 1995; 1st July, 1997 and 1st November, 1997.

Allowances were increased in 1991, 1992, 1993, 1994 and 1995.

(f) Chief Justice, Judges of Court of Appeal and Puisne Judges - The salaries of the above officers were reviewed on the following dates:-

(a) 1st October, 1980; 1st July, 1985; 1st July, 1986; 1st July, 1987; 1st July, 1991; 1st July, 1992; 1st July, 1993; 1st July, 1995; 1st July, 1997 and 1st November, 1997.

Allowances were increased on the following dates:-

(a) 1st October, 1980; 1st July, 1990; 8th February, 1995 and 1st July, 1996.

Mr. Michuki: Mr. Deputy Speaker, Sir, Section 104 of the Constitution of Kenya, particularly Section 104(1), states as follows:-

"There shall be paid to the holders of offices to which this section applies such salary and such allowances as may be prescribed by, or under an Act of Parliament."

Could the Assistant Minister state the Act which covered each of the increases he has now read out to this House?

(Applause)

Mr. Marrirmoi: Mr. Deputy Speaker, Sir, what the hon. Member has stated is quite true, but these salary increments were effected through Commissions. There was the Waruhiu Commission, Ramtu Commission, Mbithi Commission and Kotut Commission.

Mr. Michuki: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to begin hiding behind Commissions, when these Commissions have nothing to do with the section I have read from the Constitution? Could he answer this question directly?

Mr. Marrirmoi: Mr. Deputy Speaker, Sir, as I said earlier, these salary increments were effected through Commissions. Plans are under way to ratify the said salaries through Parliament.

Mr. Kajwang': Mr. Deputy Speaker, Sir, could the Assistant Minister confirm that these payments were irregular and illegal, and therefore, whoever authorised these payments must repay that money to the Consolidated Fund with interest?

Mr. Marrirmoi: Mr. Deputy Speaker, Sir, these salary reviews were done by Commissions, and the Commission is---

Mr. Deputy Speaker: Order, hon. Marrirmoi! The Question specifies which section of the Constitution you are dealing with. Now, they are asking you from which Acts of Parliament those increases were made. If you do not know, just say so.

Mr. Marrirmoi: Mr. Deputy Speaker, Sir, this is a legal matter, and I am requesting for---

Mr. Deputy Speaker: Hon. Members, this is a fairly important Question, and I do not think we are going to do it justice if we let it be answered the way it is being answered. I will defer this Question so that a proper answer is brought to this House. The Assistant Minister should go and seek legal opinion if he so wishes. I will defer the Question to Tuesday next week.

Mr. Michuki: Mr. Deputy Speaker, Sir, there has been in existence, an Act, known as the Constitutional Offices Remuneration Act (Cap.423) of Laws of Kenya. The last time that Act was revised, was in 1982. Therefore, when the Minister comes to reply on Tuesday, he should produce, for all these dates, the Act covering each and every increment.

Mr. Deputy Speaker: Order, hon. Michuki! If you know the answer to your Question, do not ask it here. The Relevant Standing order states that an hon. Member should not ask a Question whose answer he already knows. You are demonstrating to us the same. The Assistant Minister should go and do a research and bring the answer on Tuesday next week.

Next Question!

(Question deferred)

Question No.096

ASSETS/LIABILITIES OF KISII
FARMERS CO-OPERATIVE UNION

Mr. Anyona asked the Minister for Agriculture, Livestock and Rural Development:-

- (a) the total assets and liabilities of the Kisii Farmers Co-operative Union Limited and how they were incurred;
- (b) who authorised the sale of some assets of the union, including commercial and residential buildings in Kisii, Kisumu and Nairobi without the consent of the members;
- (c) who authorised the sale of 330 acres of Simbaut Farm without the consent and knowledge of the coffee farmers from the original 25 co-operative societies of Kisii Farmers Co-operative Union; and,
- (d) what measures he will take to rectify the sale of Simbaut Farm and other assets of the union.

The Assistant Minister for Agriculture, Livestock and Rural Development (Mr. I.K. Ruto): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The current liabilities and assets of Kisii Farmers Co-operative Union are as follows: Fixed Assets comprise a total of Kshs80,288,968. Other investments are Kshs1,103,971.10. The grand total of the assets is Kshs147,949,368.20. The position of the current liabilities is Kshs15,981,461.35.

The assets of the union were acquired through investments of trade profits and mobilization of capital funds in form of shares by the affiliated member societies. The liabilities on the other hand, arose from non-payment for goods and services rendered to the union by the business community.

(b) The sale of the union's assets in Kisumu and Kisii Districts was authorised by a special delegates meeting of November 6th, 1992, under minute No.292/93, which discussed and resolved to sell the Kisumu and Industrial Area buildings.

(c) The sale of 330 acres of land at Simbaut Farm was authorised by a special delegates meeting held on August 7th, 1997, under minute No.D21/8/96/97 which resolved that the land be advertised and sold. However, at the time the delegates resolved to sell the land in question, the primary coffee societies affiliated with the union had not made any resolutions to that effect.

(d) Given the position in part "b" and "c" as I have indicated, it will now be upon the members to take corrective action.

In May 1999, I ordered an inspection into the affairs of the union, and the report established that there were improprieties on those managing the affairs of the union. The report was read to the members on August 28th 1999, and the members adopted it. As a first measure, the members decided to dismiss the General Manager and replace the former management committee. The new team is now implementing the other recommendations of the report.

Mr. Anyona: Mr. Deputy Speaker, Sir, I really do not know whether this Ministry is serious or whether they are playing games. This Question first came to the Floor of this House on 28th July, 1998. Because the answer was considered inadequate and the matter was considered complex and sensitive, we asked the leave of the House to defer the Question, so that some investigation would be done. I offered to assist in those investigations to bring out the truth. As a result of those investigations, I went round the whole of Kisii land and compiled this report, which brought out the malpractices in the union. This report was then presented to the Minister for Co-operative Development on 14th February, 1999.

Mr. Deputy Speaker, Sir, as a result of that, he then set up an inspection committee, to go into the findings of this report. That report which confirms what was found out is ready. The answer he has just read is exactly the same answer we got in 1998. He has only changed the date to 30th June, 1999 when the same figures are given for 30th June, 1998.

Could the Minister Table in the House the inspection report of 2nd June, 1999 by his officers and name all the land grabbers in Simbaut Farm - because they are named in that report - as a first step? I beg to Table this report.

(Mr. Anyona laid the document on the Table)

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, indeed, we have the list of the names of those who offered to purchase the Simbaut Farm. If the hon. Member would like us to Table the list, I will definitely do that. The answer I have given is valid as of today and not last year. I would like to indicate that, indeed, there were irregularities. For example, the sale of Simbaut Farm was done without the consent of the primary societies. Although the sale of the land farm was advertised in the newspapers, the purchasers may not have noticed that. It was an irregularity on the part of the management of the union itself.

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. I asked for the report of the inspection team to be Tabled and then name those land grabbers. What corruption are you fighting in this country? It is all in that report.

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

Mr. Deputy Speaker: Order, hon. Angwenyi! He is responding to a point of order.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, I thought he had asked a question.

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, I will Table the report tomorrow.

Mr. Angwenyi: On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to call those people who bought that land through an advertisement grabbers?

Mr. Deputy Speaker: Mr. Angwenyi, is that no what he is trying to establish by getting that report.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, he has referred to them as land grabbers, whereas the Assistant Minister said that those people responded to an advertisement.

Mr. Deputy Speaker: Order! Hon. Angwenyi, if you followed this Question properly from last year, the Assistant Minister himself undertook to set up to a committee to probe those irregularities and submit its report. One of the allegations was that, that piece of land had been sold irregularly. The Chair is aware of what you are complaining about!

Mr. Angwenyi: Mr. Deputy Speaker, Sir, what I am saying is that this piece of land---

Mr. Deputy Speaker: Order! Order, hon. Angwenyi! Proceed, Mr. I. Ruto!

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, I understand the difficulties hon. Angwenyi is facing because he also responded to the advertisement. But as I have indicated, it is definitely not his fault like all the others, but it is only that the co-operative Union had not sought the consent of the primary---

Mr. Deputy Speaker: Very well; you will table that report tomorrow.

Mr. I.K. Ruto: Yes, Mr. Deputy Speaker, Sir.

Mr. Anyona: Mr. Deputy Speaker, Sir, what do we do? The report has been made public and given to the farmers. I have a copy of it here and yet the Assistant Minister says he will table it tomorrow. Why? Does he want me to table the report? I can give him a copy of the report so that he can table it.

*(Mr. Anyona threw a copy of
the report across the Table)*

Mr. Deputy Speaker: Order! Order, hon. Anyona. Would you like to go to the Bar, bow, come and retrieve your document and go back with it?

Mr. Anyona: Yes, Mr. Deputy Speaker, Sir.

*(Mr. Anyona walked to the Bar, bowed
and went to retrieve his document)*

Mr. Deputy Speaker: Thank you! Mr. Assistant Minister, you do not have a copy of that report on you now?

Mr. I.K. Ruto: Mr. Deputy Speaker, Sir, I do not have a copy of that report on me now.

Mr. Deputy Speaker: Right, you will table it tomorrow and then he can pick up the Question from there.

(Question deferred)

Question No.648

PAYMENT OF TERMINAL DUES

TO MR. IBRAHIM ABDALA

Dr. Ali asked the Minister for Labour:-

(a) whether he is aware that M/s Agrina Development Ltd owes a former employee, Mr. Adam Abdala, Kshs425,471.76 as terminal benefits for wrongful dismissal;

(b) whether he is further aware that the Managing Director of the firm has refused to attend a joint meeting with the Ministry officials, even after several letters were served on him, to clear the matter; and,

(c) what action he will take to make sure that Mr. Abdala is paid his dues.

The Assistant Minister for Labour and Human Resource Development (Mr. Ethuro): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that the Agrina Development Ltd owes Mr. Ibrahim quite a substantial amount of money of Kshs425,471.76. But I am aware that the management on humanitarian grounds provided, on the basis of terminal dues, an amount of Kshs24,315 on 12th October, 1998.

(b) I am not aware that the Managing Director had refused to attend joint meetings because the management has stated its willingness to meet the complainant with a view to settling the dispute within the Ministry. It has furnished my office with the relevant documents to facilitate the hearing of the dispute.

(c) A specific officer has been assigned to hear the complaints, ascertain the facts and order the payments of the outstanding dues, if any.

Dr. Ali: Mr. Deputy Speaker, Sir, it is unfortunate that the Assistant Minister is misleading this House. On 26th January, 1999, the District Labour Officer wrote to those people. This was done by somebody by the name Mrs. Orege. On 1st March, this year, they wrote to the same management about this issue and the Assistant Minister has told us that his office is not aware. Why did these people refuse to meet with the labour officer before and why have they accepted to do so now? Can he tell us what has happened? Why have they changed their minds?

Mr. Ethuro: Mr. Deputy Speaker, Sir, I think I was very clear. I said that I am not aware of the amount of money involved of Kshs425,471.76, but I am aware of Kshs24,315. Secondly, I have explained the reasons that led to the delay. Once Mr. Adam reported the complaint to the Nyayo House Labour Office in December, 1998, summons were issued to the employer who deposited documents with the Ministry. Subsequently, we had to look for the complainant who had disappeared. That led to the delay in this particular case. Since we established this case, we got in touch with the employer and this is why I have said that we have appointed an officer to arbitrate the case.

Dr. Ali: Mr. Deputy Speaker, Sir, am I guaranteed that something will be done? I am told here that there is an officer who has been appointed. What is the name of this officer? When will he start working on that case?

Mr. Ethuro: Mr. Deputy Speaker, Sir, the name of the officer who has been appointed to arbitrate this case is Mrs. Orege of Nyayo House. The employer has deposited the documents with the Ministry, and I will be calling shortly on Mr. Adam Abdala to enter into negotiations with this employer. But in terms of the actual benefits, we know that they are supposed to be accruing. So, it is up to the two parties to enter into some agreement and if there is some dispute, we will follow the normal procedure of arbitration.

Question No.654

ELECTRICITY SUPPLY TO
KANGUI SECONDARY SCHOOL

Eng. Muriuki asked the Minister for Energy:-

(a) whether he is aware that Kangui Secondary School in OI Joro-orok Division has not been supplied with power despite having made its contribution as required by the Kenya Power and Lighting Company (KPLC) of Kshs44,000 vide receipt No.2414795 dated 24th December, 1996; and,

(b) when the school is going to be supplied with electricity.

The Minister for Energy (Mr. F.P.L. Lotodo): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that Kangui Secondary School has not been supplied with electricity despite having paid a deposit of Kshs44,000 for the cost of the detailed design. This is because the construction work of the main line to Kangui Water Project, from which the electricity supply to the school was designed to be connected, has not been implemented.

(b) The school will be supplied with electricity when the aforementioned Kangui Water Project will be implemented, subject to the availability of the necessary funds.

Eng. Muriuki: Mr. Deputy Speaker, Sir, first, I would like to correct the Minister. Kangui Secondary School did not pay for detailed design. The parents of that school were asked to contribute towards the cost of construction of the service line to the school. However, the Minister has said that the School will be connected to the Kangui Water Project. This water project was completed more than ten years ago. Therefore, on what basis did the KPLC collect money for power to be connected to the same line which was not there, and which is said not to be there even now?

Mr. F.P.L. Lotodo: Mr. Deputy Speaker, Sir, the information I have is that power will go to that water project, and from there to this school. There is also a market called Kangui Market. There are quite a number of markets within the same area. The estimated cost for all this stands at K£1,030,000. If I get this money from the Treasury, I will pass it over to KPLC to supply power to these places.

Mr. Mwenje: Mr. Deputy Speaker, Sir, recently, we are aware that KPLC was given money for rural electrification. Can the Minister divert a bit of this money to assist this school, which is already entitled to power? It has already paid deposit for the electricity supply.

Mr. F.P.L. Lotodo: Mr. deputy Speaker, Sir, if I get the money, I will do exactly what the hon. Member for Embakasi has said. But I do not have even a shilling at the moment.

Eng. Muriuki: Mr. Deputy Speaker, Sir, I would request that the Minister states whether there

[Eng. Muriuki]

is any money for rural electrification for that area? Secondly, the KPLC collected this money in 1996 and now the Minister is telling us that there is no power supply to Kangui Water Supply. At what stage did the KPLC discover that there was no power supply to Kangui so that they could collect Kshs44,000 from the poor parents of Kangui Secondary School?

Mr. F.P.L. Lotodo: Mr. Deputy Speaker, Sir, we collect money from every applicant. This is what we call ten per cent. The Kshs44,000 is the ten per cent which was used to design the supply of electricity.

Eng. Muriuki: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to say that the ten per cent was used for design, whereas, what we were asked to pay was ten per cent contribution for the construction of the line? It was not for design! I am a Member of the Board of Governors of that school.

Mr. F.P.L. Lotodo: Mr. Deputy Speaker, Sir, we have to design first, before we construct the line. Somebody has to pay for it! That is exactly what happened!

Mr. Kariuki: Mr. Deputy Speaker, Sir, it has become habitual for the KPLC to collect deposits from power applicants, which sometimes, is held for more than ten years! In this case, the deposits have been held for three years. What rate of interest can the KPLC pay to the depositors, so that the money held is not utilised for other purposes free of charge, when money is costing 30 per cent in the commercial banks?

Mr. F.P.L. Lotodo: Mr. Deputy Speaker, Sir, the question of interest does not arise now. That means calculation. But I have to be given money by another Ministry, so that I can do what Eng. Muriuki wants. If I do not get that money, I am sorry he has to wait!

An hon. Member: On a point of order---

Mr. Deputy Speaker: Order! Let us move on to the next Question! Where is Eng. Toro?

Eng. Toro: Mr. Deputy Speaker, Sir, we have held consultations with the Assistant Minister, and we have agreed that the Question be deferred until Tuesday next week.

Mr. Deputy Speaker: Order! Order, hon. Members! Questions once approved and put on the Order Paper, can no longer be subject of negotiations between hon. Members and Ministers!

An hon. Member: They are the property of the House!

Mr. Deputy Speaker: So, Mr. Assistant Minister for Local Government, answer Question No.624! If you have a reason why you would want the Question to be deferred, please tell the House! But not one individual!

The Assistant Minister for Local Government (Mr. Kiangoi): Mr. Deputy Speaker, Sir, we held consultations not because I did not have an answer, but because councillors from the area came to see me and presented certain presentations. The Member of Parliament for the area was to come to see me, so that we could consult at the Ministerial level. That is what the hon. Member has said. But we have the answer ready. He has a copy of the answer and I can proceed to answer. But with your indulgence, maybe we can answer it next week, after we have met with the hon. Member!

Mr. Deputy Speaker: Yes! If you have held private negotiations, the honourable thing for the Questioner to do is to withdraw the Question. But under these circumstances, I cannot allow it to be deferred! So, Eng. Toro, would you like to withdraw the Question so that it can be reinstated later, or you would like to ask it now?

Eng. Toro: Mr. Deputy Speaker, Sir, since I am not in a position to have it withdrawn, I will ask it now.

Question No.624

DISSOLUTION OF KANDARA TOWN COUNCIL

Eng. Toro asked the Minister for Local Government:-

(a) whether he is aware that a petition signed by 1,500 people, representing the business community in Kandara, was presented to his office, petitioning him to dissolve the Kandara Town Council, and have it revert back to Maragua County Council;

(b) whether he is further aware that there have been confrontations and fighting between the police and the business community, due to their refusal to pay council levies to the Kandara Town Council; and,

(c) since the people have clearly expressed their request to have the Kandara Town Council dissolved, what action he has taken to grant them this request.

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

(a) I am aware that one, Mr. James Muturi Kirega, purporting to be the Chairman of Kandara Traders Plot Owners and Residents, has written a letter to me, whose contents he claims have the support of 1,400 individuals, complaining of various acts and omissions by the Kandara Town Council. In his letter, he also calls for the dissolution of the Council.

(b) I am not aware.

(c) I wish to advise the hon. Member that the procedures for the dissolution of a Local Authority are clearly stipulated in the Local Government Act Cap. 265, Laws of Kenya. If it is in the interest of the Kandara Town Council residents that, their council be dissolved, then their petition should be in accordance with the law.

Mr. Mwenje: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has clearly, deliberately omitted to answer part (a) of the Question; on whether he has received a petition from 1,500 people from Kandara! He is talking of a Mr. Muturi. But the Question is asking about a petition by 1,500 people from Kandara. Could he answer part (a) of the Question?

Mr. Kiangoi: Mr. Deputy Speaker, Sir, what I said, and I repeat, is: The presentation was done by one Mr. James Muturi Kirega. That is the person who presented the petition. He purported to be the Chairman of the traders. But I did not see the 1,500 people. He purported to be acting on behalf of 1,500 individuals.

Eng. Toro: Mr. Deputy Speaker, Sir, I think the Assistant Minister is misleading this House! What he calls a presentation is actually a petition by the people of Kandara; namely, Ithiru Location, to have the Town Council dissolved. This Town Council is unviable and everybody in Kandara knows that. The Assistant Minister is also misleading the House by saying that, he is not aware of part (b) of the Question. The police--

Mr. Deputy Speaker: Ask your question!

Eng. Toro: Mr. Deputy Speaker, Sir, let me clarify part (b) of the Question. When he says he is not aware, there was a battle between the police and the people of Kandara Town. What the Assistant Minister could have done is to seek clarification from the Officer Commanding the Station (OCS), Kandara, on whether the skirmishes between the traders and the police really happened. When he says that he is not aware, it means that he never made any efforts to consult the OCS, Kandara.

There was a fight between the traders and the police. Could the Assistant Minister clarify to the House what procedures are required for the dissolution of the Kandara Town Council, because it is unviable? It should not be in existence!

Mr. Kiangoi: Mr. Deputy Speaker, Sir, I call it a presentation because proper procedures were not followed! The proper procedure is as follows: If Kandara residents wish not to have the local authority, they have to make presentations. That is why I said that we have heard from one side. We need to hear from a fair cross-section of the residents, so that the Minister can gazette the wish of the Kandara people. Thereafter, the same Commission that creates the local authority, will visit Kandara. After hearing oral submissions, the Minister will make up his mind on whether there is a case for dissolution or not.

Mr. O.K. Mwangi: Mr. Deputy Speaker, Sir, I would like to know from the Assistant Minister whether he is aware that the DC, Maragwa and the PC, Central Province, have held meetings with the people of Kandara who have sworn that they do not want to have a town council, because it has become problematic? The council has grabbed all the plots and increased rates and taxes. It is even taxing dogs and hens! So, what other evidence does the Assistant Minister expect from the people of Kandara to be convinced that the Kandara Town Council is non-viable? Why does the Government want the Kandara Town Council to be in existence against the wishes of the people?

Mr. Kiangoi: Mr. Deputy Speaker, Sir, the DC, Maragwa and the PC, Central Province, may have visited the

area but that does not change the procedures. I have clearly stated that we need to gazette the dissolution of any local authority, if we are satisfied that a case is being made at this stage. Thereafter, we shall gazette the requirement and---

Mr. Ndwiga: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to continue misleading the House that you need a commission to be sent to Maragwa to find out whether the people want a town council or not? We all know that there was no commission which was sent to Maragwa to find out whether the people there want a town council or not. All these town councils and municipalities---

Mr. Deputy Speaker: Order, Mr. Ndwiga! Now, you are arguing. Can you put your point of order?

Mr. Ndwiga: Is the Assistant Minister in order to say that when we know that most of these local authorities were established on political grounds? In fact, there was no commission which was set up to create the Runyenjes Town Council. So, why is he talking about a commission when we know that he can do it without any commission?

Mr. Kiangoi: Mr. Deputy Speaker, Sir, no local authority can be established unless a commission has heard the views of the residents of that particular area. Likewise, no local authority can be dissolved until another commission has visited the area to take oral presentations. We have never had any oral presentations from the people of Kandara and hence the question of misleading this House does not arise.

Eng. Toro: Mr. Deputy Speaker, Sir, the Assistant Minister has persistently refused to answer part "c" of the Question. He has said that there can never be a dissolution of a county council until the Minister is satisfied with the petition. Whereas he says that he needs representation from the people of the area, that presentation has been made by the people of Kandara. All that is left is for him to go ahead and put the machinery to dissolve the town council in place. I do not think the Minister for Local Government is waiting for anything else. This particular town council is situated in a location which is the poorest in my constituency. There is no way those people can sustain a town council. I am prepared to take the Assistant Minister there to go and see for himself. Can the Assistant Minister tell this House when he is going to put this machinery in place to dissolve the town council?

Mr. Kiangoi: Mr. Deputy Speaker, Sir, there are two stages for this process. The initial stage is to receive representations from the local people which the Minister will act upon. But the Minister has not received a fair representation from a cross-section of the residents of Kandara.

Eng. Toro: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to continue saying he has not received representation whereas he had said that he had received 1,400 names petitioning him to dissolve the town council?

Mr. Kiangoi: Mr. Deputy Speaker, Sir, I have said that I have not received a fair representation from Kandara residents. So, we need to be satisfied that the names we have received reflect a fair representation of Kandara residents. Thereafter, we shall have the second stage where the Minister will gazette that commission and action will be taken.

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. I think there is one larger point which we need to be clear about. I think there is some confusion here. I thought the provision of the law is that once the Minister has set up a local authority, he can set up a commission to assist him in finding out the viability or otherwise of that local authority. The other side of the legal aspect is that if the Minister is satisfied that a local authority does not deserve to exist, he has the legal authority to abolish it. I think that should be made clear as a general principle for the rest of the country so that we are not confused by this particular case. But in this case, the leaders want the local authority to be dissolved! So, I do not know what we are arguing over here!

Mr. Kiangoi: What I have said is that principles of general application will not apply. The method which the Minister has opted to go by, is to set up a commission to listen to the people again and then dissolve the local authority, if he deems it fit and necessary at that particular moment.

Question No.605

SETTLEMENT OF SQUATTERS IN
MACALDER HOLDING AREA

Mr. Onyango asked the Minister for Lands and Settlement:-

(a) whether he is aware that about one-third of the residents of South East Kadem Location are considered squatters in their own land; and,

(b) whether he could explain to the House what urgent steps he is taking to solve the squatter problem in the Macalder Holding area.

The Assistant Minister for Lands and Settlement (Mr. Opore): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware of any squatters in South East Kadem Location as most of the area is Trustland and currently land adjudication is in progress in the location.

(b) Macalder Holding area is under the Ministry of Agriculture and Rural Development.

Mr. Onyango: Can the Assistant Minister explain to this House why Macalder Holding area was not given back to its original owners and yet, we know of other areas like Kitere which was given back to the original owners when the people who were engaged in mining left the place?

Mr. Opore: Mr. Deputy Speaker, Sir, the only advice which I can give the hon. Questioner is that he should approach the local District Development Committee (DDC) which should then approach the Ministry of Agriculture and Rural Development if he wants that land to be given back to his people.

Mr. Onyango: Mr. Deputy Speaker, Sir, the Assistant Minister is not answering the Question. When the people who were engaged in mining in Nyanza left, places like Kitere and Kolwenjo were given back to the original land owners. Why is it that Macalder Holding area was given back to the county council and not to the original owners?

Mr. Opore: Mr. Deputy Speaker, Sir, we are talking about squatters who have settled on land belonging to the Ministry of Agriculture and Rural Development. The advice which I have given him is that he should approach his local DDC so that it can in turn make a request to the Ministry of Agriculture and Rural Development in order to have that land transferred to them.

Mr. Ojode: Mr. Deputy Speaker, Sir, the Question is: In places where mining had taken place in Nyanza Province land has already been given back to its original owners. Why is it that Macalder Holding Grounds alone, in the Republic of Kenya was never given back to the original land owners? Could the Assistant Minister explain why Macalder Holding Grounds was taken back to the county council?

Mr. Opore: Mr. Deputy Speaker, Sir, we are talking about two aspects here, the mining area and the Macalder Holding Grounds. Macalder Holding Grounds is still owned by the Minister of Agriculture and Rural Development. But if the mining area was not exhausted, then there was no reason as to why it was not given back to its original owners. At the moment, the holding ground is owned by the Ministry of Agriculture and Rural Development.

Mr. Deputy Speaker: Order! Assistant Minister, do you know that these are two pieces of land? Are you saying that there is a difference between the two pieces of land?

Mr. Opore: Mr. Deputy Speaker, Sir, your question is not clear.

Mr. Deputy Speaker: Are the two pieces of land different or are they the same pieces of land but which you refer to differently?

Mr. Opore: Mr. Deputy Speaker, Sir, the two pieces of land are different.

Mr. Ojode: On a point of order, Mr. Deputy Speaker, Sir. If that is the answer the Assistant Minister is giving, then would it be proper for this Question to be transferred to the Ministry of Agriculture?

Mr. Deputy Speaker: Yes! part "b" of that Question will be transferred to the Ministry of Agriculture. Next Question! Dr. Ochuodho.

Question No.487

REHABILITATION OF NAIROBI-KISUMU ROAD

Dr. Ochuodho asked the Minister for Roads and Public Works; in view of the recent spate of fatal accidents on the Nairobi-Kisumu Road due to extremely poor road conditions, what measures are being taken to rehabilitate this road.

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

Mr. Deputy Speaker, Sir if you do recall, I had asked you to give me more time to give you a detailed report on the amount of money that was spent on each section. It is the following:

(a) The Limuru-Uplands section of the road was repaired, recarpeted and resealed at a cost of Kshs266,806,440.

(b) The Uplands-Longonot turn-off is due to be contracted out for repairs, recarpeting and resealed at a cost of Kshs551,961,702.

(Loud Consultations)

Mr. Gitonga: On a point of order, Mr. Deputy Speaker, Sir. We cannot hear what the Assistant Minister is trying to read out.

Mr. Deputy Speaker: Order! Hon. Members, we would like to hear the answer the Assistant Minister is giving. So, consult in low tones. Assistant Minister, move to the Despatch Box.

The Assistant Minister for Public Works and Housing (Mr. Criticos): Mr. Deputy Speaker, Sir, I will read my reply again.

(b) The Uplands-Longonot turn-off is due to be contracted out for repairs, recarpeting and resealing at a cost of Kshs551,961,752 beginning this financial year.

(c) The Longonot turn-off at the Naivasha section is being rehabilitated currently at a cost of Kshs519,686,268.

(d) The Rironi-Mai-Mahiu section is recommended for resealing this financial year at a cost of Kshs70 million. The Mai-Mahiu-Naivasha section is being designed for rehabilitation as part of the Mai-Mahiu-Naivasha-Lanet Road to be possibly financed through the European Union. In the interim, the Gilgil-Lanet section is earmarked for some repairs this year at a cost of Kshs14 million.

(e) The Mau-Summit-Kericho-Kisumu stretch is earmarked for repairs this financial year at a cost of Kshs16,500,000. Meanwhile, the Awasi-Kisumu section is also being currently evaluated with a view of being rehabilitated and strengthened. For the information of the House, the total amount spent on this Nairobi-Kisumu Road is Kshs1,438,954,460.

Dr. Ochuodho: Mr. Deputy Speaker, Sir, Kenyans know very well that the single major killer in this country - one which even supersedes the AIDS scourge - is road accidents. I realise that in the list that the Assistant Minister has given--- Of course, we recall that we recently lost none other than the former Comptroller of State House, Mr. Chepkwony, on this very bad road. The Assistant Minister, in giving us the amounts of money being spent, did not mention anything about the sector

from Kisumu to Busia. Is any money being allocated for that sector because currently earth soil is being used to rehabilitate what is a tarmac road? Is there any money for that sector?

Mr. Deputy Speaker: Dr. Ochuodho, your Question relates to Nairobi-Kisumu Road. Busia is beyond Kisumu.

Mr. Criticos: Mr. Deputy Speaker, Sir, I am not aware if there is any money being put aside for that particular section. However, if the Member wants to ask me that question on a friendly basis, I could give him the information by tomorrow.

Mr. Anyona: Mr. Deputy Speaker, Sir, it would be unfair when we are talking about the major road in this country to leave out various branches of that road. I think in fairness, we should be told what money is available for the Makutano-Eldoret section, the Kericho-Kisii-Migori section, down to Kehancha? I think it is only fair since this is a major road. You cannot have those other parts if the rest of the road is not there. Could he, therefore, in his effort to bring us some more facts, tell us how much money has been set aside for those sections?

Mr. Criticos: Mr. Deputy Speaker, Sir, I think the House will appreciate that, that is a different question. However, this specific Question refers to the Kisumu-Nairobi Road. Now, if there is any other supplementary information on other roads, I do not have it with me in detail. However, I could furnish such information to the House or to the hon. Members directly. Any hon. Member, in addition to hon. Anyona, who might be interested should contact me directly in my Ministry office and I can give them the supplementary information concerning their various constituencies.

Mr. P. Kihara: Thank you, Mr. Deputy Speaker, Sir. Some of the worst accidents on that road have taken place in Naivasha constituency. I am glad to hear from the Assistant Minister that the section around Gilgil to Lanet is on his list. That section is terribly worn-out. Can he tell us when work is due to start on that section of the road?

Mr. Criticos: Mr. Deputy Speaker, Sir, like I said in my answer, this road has already been advertised for tendering. So, we will be depending on the trend of the tenders which we are expediting the soonest. I think hon. Members have seen some advertisements in the last two months in the Press.

Dr. Ochuodho: Mr. Deputy Speaker, Sir, I am usually saddened when the Government refers to the Mombasa-Nairobi Road as the life-line of the country. We would be better placed referring to the Mombasa-Nairobi-Kisumu-Busia road as the life-line of this country. However, can the Assistant Minister confirm or deny that for the Kisumu-Awasi road, which is one of the worst sections of this road, earth soil is being used to recarpet the tarmac? Can he further confirm that he is satisfied that only Kshs15 million that is being put aside for that section is adequate? Are they using earth soil because they want to spend only Kshs15 million?

Mr. Criticos: Mr. Deputy Speaker, the case of this matter is that we do not have the funds. Whatever funds we had available is Kshs16,500,000 and the earth soil that is being used is just a stop-gap measure until the contractor goes onto the site to do the proper filling up of the holes. So, the earth soil which the hon. Member is talking about is

just a stop-gap measure on that particular section.

Mr. Deputy Speaker: Mr. Paul Kihara's Question for the Second Time?

Mr. P. Kihara: Mr. Deputy Speaker, Sir, before I ask my Question, I apologise for coming late.

Question No.436

REPAIR OF ROADS IN NAIVASHA

Mr. P. Kihara asked the Minister of State, Office of the President how much of the emergency road repair funds given by donors to Kenya for *El Nino* related damage to roads have been given to Naivasha Constituency.

The Minister of State, Office of the President (Maj. Madoka): Mr. Deputy speaker, Sir, I would like to request that this Question be deferred to be answered tomorrow morning.

Mr. Deputy Speaker: Why, Mr. Minister?

The Minister of State, Office of the President (Maj. Madoka): Mr. Deputy Speaker, Sir, my colleague who was to answer the Question told me that he was not quite ready to answer it; he will be ready tomorrow morning.

Mr. Deputy Speaker: Question deferred!

(Question deferred)

QUESTIONS BY PRIVATE NOTICE

CLOSURE OF TARU SECONDARY SCHOOL

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

(a) Is the Minister aware that Tatu Secondary School has been closed down?

(b) Is he further aware that China Road Company has been working at Taru Quarry without taking into consideration environmental and health conditions of the area residents and that; stones and dust have made the learning process in the school impossible?

(c) What urgent action is the Minister taking to re-open the school in order for the studies to resume?

The Assistant Minister for Education, Science and Technology (Mr. Karauri): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Forms I, II, and III students of Taru Mixed Secondary School did not open for normal studies at the beginning of Third Term, 1999; while the Form IV students opened and continued with normal learning. However, the school re-opened on 25th October.

(b) I am equally aware that China Road Company and Bridge Corporation have been operating at Taru Quarry since 1998. Following a meeting between the Provincial Administration, the School management, the Provincial Director of Education, the DEO, and China Road Company and Bridge Corporation Management; the contractor pledged to be more environmental-friendly, and he has accordingly complied.

(c) Following the resumption of the school's operations on 25th October, 1999, Forms I to III have resumed learning and Form IV student are continuing with the KCSE examinations without undue distraction by the operations of the said company.

Mr. Mkalla: Mr. Deputy Speaker, Sir, I am very much disturbed by the reply given by the Assistant Minister. It would appear that he is not living in Kenya but outside Kenya, not even in East Africa. He does not seem to know what is happening in Kwale, Taru and Kinango! There is a big problem in that school although he says that, normal learning is continuing. As late as last Saturday and Sunday, I was at the school and the teachers were not teaching because of the problems affecting that particular school and yet the Assistant Minister is cheating this House that--

Mr. Deputy Speaker: Order! Order, Mr. Mkalla!

Mr. Mkalla: Mr. Deputy Speaker, the Assistant Minister is misleading this House.

Mr. Deputy Speaker: While you are making that correction, you might as well make up your mind to ask your Question!

Mr. Mkalla: Mr. Deputy Speaker, Sir, I would like the Assistant Minister to confirm or deny that there is

normal learning in that school?

Mr. Karauri: Mr. Deputy Speaker, Sir, I am aware that when the school re-opened, not all students went back to school. I also admit that the stones at the quarry were being blasted in such a manner that, they were blown up to the school and that is why it was closed down. But after talking to the contractor, they devised a way of blasting the stones in such a manner that they were not blown up to the extent that they could reach the school, although there was dust going to the school.

Mr. Kamolleh: Thank you, Mr. Deputy Speaker, Sir. I would like to ask the Assistant Minister why it was necessary to establish that quarry in the middle of the school, when there were several other areas where they could have established it? Why did the Assistant Minister allow the Provincial Administration; the DO, DC and the PC to make sure that, a quarry is not established in that place? Why did they not establish it elsewhere rather than in the school compound?

Mr. Karauri: Mr. Deputy Speaker, Sir, I would like to request that the Question be answered by the Minister for Roads and Public Works because we have already talked to them, we are aware of the damage caused to the school and we expect compensation to be given to the school.

Mr. Mwakiringo: Mr. Deputy Speaker, Sir, these Ministers should at times be ordered to go and see the situation on the ground. If the Assistant Minister went to Taru Secondary School, he would be surprised how the students manage to sleep and operate because of the dust in the classrooms, window panes, old dormitories, headmaster's office *et cetera*.

Mr. Deputy Speaker, Sir, this construction company is known for doing a lot of damage. If they do not see any bloodshed anywhere, they will then not work in that place. Because Taru Location neighbours my constituency, most of them are suffering from---

Mr. Deputy Speaker: Ask your question!

Mr. Mwakiringo: Mr. Deputy Speaker, Sir, I wanted to give him the history of the place. This Assistant Minister is being misled by his officers.

Now that these students have missed school because walls of the school blocks have cracked, what compensation is this Ministry going to give for the destroyed property? This is because we have 4,000 animals dead and 10,000 chicken dead *et cetera*. Who is going to compensate the owners?

Mr. Karauri: Mr. Deputy Speaker, I called the hon. Questioner. We did ring up the Provincial Director of Education and he confirmed to me together with the hon. Member and he agreed that, the situation is the way I have reported it.

As far as the question of compensation is concerned, we have already talked to the Ministry of Roads and Public Works and the hon. Member should pursue the matter with that Ministry so that they are compensated from that end and not from the Ministry of Education, Science and Technology.

Mr. Mkalla: Mr. Deputy Speaker, Sir, I would like to point out here that, surely the Ministry has not been co-operating with the Board of Governors of Taru Secondary School. As a result of these people camping there, we tried to get the Ministry to sort out this problem but they refused. As a result of that, the Chairman of the Board of Governors resigned on 1st March, 1999, and the people concerned did not do anything. In his resignation letter, which is here with me, he cited the problems of dangerous flying objects from the quarry to the school, through the walls and roofs and this could result in the deaths of students. What has the Assistant Minister been doing all this time when the students are at the risk of death?

Mr. Deputy Speaker: Order! Order, hon. Members! I think this Question is too complex to be dealt with satisfactorily here. Therefore, I direct that it be referred to the relevant Committee, to go into it in greater detail.

Next Question, Mr. N. Nyagah!

(Question deferred)

CITY COUNCIL'S FAILURE TO PAY WORKERS

Mr. N.M. Nyagah: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Since the Nairobi City Council has been unable to pay its workers' salaries for the last two months, what action is the Ministry taking to pay their dues without any further delay?

(b) Could the Minister table a list of all external debt collectors, including that of lawyers engaged by the Nairobi City Council, and indicate how much they have recovered and remitted to the council?

(c) How much have these lawyers been paid by the Nairobi City Council as fees?

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

(a) It is true that the Nairobi City Council is late in payment of September and October salaries to its employees due to cash flow shortfalls. The matter has been discussed between the Ministry of Local Government, the Nairobi City Council and the Union representatives. A strict programme of clearing the outstanding salaries has been agreed upon by all the parties involved. This will enable all the salaries to be paid by 26th November, 1999.

(b) The names of external debt collectors including lawyers, is long; I have the list and it is attached to the written answer.

Mr. Deputy Speaker: Table it!

The Assistant Minister for Local Government (Mr. Kiangoi): I will table it immediately I finish answering this Question. The external debt collectors have collected a sum of Kshs884,616,483.00 and remitted the same to the Council. However, there is a dispute over the amount that the Council is owed by the lawyers.

(c) External debt collectors have been paid a total of Kshs88,461,648.00, being ten per cent of the amount collected as a commission between 1997 and 1999. As for the lawyers, a total of Kshs49,460,552.00 was paid as professional fees during the said period.

Mr. N.M. Nyagah: Mr. Deputy Speaker, Sir, I am extremely disadvantaged because that is a long answer and big figures. However, City Council Union officials have already been sacked by the former Town Clerk to the Council. Can the Assistant Minister ensure that a headcount at the Nairobi City Council is done by employing an external auditor, probably university students, so that they can go and do it for the first time because there are far too many ghost workers who only go to collect their money at the end of the month? That will create better facilitation at the Council.

Mr. Kiangoi: Mr. Deputy Speaker, Sir, the hon. Member may be pleased to learn, and I think by now, he has information that on 12th November, 1999, the Minister did appoint a team of inspectors under Section 231 and 245 of the Local Government Act to look into the affairs of that Local Authority, including this particular issue of lawyers, employment and all matters that there have been complaints over. I can assure the hon. Member that the team will complete its work by 15th January, 2000. At least, that is the date that has been set for completion of the work and we hope that there will be results that will benefit the residents of Nairobi and satisfy this particular Question.

Mr. Raila: Mr. Deputy Speaker, Sir, first, the Assistant Minister promised to table the list. Could he be made to table that list? The Assistant Minister has said that the collectors have collected Kshs845 million. Could he tell this House what percentage is that of the total amount of money that is owed to the City Council? Will he desist from treating the City Council as a department of Government and work directly with elected leaders of the City Council?

Mr. Kiangoi: Mr. Deputy Speaker, Sir, I tend to have the view that the question relating to the proportion of percentage in terms of the money collected in relation to the total amount owed to the City Council is slightly a different question.

Mr. Deputy Speaker: Order! Order! Mr. Assistant Minister, a supplementary question by its very nature must be different from the original.

Mr. Kiangoi: I agree, Mr. Deputy Speaker, Sir. I am not standing here to tell you that everything has been smooth. In fact, about three hours ago, I have ushered in the inspectors and the work---

Mr. Kariuki: On a point of order, Mr. Deputy Speaker, Sir. I think there was a very direct question as to how much debt the City Council is owed. Can he specifically go to that question?

Mr. Kiangoi: Mr. Deputy Speaker, Sir, I have said that all has not been well. It is common knowledge. Information has not been flowing and therefore, we have already taken the requisite step to ensure that nothing goes wrong again.

Mr. Mwenje: Mr. Deputy Speaker, Sir, out of this money paid as 10 per cent of the money deemed to be collected amounts to Kshs8 million. Some of the money is paid to some councillors who are deemed to collect money which is actually paid directly to the Council like water bills by East African Breweries Ltd. They take 10 per cent of the money. Can the Assistant Minister investigate and tell us out of this money paid out, how much of it is paid to councillors or companies owned by some councillors? Out of this, how much is being paid to some councillors and some officials who are doing illegal jobs outside with their own companies which are allocated some jobs from this Council?

Mr. Kiangoi: Thank you, Mr. Deputy Speaker, Sir. Indeed, that is what we are investigating.

Mr. Muchiri: Thank you, Mr. Deputy Speaker, Sir. For the last one year, Nairobi City Council has not been paying her employees their salary on time---

Mr. Raila: On a point of order, Mr. Deputy Speaker, Sir. We need the list from the Assistant Minister for scrutiny.

Mr. Kiangoi: Mr. Deputy Speaker, Sir, I thought I had sought for your indulgence that immediately I finish

answering the Question, I will table the list?

Hon. Members: No! No!

Mr. Kiangoi: Can I seek your direction?

Mr. Deputy Speaker: Order! Order! Hon. Assistant Minister, lay the document on the Table. You can use it from the Despatch Box.

Mr. Kiangoi: Thank you, Mr. Deputy Speaker, Sir. I now wish to lay the document on the Table.

(Mr. Kiangoi laid the document on the Table)

Mr. Deputy Speaker: Order! Order! I think I will defer this Question until Thursday.

(Question deferred)

Order! Hon. Members, we have really overshot our Question Time by slightly over 15 minutes. The following Questions by Private Notice will be deferred until another time.

REHABILITATION OF MUSINGINI BOREHOLE

(Col. Kiluta) to ask the Minister for Local Government:-

- (a) Is the Minister aware that the borehole at Musingini in Kangonde Location is not operational?
- (b) Is he also aware that as a result, people from this area have to travel long distances in search of water?
- (c) What action is the Minister taking to ensure that this borehole is repaired and put into use?

(Question deferred)

CONFISCATION OF MRS. KITHEKA'S GOODS

(Mr. Musila) to ask the Minister for Local Government:-

- (a) Is the Minister aware that on 28th August, 1999, five employees of Mwingi County Council raided a kiosk owned by Mrs. Agnes Kakima Kitheka and confiscated goods worth Kshs19,239.90, while demanding payment of licence fees?
- (b) Under what law was this confiscation done?
- (c) Could the Minister order the Clerk to the Council to return the confiscated goods and refrain from illegally confiscating goods belonging to *wananchi* whenever they fail to produce licences?

(Question deferred)

ALLOCATION OF GOVERNMENT HOUSES TO MR. FRANCIS BAYA

(Dr. Kulundu) to ask the Minister for Lands and Settlement:-

- (a) Why has the Ministry allocated Government houses to Mr. Francis Baya and nine others in Kakamega Municipality at the expense of the Civil Servants now residing in those houses?
- (b) What is the Ministry doing to stop the eviction of the affected civil servants?

(Question deferred)

Mr. Deputy Speaker: Next Order!

NOTICE OF MOTION FOR THE ADJOURNMENT UNDER STANDING ORDER NO.20

LOOMING FAMINE CRISIS

Mr. Munyes: Mr. Deputy Speaker, Sir, I rise under Standing Order No.20 to seek leave to move the

adjournment of the House to allow hon. Members deliberate or debate on an issue of national importance, that is, the famine that is affecting this country.

(Applause)

*(A number of Hon. Members
stood in their places)*

Mr. Deputy Speaker: Order! Order! Hon. Munyes is invoking the provisions of Standing Order No.20 and I will read it for the benefit of those who do not have their copies here. It states:-

"Any Member may at any time rise in his place and seek leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent national importance. A Member who wishes to seek leave to move the adjournment of the House shall, at least, two hours before the commencement of the sitting, hand to Mr. Speaker a written notification of the matter he wishes to discuss. Mr. Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of national importance and may properly be raised on a Motion for adjournment of the House.

If Mr. Speaker is so satisfied and not less than 15 other Members rise in their places in support, Mr. Speaker shall nominate a time on the same day at which such Motion may be moved."

Mr. Munyes came earlier, in fact, more than two hours before the commencement of the sitting and gave me a written notification of his intention to move this Motion. I was satisfied that it was a matter of urgent and great national importance. That is why I allowed him time after Question Time to rise in his place and to invoke the provisions of this Standing Order. More importantly, a lot more than 15 other Members have stood in their places to show their support of this Motion. Therefore, being so satisfied, that debate will take place this afternoon from 5.30 p.m. Next Order!

BILL

Second Reading

THE MEDICAL LABORATORY TECHNICIANS AND TECHNOLOGISTS BILL

The Minister for Medical Services (Dr. Anangwe): Mr. Deputy Speaker, Sir, I beg to move:-
THAT, the Medical Laboratory Technicians and Technologists Bill (1999) be read the Second Time.

(Loud consultations)

Mr. Deputy Speaker: Order! Order! Hon. Members, please, give the Minister an opportunity to introduce the Bill. Proceed, Mr. Minister.

The Minister for Medical Services (Dr. Anangwe): Mr. Deputy Speaker, Sir, before us, is an important Bill relating to a group of professionals numbering about 6,000. For those who may not know this particular group, we are referring to health professionals whose jobs entail examining and analysing biological or human specimen for the purposes of identifying and determining causes of diseases. Eventually, this assists clinicians in arriving at definite diagnosis of the disease afflicting the patient and its management. Therefore, this is a very critical group that interfaces between the patient and the clinical or medical officer. Of course, unless this group performs its role effectively and efficiently, management of diseases in this country can be a complex matter.

Mr. Deputy Speaker, Sir, members of this particular profession provide the following services: Preventive and promotive medical cum legal curative control, as well as applied medical research and training. This particular profession is composed of a number of disciplines such as Bacteriology, Bio-Chemistry, Transfusion Science, Haematology, Histology, Virology, Immunology, Parasitology and Medical Entomology. There are two categories for these professionals. As the title of the Bill suggests, there are technicians and technologists. Of course, technicians are holders of certificates, which they get after completing a two-year course on Medical Laboratory Technology at the Kenya Medical Training College (KMTC) or at any other recognised institutions. Technologists hold diplomas, higher diplomas or degrees in the same fields of study, which they get after varied periods of study time in the same institution or at any other recognised institution. Half of

these professionals are employed in Government, while the other half is spread in the private sector, missionary institutions and other NGOs. Of course, they are employed in research or diagnostic laboratories. Those who are employed in public service are deployed in national, provincial, district, sub-district and health centre laboratories. Others are deployed in specialised departments such as the National Public Health Laboratory Services, and the Division of Vector-borne Diseases at national, provincial and district levels, where they are engaged in the control of insect-borne diseases such as malaria. Therefore, the role of these professionals in the health care delivery system is very pivotal in the prompt and effective management of diseases, which require accurate laboratory diagnosis. They are also central in the primary health care team as the Ministry's emphasis on preventive and promotive health care require accurate laboratory diagnosis of diseases at the community level for ease of their management and control.

Mr. Deputy Speaker, Sir, therefore, there is a very strong rationale for enacting this Bill. There is need to, firstly, safeguard and protect the interests of the public. So far, we do not have such a Bill. As I have already stated, this particular group of professionals is privy to very confidential information pertaining to various diseases of individuals. So, unless we put in place a regulatory framework to protect these people and the information that they hold, public interests may be compromised. Secondly, we need a regulatory framework, which will set and regulate standards for the training of medical laboratory technicians and technologists. So far, we have those institutions. Some Kenyans acquire similar skills abroad, but because we do not have a regulatory framework, we cannot confirm the quality of their qualifications.

[Mr. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Poghiso) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, thirdly, we need to control the influx of inadequately trained medical laboratory technicians and technologists. As of now, we cannot stop any individual, including quacks, from masquerading as laboratory technicians or technologists. Even if we wish to prosecute such people, we may have no law to resort to. They can, easily, escape prosecution because there is no law that outlaws their activities.

Mr. Temporary Deputy Speaker, Sir, fourthly, we also need a regulatory framework that will enable the public and the Government to enforce and maintain discipline and professional conduct. I am saying this at a time when there is a growing disenchantment with some professionals who, after training very vigorously, throw away their professional ethics and standards at the wind. We do not want a similar situation to confront the medical laboratory technicians and technologists; we want to pre-empt this from happening. Indeed, many people have fallen prey to such situations, and we must arrest this situation as soon as possible.

Finally, we need to promote professional pride and respect for the medical laboratory technicians and technologists. Their counterparts in the nursing, other medical professions, as well as clinical officers, have Acts that govern their registration and training. Of course, without putting such a legislation in place, laboratory technicians and technologists will feel inadequate; they need a reference point. They need a law which they can, of course, refer to when they are regulating their activities. Therefore, this particular Bill is very important.

Mr. Temporary Deputy Speaker, Sir, finally, we also need to boost the diagnostic support of health services with subsequent reduction of health budget on drugs and bed occupancy. This means that we need to put in place mechanisms to ensure that professionals in this particular cadre are competent and of good conduct. Therefore, the Bill before us has a number of objectives which I need to summarise here. The main objective of this particular Bill is to put in place a law to govern the training, registration and practice of the medical laboratory technicians and technologists. As of now, there is no existing law which governs the operations and, therefore, it is very difficult to scrutinise their training. It is also difficult to make decisions on their licensing. Given this particular gap, of course, we risk this particular profession being infiltrated by incompetent and unqualified personnel.

The Bill before us has been discussed by the relevant Departmental Committee of Health, Housing and Social Services which was chaired by hon. Dr. Kulundu. We discussed a number of issues which we agreed to and which we have resolved. In fact, there is no pending issue that we have not resolved, so that at the Committee Stage, it will be plain sailing

This Bill is divided into seven parts. Of course, the first part refers to preliminaries relating to the title and interpretation, but the meat of it is from Part II to VII. Part II relates to the Kenya Medical Laboratory Technicians and Technologists Board, which will be established. This is in consonance with the tradition that has already been established by the preceding Acts governing similar professions in the Ministry of Health. This Board will be incorporated and it will be called "The Kenya Medical Laboratory Technicians and Technologists Board". It will be a legal entity with the power to sue and to be sued and, of course, to take charge and responsibilities pertaining to the

functions of this particular profession. The Board will also have its Headquarters in Nairobi, which is the Capital City of Kenya.

The objects and functions of the Board are laid down explicitly in Clause 5. This particular clause is very explicit, and for those who might not have access to this Bill, without prejudice, of course, to other things that we have already said, it says:

"The Board shall prescribe in consultation with the colleges offering training and approved training institutions as it may deem necessary the courses to be offered to laboratory technicians and technologists."

This clause also provides that the Board will consider and approve the qualifications of laboratory technicians and technologists for the purpose of registration. That is very important, because unless one lays that explicitly, he or she might not know which yardstick to use in order to differentiate those who qualify from those who do not.

Mr. Temporary Deputy Speaker, Sir, Clause 5(c) stipulates the role of the Board in terms of approving institutions for training of Medical Laboratory Technicians and Technologists. These days Kenyans are very entrepreneurial. When they see there is an opportunity of this kind, all sorts of institutions are bound to come up. The only way we can ensure that whatever they are offering is worth what those certificates purport, they must also be scrutinised and registered. In other words, any institution offering this particular training has to be subjected to scrutiny by the Board, which has to approve it. With that approval, those that may get certificates from elsewhere, as far as the Board may be concerned and in accordance with the provision of this Act, will not be acceptable.

This clause also says that the Board shall licence and regulate the business and practice of registered laboratory technicians and technologists. It is important to license and regulate. As we are saying, the hallmark of any profession is the ability for the regulating agency to differentiate between those who qualify and those who do not. Those who qualify should adhere to some code of conduct and regulations that govern that particular profession. This is very important. It has been preceded by the Clinical Officers Act, the Nurses Act and the Medical Practitioners and Dentists Act. I think we will consummate the organisation and management of our professions in the Ministry of Health if these particular Acts were to be in place and to provide that they be licensed.

The Board shall also regulate the professional conduct of Registered Laboratory Technicians and Technologists. This is imperative. Unless, you have a body in place that can regulate operations of a profession, you cannot pin down anybody when he has overshot or is not doing as required by his profession. Indeed, we have a precedent where other boards have been set up and they are doing a good job. Therefore, the ability to regulate professional conduct is necessary if the credibility of this particular profession has to be sustained. This Board will consist a number of members. I know in the Bill, we have provided for a certain number, but during the Departmental Committee stage discussion, we agreed on certain things. I will not really highlight very much on membership until we reach the Committee Stage, but there is a fundamental change on Clause 6.

Mr. Temporary Deputy Speaker, Sir, going further, the powers of the Board for proper performance of its function under this Act, have been laid out explicitly in Clause 7. The powers relate to investment of the assets, receiving any grant or donation, entering into association with other bodies and opening of accounts. These are normal provisions and requirements that are necessary for the conduct of business of any board.

Clause 8 relates to the conduct of business and affairs of the Board. It says:

"The conduct and the affairs of the Board shall be provided in the schedule".

Clause 9 talks about delegation of the Board and responsibilities, any agent or any of its members. Clause 10 is on remuneration. May I emphasise here that with respect to remuneration of this particular Board, it will not cost the taxpayer any money. It is laid out explicitly within the body of this Bill how the Board will raise its funds. Therefore, it might not be necessary for it to seek the authority of any Government agency in terms of spending of its resources.

Mr. Temporary Deputy Speaker, Sir, I would like to highlight Part III which relates to registration of medical laboratory technicians and technologists. In this Section, the Bill provides for the registrar who will be the chief medical laboratory technologist, housed in the Ministry of Health. He shall be the registrar of this particular group of professionals. Clause 15 clearly states who qualifies to be registered.

We have added here one amendment which we shall state at the Committee of the Whole House stage.

After the discussion between the Ministry and the Departmental Committee on Clause 17, we agreed that there may be no need for an appeal once decisions of the relevant bodies have been made in relation to the registration or disqualification of any professional under this particular Bill or if it is passed by the House to become an Act. It may not be necessary to appeal to the Minister. Therefore, we decided to remove Clause 17 under mutual consensus with the relevant Departmental Committee.

Other issues that I wish to highlight relate to training institutions to be approved. This is made explicit in Clause 19. It reads as follows:

"No person shall, being in charge of training institutions in Kenya, admit persons for training with a view to qualifying for registration under this Act, conduct course of training or administer the examinations prescribed for the purposes of registration under this Act, or issue any document or statement implying that the holder thereof has undergone a course of training or passed the examinations prescribed by the board for purposes of registration unless such an institution is approved by the Board."

That means institutions that do not qualify to train people, or people who get qualified from other institutions not recognized by the Board will not be allowed be registered. In the original text, Clause 19 and several other parts of this particular Clause relate to the discipline arising out of infringement of the provisions of this Act. The Ministry of Health may have been lenient during the drafting of this particular Bill, but when it was referred to the relevant Departmental Committee, it was felt that we should instill discipline in these professionals. It did include very stiff penalties in relation to the various infringements. The Ministry did agree on this proposals and we shall be tabling them at the Committee stage with the support of the relevant Departmental Committee.

Part four relates to provisions relating to private practice. This is very critical and crucial given the precedence that has been set and the malpractices that we are seeing in various professions. This does not just involve professionals in the Ministry of Health. Generally speaking, people have acquired relevant qualifications, but when it comes to practice they deviate. Part four covers how the private practice will be regulated. Part five relates to how disciplinary measures will be taken in order to ensure that those that have gone off the road are rectified. They are very explicit. In our view, with these measures in place we should be able to keep the medical laboratory technicians and technologists on course without deviating.

With those remarks, I beg to move.

The Minister for Public Health (Prof. Ongeru): Mr. Temporary Deputy Speaker, Sir, I stand to second this Bill because I think in all its presentations and manifestations, it is a very important Bill. We are discussing about a practice in the medical field that requires a very firm institutional framework in order to regulate its activities and to spell out the conduct that is expected of that honourable profession. We are, first and foremost, dealing with human lives. Most of the major decisions that are likely to be made by those in the health field will largely emulate a start of the supplementary information required that will be necessary and critical for the discharge of the function in the management of any health issue; be it a medical issue or any issue that may relate to public health policies.

Therefore, this Bill, is simple, but fundamental. It is basic, but critical because it sets out the manner in which the business of laboratory technicians and technologists should be conducted and how those who are qualified in this profession, ought to regulate themselves. The objective of this Bill is first and foremost, as my colleague has said, to lay down a legal framework that will target specific areas and conduct the training schedule. As you know, Kenyans have become captive of many hoaxes. They have become captive of too much influence and many susceptible disciplines being floated in advertisements in various newspapers and magazines. There are training institutions asking Kenyans to pay so much money for them to acquire a particular certificate only to find out that it is one of those very awkward certificates that will not allow its holder to do any useful work in society.

First and foremost, they will have been conned. Secondly, they will not be holders of any useful certificates. Thirdly, they will have spent their money and time in a rather useless way. Therefore, one of the objectives of this Bill is to regulate the training and training schedules that will be established under the various categories that have been spelled out. As the Bill states, we are aiming for the two-year period training for a technician course, usually after the school certificates. It may be that the medical training college for the time being designated to overlook the training schedules and programmes for this particular certification may alter the entry period. At any rate it is important that, that schedule is clear, published, reproducible and one that can be recognised in our institutions within the country and also equivalent to schedules existing in other areas of practice outside Kenya.

It is important that the legal framework must tell us. This Bill has predetermined and spelled out the kind of training that is required for those who have to pass through it. Obviously, we have had too many quacks who have infiltrated the profession by claiming that they have certain competent, training certificates. Indeed, there is no way one can determine whether these certificates are authentic other than through a law that defines what the training schedules must be. If you have competently acquired those skills in those areas then you will have been certificated as having accomplished a certificate course and you can be called a technician. You will, therefore, qualify to be registerable under this Bill when it becomes an Act as a practising practitioner or technician.

Mr. Temporary Deputy Speaker, Sir, the second recognition is at the diploma level, where both the ordinary and high diploma holders and the graduates from recognised universities, will go through a formal training or academic curriculum approved by that relevant university. This category of individuals, depending on the level of their training, are largely referred to as technologists because they have acquired a higher level of training and they require a higher recognition. This recognition has been included in the Bill, in order not to preclude other practitioners. We have

degree holders, who are technologists from scientific research institutions and science departments in the universities. This is not necessarily in the medical field, but because they practice, they are referred to as technologists. Therefore, the Bill seeks to incorporate and ensure that, such persons have also some formal professions under which they can be registered and practise.

Mr. Temporary Deputy Speaker, Sir, under the heading: Training, we have a very large recipe which requires such persons to go through this training. This is because we do not want to encourage quacks, incompetent and unqualified persons to practise because they will cause untold misery and danger to the society. This Bill seeks to protect society from some of these unscrupulous quacks who may want to practice and treat the ordinary and unsuspecting gullible Kenyans to this kind of practice which is illegal. We want this position clarified.

Mr. Temporary Deputy Speaker, Sir, this Bill also seeks to enhance quality. Apart from providing the quantity services, we want to see that, Kenyans get quality services in reference to any investigative procedures that may be carried out on them, or in any consultancies they may seek from the registered doctors, clinical officers or nurses, who may require that a particular investigation be carried out. We want to see that those registered to practise this profession are competent enough that, whatever results they give are of acceptable quality. When I talk of quality service, one should remember that in this type of practice, there are certain reagents that are required for investigation purposes. If these reagents are suspect or their quality is not known, then the result of that investigation may be equally suspect. We want to make sure that before these individuals are registered as technologists to practice in the public or private institutions and even in their own private practice, they will give quality service. We need quality services in this country because we have a lot of medical problems, that require clear articulation by the professional service cadre. Therefore, they need the quality training. In which areas will these quality services be required?

It is quite clear that some of the training takes into account areas like haematology. This is the science of the blood. It is the science of the red and the white cells and other ingredients of blood products. These are critical. Some of you know very well that in our country, anaemia or lack of iron in the red blood cells is a very common disease. It causes a lot of complications in the body. For instance, anaemia is caused by malaria and it may be necessary for us to be able to define the type of anaemia in the blood. Therefore, blood samples handled by technicians will give us several types of information. First, it will tell us whether there is malarial parasite in the red blood cells. This information will be very important for us because we will know how to handle the patient. Secondly, it will tell us the type of the anaemia that we are dealing with and whether it is severe, moderate, or whether the blood haemoglobin is normal or not. If it is severe, then we will know what to do. The question of blood transfusion is critical. Therefore, anybody who wants a certificate in haematology and we have so many of our technicians who are trained as haematologists, they must be competent in that area. It is important that, these individuals are very well trained at all levels, to be able to handle this problem.

Mr. Temporary Deputy Speaker, Sir, malaria is a killer disease in this country. If the parasite is anopheles malaria, then we must know what type of drugs that must be applied to it. We do know for instance that the epidemic malaria or highland malaria is not responsive to chloroquine. Then, that will not be the first choice of drug therapy. Therefore, it is important to know right from the beginning and particularly, if you are dealing with an epidemic malaria, you need to know the type of diagnosis which is important for your subsequent management of a crisis within a given area in this country. For instance, we know that highland malaria is quite prevalent in Kisii, Gucha, Nyamira, Kericho, Trans Mara, Nandi Hills, Bomet, Samburu, Kajiado and other districts. So, it is critical that some of these people working in those areas are well conversant with the epidemiology of disease process. Unless, they are very well trained, it could be extremely difficult to be able to handle this problem. I can see Dr. Kulundu nodding his head because I had a great pleasure of teaching him in class and I think I imparted some of these good notions to him and I am sure, he will acknowledge that in his speech. Therefore, it is critical that in the subject of haematology, one is able to understand what is going on.

Mr. Temporary Deputy Speaker, Sir, parasitology is a very important science. This deals with the problem of parasites, whether in blood, stool and urine. It is important that we are able to study these parasites. I can remember very well that, a former President of United States of America, Jimmy Carter, spent all his earnings and resources to study guinea worm in West Africa. I think you know the Carter Centre which was set up to manage guinea worm. The guinea worm is such a simple parasite, but it causes so much misery and harm to an individual and it is a largely preventable situation. Why not deal with it? Why not have men and women who are competently trained, to handle the guinea worm, so that we can deal with it in advance and prevent it before causing many complications in the body.

Hon. Kihoro, knows one major problem that we have in the area of bacteriology is the so-called the epidemic *meningococcus* meningitis. This is a killer disease. In recent past, we have heard of many prominent Kenyans who have succumbed to meningitis. Again, this is basically a diagnosable situation and you need these competent technicians and technologists, to be able to tell a doctor that the blood sample that he had given or the cerebral spinal

fluid that he had sent contains, for instance, *meningococcus meningitis*. As a physician, I know this is a very straightforward problem because it is cured by penicillin. So, we have no problem. Therefore, it is important that this information is readily available to our patients.

Mr. Temporary Deputy Speaker, Sir, I need not say that in histology, another area where training is necessary, some of our people do have some complicated situations; cancers, for instance. We do know that the cancer of the breast, brain and cervix are prevalent. Cervix cancer is a very common problem in our women of the reproductive age and they do succumb very easily to it. Therefore, it is important a very simple psychological study--- You just take a spatula and get scrapings from the cervix, which is a very harmless procedure that can be done in the outpatient clinic. It does not have to be in the laboratory, or in the theatre. Therefore, you can scratch out the cervix and be able to get the cells so long as you know how to handle them. You can be able to do the examination very comfortably without any much ado and diagnose the first preliminary indication that this patient might be developing cervical cancer and manage it very effectively.

So, then, in the area of histology, there are many other cancers that we would like to have knowledge of and, of course, the manner in which you carry out the specimen; the way you crystallize the specimen, keep it, section it and get the very micron aspect of it to be able to look at it under microscope, or electron microscopic equipment and get the vital information which is critical for the management of the patient. These things are done by the technologists, not by doctors. They are very important members of the medical profession.

Mr. Temporary Deputy Speaker, Sir, then, of course, the study of the viruses; virology. As all of you know, one of the biggest scourge that we have in this country is HIV/AIDS. And now, we require very simple detective methods at the health centre and dispensary levels to be able to deal with that problem. The prevalence rate of HIV/AIDS infection has arisen from a noble 3.8 per cent to a catastrophic level of 13.9 per cent in 1998. In some pockets, we are talking of prevalent rate of close to 25 to 35 per cent. HIV/AIDS kills; there is no question about it. And I need not say that there is no cure for HIV/AIDS. That is why we have made a passionate plea to Members of Parliament, through Mr. Speaker, and the Health, Housing, Labour and Social Welfare Committee that, we as Parliamentarians, need to carry the message back to our people and, hence, the seminar that will be held in Mombasa on 25th to 28th of this month. Now, if you will not be there, then, I think that there is something mysteriously wrong; either we have failed to convince you that, that is a major issue and problem and it is killing 500 Kenyans everyday and 20 people per hour. There is no cure for it, but we can prevent it; we can reduce the incidence. It is largely heterosexual transmission. Members will have the opportunity to interact at that seminar. I just wanted to introduce the subject; just to tell you that it is a very interesting and important subject and you must be there and carry the message home to your constituents. Therefore, I would have done my duty, first, as a Parliamentarian and, secondly, as a doctor, and, thirdly, as the Minister for Public Health of informing this August House of the eminence of the problems that we face with HIV/AIDS. Therefore, it is my expectation that members of the Press are hearing me. I think that they are in support of this programme. They will be checking on the list of those Members, who will be present in the seminar to be held in Mombasa. It is not a threat to Members, but a persuasion. No, I am not intimidating; that is why I have ended on that polite note.

Mr. Temporary Deputy Speaker, Sir, one of the problems that we have is blood transfusion. Again, that is how some of the diseases are transmitted, like HIV/AIDS and many other conditions. It is important that blood transfusion is properly done. I think some of you have raised questions in this August House asking how safe is our blood transfusion in our centres. I would like to say that it is safe in as long as we know that the people handling these specimens are those who are clearly trained, have the knowledge and the know-how, and can do proper blood groups and detect the difficulties that are in the blood transfusion and, therefore, recommend whether a certain blood package is safe for transfusion, or not.

Mr. Temporary Deputy Speaker, Sir, we do have road carnage which is a major killer in our country; other than apart from the HIV/AIDS. So, then, I think by now, I must have convinced my colleagues in this House that this is an important area that we must control in terms of certification of the practice. Therefore, we want to ensure that our institutions are well equipped and not ill equipped; run by qualified personnel and not quacks; credible and not of dubious credentials. Therefore, it is critical and important that this Bill should be looked at as that one which is necessary to be able to control the practice of medicine.

Mr. Temporary Deputy Speaker, Sir, I need not to repeat about the contents of the Bill, because my colleague the Minister has ably gone out to explain it, schedule by schedule. I think he started with Part One, Two, Three and Four. But the area that I must touch on is discipline. Whereas we have given the instruments for good practice of this profession, we are also saying there must be penalties that must be clearly spelt out for those who do illegal things, which are not within the legal framework, that we have defined in this Bill. Therefore, there are clear-cut penalties that have been provided for in this Bill. For instance, the technicians infringe their own rules of procedure of their medical practice, just like there are rules for lawyers. Therefore, it is not something abnormal; it is within the legal framework

of any society; that you must have your own rules within which you must practice. For instance, if somebody goes and gives false results knowingly and openly so as to mislead in the final diagnosis and management of a catastrophe, then, that person is in the infringement of his or her own rules. Therefore, he or she is subject to penalties, which have been spelt out in the Bill. They range from a fine of not exceeding Kshs1 million to imprisonment not exceeding five years. This is a latitude. During our session with the Health, Housing, Labour and Social Welfare Committee, we have been able to bring up some of the amendments that will reinforce this area, because we do not want it to be loose.

Mr. Temporary Deputy Speaker, Sir, therefore, I think that I have said enough; that this is a noble profession. With those few remarks, I beg to second the Bill.

(Applause)

(Question proposed)

Mr. N.M. Nyagah: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to also air my sentiments and what I think about this Bill.

First of all, I would like to thank hon. Members of my Committee, who worked tirelessly for many hours looking at this Bill. I would not delve much in the contents of the Bill, because the Chairman of the Departmental Committee on Health, Housing, Labour and Social Welfare will take that task. I would like to thank the two Ministers who have presented this Bill extremely well and eloquently. They have done so because they are educated Kenyans; they are doctors, and one of them is a medical doctor. I would like to give credit where it is due. It is a very big challenge to the two Ministers who are sitting in the Front Bench, because this is one Ministry that is not easy to run, because it has got "wiser" people than those educated Ministers. For the first, time the President in his right wisdom gave us two doctors at the helm of a very important Ministry. Hongera kwa Rais!

Mr. Temporary Deputy Speaker, Sir, for the first time, we have a Permanent Secretary who is a medical doctor. He managed Kenyatta National Hospital to the level it is. It is also the first time we have a doctor and a professor as Ministers, a professor as the Permanent Secretary and a Director of Medical Services who is a doctor. There are several other doctors below them. Even the gentleman seating in the Civil Servants Bench is a doctor. The Minister turned the whole House to a House of academicians. Dr. Kituyi will no longer feel lonely, since we now have Dr. "Wamae" and "Dr. Kihoro", because Dr. Anangwe and Prof. Ongeru moved and seconded the Bill respectively, from a point of knowledge. However, I am disappointed by the House. I expected that most hon. Members to sit in the House and be educated by the two Ministers. I hope from wherever they are, they are listening attentively.

Mr. Temporary Deputy Speaker, Sir, as shadow Minister to the two Ministries; the Ministry for Public Health and the Ministry for Medical Services, I would like to invite hon. Members of Parliament to a seminar to be held in Mombasa. Whenever we requested the two Ministers to attend to our Committee meetings, where we held many deliberations, they did not go to their constituencies, but came and sat with us. What we assumed would take one hour, went for many more hours, and I did not hear them complain. When you do not have much to offer, you try and tell good things about good people.

Mr. Temporary Deputy Speaker, Sir, 25th, 26th and 27th of November are very critical days for hon. Members of Parliament. As the Minister said, the Ministry of Medical Services alongside National Aids/STD Control Programme (NASCOP) has invited hon. Members to attend an AIDS awareness seminar in Mombasa. This afternoon, we received those invitations, and my plea to hon. Members of Parliament is to take those documents and indicate when they are going to be available in Mombasa to listen to what will be discussed. I believe AIDS is studied under Virology. When the hon. Minister and I went to Washington over this subject--- There is a saying in my language that goes this way: There is no way you can shave yourself at the back, because there is no way you can use a mirror to see your back.

An hon. Member: Say it in Mbeere language!

Mr. N.M. Nyagah: If I said it in Mbeere, I will be thrown out of this House. But, it is a beautiful language that may force you disown yours and turn to it.

Mr. Temporary Deputy Speaker, Sir, the Minister expounded what Kenya needs, where it has come from and where is going in terms of this deadly disease. We were able to present our Sessional Paper that was passed in this Parliament, which showed the seriousness that we had. When the Americans thought that they were going to lump Africa as one country in terms of assistance, through the Kenya delegation headed by Prof. Ongeru, they accepted the fact that countries would be judged on their own basis. It is for the same reason that the Congress accepted to take the Kenyan language in the marshal plan of Kshs1 billion by a Congress woman, Barbara Lee, where Kenya would be considered. Kenyans are dying of AIDS, but we are not taking it seriously. If you look at the Press, whenever they are death announcements, they indicate that those people died from short illnesses. Short illness must now be qualified.

Seven hundred and six thousand children infected by AIDS is a big number. A couple of days ago, I buried my own cousin who died of this disease. When there was a bomb blast in Nairobi, within minutes, the whole world got to know that it had occurred. If you compare the number who perished in the blast to the numbers the Minister has told us, of 500 people dying in one day, but this does not hit the headlines. What it means is that, those people between ages 15 years and 49 years, will be phased out from this world very soon. In the future, this is going to be a world of very young people. There are very few people who will get to my age, hon. Prof. Onger's and hon. Nyachae's.

Mr. Temporary Deputy Speaker, Sir, it is very difficult to criticise a Bill which we have critically gone through. We have 6,000 of these people mentioned in the Bill that many people do not think about. We want them to be under one umbrella, first and foremost, because, we want to bring their training, registration and licensing under one bracket. I would like to quote from this Bill which has got 42 clauses, easy to read, but difficult to understand. In the Committee on Health, we had in mind the fact that we have people who understand what it means to be in Government. So, for the first time, we decided to snatch some power from their docket to the Board, and they agreed.

Mr. Temporary Deputy Speaker, Sir, they did not refuse to do that. They concurred with us. Therefore, the Board as envisaged by this Bill, is very powerful. I thank you for accepting to shed off some of your powers. You have been too powerful and I thank you for giving some of your powers to the Board so that it can be effective. But as I say so, I want to plead with the new Ministers that as they leave Parliament today, and as they walk to their offices, they should go and summon the members of the Board of the National Health Insurance Fund because of the de-service it has done to Kenya. We have figures, and I believe that the Committee that I serve on, and which is under Dr. Kulundu, and the Vice-Chairman, Eng. Toro, should summon them so that we can tell them what is wrong. When you spend Kshs120 million to advertise in Nairobi International Show, you need to show where that money is going. That money should have bought each one of us in this House an ambulance for his constituency. That is one area that Managers of NHIF needs to be looked into. I also want to thank the powers that be, that got rid of the top two. But there are many who should face the law and answer charges. As interested parties of our Departmental Committees, we have wealth of experience of facts and figures on what the Ministers can take action on. We will work together, and we have agreed on that, so that they can streamline this Department.

Mr. Temporary Deputy Speaker, Sir, let me give the evolution of this particular cadre of people, technicians and technologists. I was looking at what I was going to say and what has not been said. I want to say what the other hon. Members did not say. Between 1939 and 1945, during the world wars, the first technologist trainee in Kenya started going to Kenyatta National Hospital. These were people of Standard Eight educational level. We have been told that technologists today have gone up to the level of higher National Diploma and doctorate degrees, but at that time they were of the Kenya African Preliminary Education (KAPE). That is the examination the two Ministers and I sat for a long time ago. Then in 1955 the Kenya Junior Secondary Education Certificate was accepted as a qualifying grade. It was still growing and becoming important. If you ask any of those people who operate in theatres, they will tell you that in any theatre, there must be people to assist them. If you go to a place like International Centre for Insects Physiology and Ecology (ICIPE), you will find that two thirds of the employees are either technicians or technologists because a doctor like Prof. Onger cannot detect the nature of a disease unless he uses these people. He must have some specialised training in those disciplines.

In 1958, when most of the hon. Members behind me were being born, a four-year programme by the laboratory technicians started. It was now a high powered group and for the first time, a native Kenyan male went to Britain in 1961. This was because the Government was now seeing the need to have this group. The next group followed two years later and went abroad to do Medical Technician's and Technologist's course. In 1963, Kenyatta National Hospital started the Intermediate National Diploma. The Ministers did not say that and I just want to remind them what they forgot to tell Kenyans for us to know that this Bill is very important. I am hoping also at the same time, those hon. Members who are listening from the Lounge, as they have tea, will be "pulled by magnetic forces" to come and listen to this debate on this very important Bill under which falls under a Ministry with two Ministers. Other Ministries have one Minister, but this Ministry has two Ministers. This is a very important Ministry!

Mr. Temporary Deputy Speaker, Sir, the then University of East Africa in 1967 saw the need for the medical technicians and technologists to be brought on board and train for that basic diploma. In 1976, our current University of Nairobi took over after the collapse of the East African Community. It is a fact that is known that those technologists and technicians have come up with many books that are today referral books for very many countries. This therefore, indicates the calibre of our training of these people in Kenya, and the need to bring them under one umbrella so that they can be contained and controlled.

Why is this Bill necessary after so many years? I think it is because of the things that the Minister has told us. I want to quote very briefly from page No.138 of the Bill for the benefit of those who may not have looked at this Bill. It is under the Memorandum of Objective and Reasons. I want to read half-way through paragraph two. It reads as follows:-

"In spite of this, there has been in recent times a proliferation of ill-equipped institutions run by unqualified persons purporting to offer these services".

I know cases where people have been detected as being HIV-Aids positive and they have many years later come back and been detected as not having aids. Therefore, we need high qualified personnel so that when they come up with clinical tests, they tell Kenyans what they are suffering from. There are also in existence institutions of dubious credentials purporting to train this personnel. Lastly, this Bill provides for setting up of minimum standards which must be met by institutions offering medical laboratory services or training persons to offer the same.

Mr. Temporary Deputy Speaker, Sir, what will this Bill achieve? First, it will ensure quality control standards that will be set up for companies or agents that deal in laboratory equipment and reagents. It will also ensure that all facilities are inspected and kept to quality standards. Today, most of these facilities are deplorable. It will also ensure harmonisation of training standards for technicians and technologists.

Having said a few of those matters, I would like to urge hon. Members of this House that they see no fault in this Bill, and add as much as they can of what they think has been left out.

With those few remarks, I would like to support the Bill.

Thank you.

Dr. Kulundu: Mr. Temporary Deputy Speaker, Sir, may I record my gratitude for being allowed to speak from this Dispatch Box. Let me start by recording my gratitude to the three very eloquent speakers, who have had their time before me. My task is to present to this House, a Report of the Departmental Committee on Health, Housing, Labour and Social Welfare, on the Medical Laboratory Technicians and Technologists Bill, 1999.

Some of the functions of this Committee, under Standing Order No.151 are:

(i) To study and review all legislations after the First Reading, subject to the exemptions under Standing Order No.101 (a) (iv).

(ii) To investigate and inquire into all matters relating to the assigned Ministries and Departments, as they may deem necessary; and as may be referred to them by the House or a Minister.

(iii) To make Reports and recommendations to the House as often as possible, including recommendations on proposed legislation.

Mr. Temporary Deputy Speaker, Sir, the Medical Laboratory Technicians and Technologists Bill, 1999, was referred to the Committee - of which I am the Chairman - on 29th of April, 1999, upon a Motion by the Minister at that time, pursuant to the provisions of Standing Order No.101 (i). The Committee commenced deliberations on the Bill on 30th of April, 1999, and held 11 sittings. It is important to emphasise that because in the Report that is before the House, the number of sittings were erroneously shown to be nine. We must quickly add that, with the coming in of two new Ministers in the Ministry, we had two more meetings, in addition to the nine which we had held with the previous Minister. So, the two Ministers in the Ministry, accompanied by the Permanent Secretary and senior officers in the Ministry, attended five sittings of the Committee, and gave an overview of the Bill.

The Committee also invited other stakeholders. Those were as follows:

(i) The Chairman and officials of the Association of Kenya Medical Scientific Officers, or (AKMSO) in short.

(ii) Officers of the National Public Health Laboratories.

(iii) We had a Ms. Neem Alrutz, who is a technical advisor for AIDS and Child Survival in the United States of America (USA). Here, we must emphasise that, we invited the USA mainly because it is a major player in the blood transfusion services in the Ministry of Health. Let me also add that this afternoon, as we were coming into the Chamber, a fourth stakeholder surfaced. A group of people from the Kenya Polytechnic wanted to influence the contents of this Bill. But I wish to take this opportunity to assure them that, their concerns are more than adequately covered under Section 5 (2) (c) of this Bill. With your permission, Mr. Temporary Deputy Speaker, Sir, let me read what that Section says. It is on the objects and functions of the Board.

So, Section 5 (2) says:-

"Without prejudice to the generality of the foregoing, the Board shall:-

(c) Approve institutions for the training of the laboratory technicians and technologists."

Mr. Temporary Deputy Speaker, Sir, I think there were also some misunderstanding in some circles that, this Bill was aiming at enabling the Kenya Medical Training College to be the sole centre for training medical laboratory technicians and technologists. It must be pointed out that the Bill envisages a situation where, other institutions will be authorised to train this cadre of professionals.

Mr. Temporary Deputy Speaker, Sir, the profession of medical laboratory technicians and technologists is a very important one. It is so important that, in fact, in a true hospital quality, there is no diagnosis or treatment that can be given, without the input of those cadre of professionals. This is a profession that is very pivotal to the diagnosis and subsequent management of diseases. It is a very highly specialised profession.

My former teacher, who is now my hon. colleague in this House, Prof. Ongeru, has gone to great detail, to tell us the sub-specialities in this medical laboratory profession. There are the subsections of haematology, bacteriology, histology, virology, entomology - which I think the good Prof. Ongeru forgot - parasitology, cytology and more importantly for us, the area of blood transfusion science. So, this is a very highly specialised field, in which we need to train Kenyans fully.

Unfortunately, in the recent past, this profession has been infiltrated by very many quacks. As my colleague hon. N. Nyagah said, there has also been a proliferation of ill-equipped institutions, with the emergence of quacks. Therefore, this poses a great danger to the lives of very many Kenyans. It is important that legislation be put in place to regulate this very important profession, to set professional standards with regard to training, registration, licensing, practice and discipline.

Mr. Temporary Deputy Speaker, Sir, some very important things have been said about the importance of HIV/AIDS. I do not need to bore this House with more details. But it is a pleasure for me to announce that, my Committee has organised a Seminar for all Members of Parliament between the 25th and 28th of this month, at the Continental Resort Hotel in Mombasa. In that Seminar, we intend to discuss matters of national importance. This is because AIDS is a national tragedy. We implore all Members of Parliament to spare their time and attend this very important Seminar in Mombasa.

In addition to the HIV/AIDS, the medical world has also seen the emergence of strange diseases. In Congo early this year, there emerged a disease called *Ebola*. It was caused by the *Ebola* Virus. There was the *Dengue* Fever. Then, in our country, there was the Rift Valley Fever. All these diseases are blood-borne, and their diagnosis require highly competent people. Also, highly specialised equipment need to be put in place, for the diagnosis and identification of causative agents of those, and many other diseases.

Mr. Temporary Deputy Speaker, Sir, in looking at the amendment, my Committee was guided by three main principles. The first principle we considered was the autonomy of the Kenya Medical Laboratory Technicians and Technologists Board. We want it to be as autonomous as possible. Secondly, it will reduce the Government's role in the running of this Board. Thirdly, my Committee was concerned with the enhancement of professionalism by stiffening as much as possible the penalties prescribed in this Bill. If you look at Sections 19 up to 27 of the Bill, you will find that there are penalties prescribed therein which are laughable, to say the least. This would make the would-be offenders to laugh all the way to the courts and all the way to the bank. Let me just quote one example. If you look at Section 19, it says:

"No person shall be in charge of a training institution, admit persons for training---"

Section 19(2) on page 120, says:-

"A person who contravenes any of the provisions of subsection(1) commits an offence and is liable to a fine not exceeding Kshs20,000 and imprisonment for a term not exceeding 12 months"

That is the kind of penalty that I refer to as laughable. My Committee has proposed stiffer penalties in this Bill as contained in the proposed amendments which we have put forward. It is now my pleasure to go through the proposed amendments. I will not go through all of them, but through all the major ones which we came up with for the benefit of the hon. Members of this House.

Mr. Temporary Deputy Speaker, Sir, we did not have any problem at all with all the sections up to Section 6. In fact, the amendments we have proposed begin from Section 6, on the composition of the Board. The first amendment which we proposed affects Section 6(1)(a) and it states as follows:-

"The Director of Medical Services who shall be the chairman---

My Committee, in its wisdom and the subsequent wisdom of the two Ministers of Health, agreed that the Director of Medical Services should not necessarily be the Chairman of this Board. There are precedents where the Director of Medical Services is not the Chairman, for example, of the Nurses Board, the Clinical Officers Board or the Public Health Officers Board. We impressed upon the Ministry that, in fact, the Director of Medical Services is such a busy person and it is important that we leave him to do the technical aspects of his job and leave these administrative and routine matters to somebody else. In any case, we feel that in this country now, there are laboratory scientific officers who are academically strong enough to head this Board. So, in our proposed amendment, we have deleted all those words appearing after the word "services" but we shall still retain the Director of Medical Services as a member of this Board.

Mr. Temporary Deputy Speaker, Sir, the other amendment is on Clause 6(1)(f) where the Bill was proposing to have three registered laboratory technicians. Here, it must be emphasized that my Committee was concerned with making sure that the technicians and technologists were equally represented on this Board. Under this clause, we proposed to increase the number of registered technicians from three to four. We also proposed to increase the number technicians and technologists from the private sector. We do not want this to be a Government Board. So, we have proposed that the number of technicians from private practice should be two instead of one.

Mr. Temporary Deputy Speaker, Sir, under Clause 6(1)(g) we have proposed that the association should nominate three registered Laboratory Technologists, two of whom should be from private practice. If you look at the composition of this Board, it will be composed mainly of technologists and it is important - and this is the opinion of my Committee - that the technicians should be adequately represented and that the technicians and technologists in private practice must also be brought into the Board.

Mr. Temporary Deputy Speaker, Sir, under Clause 6(1)(i), there was a very heated debate which took us two days to come into agreement. Initially, our Committee felt that it was not necessary for the Minister to be given authority to nominate laboratory technicians and technologists into this Board. But on second thought and as a sign of maturity on the part of the Ministers and my Committee, we agreed to let them nominate not less than three, but not more than five laboratory technicians and technologists. We hope that they will not abuse this opportunity as it has happened in other boards. I am saying so because my Committee was afraid that if the Ministers were given this authority to nominate people, they would go in for their political dinosaurs. We hope that the Minister in charge of this particular cadre of professionals will rise to the occasion and nominate people of integrity in the field of Laboratory Technicians and Technologists.

Mr. Temporary Deputy Speaker, Sir, we also proposed the addition of a new clause, which will be Clause 6(1)(k)--- Before I come to that, under Clause 6(1)(j) we have proposed that the two other members co-opted by the Board should preferably be from different professions. Here, we had in mind such other professions as nursing, clinical medicine or public health. We hope that the Board will not go ahead to nominate other laboratory technicians and technologists. Under the proposed Clause 6(1)(k) we have proposed:-

"There shall be a chairman, who shall be appointed by the Minister from amongst the members of the Board."

Let me put one thing right here. It is our wish and hope that this chairman will be chosen from amongst the laboratory technicians and technologists, who are on this Board. My Committee still strongly feels that the Director of Medical Services is too busy a man to be heading all these boards that fall under the Ministry of Health.

Mr. Temporary Deputy Speaker, Sir, another significant amendment which we have proposed falls under Section 15 where we have added sub-clause (d) which is on registration. It reads as follows:-

"In addition to sub-clauses (a),(b) and (c), it is important for a person who has been registered to practise as a laboratory technician and technologist to complete an approved period of probation as will be prescribed by the Board."

Mr. Temporary Deputy Speaker, Sir, it is very dangerous in the medical field to release professionals on to Kenyans merely on the basis of possession of academic certificates. It is important that a person who is registered to practise as a technician or technologist will have undergone a period of intensive on-job training under the direct supervision of some senior people. I am glad that the Ministry agreed with us on that suggestion.

Mr. Temporary Deputy Speaker, Sir, as the Minister for Medical Services, hon. Dr. Anangwe said, we also deleted the whole of Section 17. Section 17(1) simply states:

"A person aggrieved by a decision of the board not to register him under Section 15 may appeal to the Minister within 60 days of such decision".

Section 17 (2) states:

"The decision of the Minister on an appeal under this section shall be final".

We decided to delete the whole of this clause for the following reasons: If you look at the composition of the board, it is full of professionals who are technical people and we could not visualise any situation where a Minister could overrule such a professional and technical board. In order to minimise politicisation of technical issues, we decided to delete this section from the Bill and I am glad to report that the Ministers agreed with us on this suggestion.

*[The Temporary Deputy Speaker
(Mr. Poghio) left the Chair]*

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, Clauses 19 to 27 deal with the third principle, which is stiffening penalties for professional misconduct in an effort to enhance professionalism in this particular trade. In fact, all the way from Clause 19 to Clause 27, we have stiffened the penalties. For example, in Clause 19 (2), where the penalty was Kshs20,000 and imprisonment for a term of 12 months, we have inserted Kshs1 million and then five years respectively. The idea here is to enhance professionalism. We must make it punitive for people who commit professional crimes. The same can be said for Clause 20 (2) where we are recommending a penalty of Kshs100,000 or imprisonment for a term of 12 months

or both instead of the Kshs10,000 that was recommended in this Bill.

Mr. Deputy Speaker, Sir, I do not think I want to bore this House with the details since I am sure they have the details of our amendments with them. However, I just wish to take this opportunity to make my concluding remarks. I am sure the rest of the amendments will be highlighted by my colleagues in the Committee.

Mr. Deputy Speaker, Sir, I just wish to record our gratitude to the Ministers of Health and their staff, not forgetting the following stakeholders for the invaluable assistance they accorded the committee: The first one was Rev. Fred Muasya, who is the chairman of the Association of Kenya Medical Laboratory Scientific Officers. The second one is Mr. Bernard Mungai Kiarie, the Acting Chief Medical Laboratory Technologist in the Ministry of Health. The third one is Mr. Moses Lore, who is a Medical Laboratory Technologist from a private firm called Technomed Limited. The fourth person that was very useful to our committee was Mr. Bayaya who is a Medical Laboratory Technologist based in Nairobi Hospital and last but not least is Ms. Neem Alrutz, who is the Technical Adviser for AIDS and Child Survival in USAID. As I have already said, USAID is a major stakeholder in the area of blood transfusion.

Mr. Deputy Speaker, Sir, the Committee found it very difficult to comply with the provisions of Standing Order No. 101 (1) which provides that a Departmental Committee to which a Bill is committed produce its report to the House within seven days. This was due to the size of the Bill and the technical issues involved.

The minutes of all the sittings of the Committee are attached to the report.

With these few remarks, I beg to support the Bill. Thank you.

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Muchilwa): Mr. Deputy Speaker, Sir, thank you very much for giving me an opportunity to support this very important Bill.

The fault in our educational system has always been that Government has been placing undue emphasis on the possession of university degrees at the expense of everything else. As a result, *wananchi* have had to sell their chicken, sheep and cattle to make sure that their sons and daughters go to university to study history, geography and other disciplines. This is because if you have a university degree, then you are guaranteed to have a good income and you are recognised. By giving an institutional framework to people who work as medical technicians and technologists, the Government has in effect shown that it is beginning to recognise the important role that these people play in the society as, indeed, was explained by the two Ministers in that Ministry. It means that the discrimination that used to take place where a very experienced technologist would automatically earn less salary than a medical intern will now not be there. It means that by creating other recognisable professions over and above those that have university degrees only, *wananchi* can branch out and study courses that are practical and which will enable them to make positive contributions in their society as Kenyans. I hope that the Ministry will correspondingly reward them, particularly in the Civil Service so that they are motivated.

Mr. Deputy Speaker, Sir, having said that, the Ministry should, after training these personnel, first of all expand their training so that they have more trained technologists and technicians and then find a way of using them properly. I have in mind an area like herbal medicine. We spend a lot of money on imported medicines in this country when, in fact, with research we can perfect our medicines and, in fact, export them. People were very excited when they heard about Viagra and yet Kenyans have always had their own medicines which answer to that one very well. They have got *mukombero* which is found in Western and Nyanza Provinces.

Mr. Deputy Speaker: Order! Order, hon. Members! It is now 5.30 p.m. and we have to move on to the Next Order.

MOTION FOR THE ADJOURNMENT UNDER STANDING ORDER NO.20

LOOMING FAMINE CRISIS

The Vice-President (Prof. Saitoti): Mr. Deputy Speaker, Sir, I beg to move that the House do now adjourn.

Mr. Munyes: Mr. Deputy Speaker, Sir, in seconding this Motion, I would like to say that, it is a Motion of national concern. We all know that the country is facing a famine crisis. We have received reports from the media and especially, we have seen KTN showing disturbing pictures and we have seen how people are suffering all over the country.

Mr. Deputy Speaker, Sir, I will try to confine my contribution to specific regions in Turkana District because I know that this will generate a lot of discussion, and my colleagues will contribute and give examples from other parts of the country.

Mr. Deputy Speaker, Sir, this is a very shameful thing and it has come at a time when this country should be responsible to its people. This country has resources that can enable us to mobilise and help our people to come out of

this kind of a problem. We shall be doing our people a lot of injustice, if we allow them to starve to death. It seems as if this country is divided into two worlds; one of those people who are starving and one of those who are very rich and who have a lot to eat and throw away. But the power is with the Government of the day.

We have the Office of the President which is responsible to the citizens of this country. It is the responsibility of the Government of the day to ensure that the citizens are fed and that they have shelter, medicine, water *et cetera*. This is a human right, but this Government has neglected some parts of this country. Recently, we saw pictures of people who are suffering due to hunger and many Kenyans cannot imagine that this type of thing is happening in this country.

Mr. Deputy Speaker, Sir, I come from Turkana and I saw such pictures when they were shown for the first time and I thought that they were pictures from Sudan. I am sure many of us did not eat that day when they saw such bad pictures. I am sure those who saw those pictures, did not enjoy their breakfast that morning. It was very bad and shameful for this country.

So, it is upon the Government of Kenya to take immediate steps to arrest this problem. It is very simple, because if our Government does not have enough food, we can appeal to friends to assist us solve this problem.

One month ago the Ethiopian Government appealed to the United Nations (UN) and they got assistance in terms of relief food for the famine stricken areas in Ethiopia. But in this country, nobody cares. For example, on the situational reports, Turkana has so far lost between 50 and 100 people. We have 40 per cent of 450,000 people starving in Turkana District; 36,000 children have been affected. I am not just quoting imaginary figures, but I am quoting these figures from the report I picked from the Office of the President. This is what the Office of the President reported in its meeting last October and it was widely circulated. These are very bad reports. If the Government can just sit when the citizens are languishing under such kind of problems---

Mr. Deputy Speaker, Sir, the 6,000 bags of maize given to Turkana District are not enough. According to the requirement of the World Food Programme, a minimum ration per person per month is supposed to be 12 killogrammes. The Government is only giving about two killogrammes per person per month. So, it is very insignificant and the Government should not be giving that amount of food because what we are doing is putting people in more problems.

Mr. Deputy Speaker, Sir, I want to raise four issues concerning my district, just to highlight the gravity of the problem. Turkana District has the best early warning system. In fact, the best model in African is what we call Turkana Drought Monitoring System. This model is in Turkana and its work is to monitor and assess drought and to prepare the Government for intervention. We are putting a lot of taxpayers' money into this particular system. So, what is the point of using a lot of money for this particular system if information is given to the Office of the President and no action is taken thereafter? What is the point of starting Turkana Rehabilitation Project to undertake these famine projects if nothing is being done? We should not be spending money on these particular institutions if the Government is not taking them seriously.

Mr. Deputy Speaker, Sir, we have refugee camps in Turkana and last month they burnt tonnes of food inside Kenya and many other tonnes in Sudan. There are several refugee camps in my constituency and I have over 50,000 people starving around these camps. We are talking of a Government which is supposed to feed its citizens. We are having refugees in our own country enjoying all these services; like having swimming pools there when my livestock cannot get water, but the refugees can get enough to swim in.

There is a lot of food out there and we sell our labour. There are very good schools and we have closed many of them because of 12 to 13 per cent completion rate is becoming difficult because there is no food in the schools. The best schools in the district are the schools for the refugees because they have everything.

Recently, a boy went to a priest and asked him: "Father, how can I become a refugee?" This is what is happening in Turkana now! Everybody is asking: "How can I become a refugee?" This is because if he is a refugee, he can eat food, he can get all the books, if he is student; life is better there, there is a lot to eat, there is enough water and he can swim. All this is happening in a country that is fairly rich. We have enough resources and we can mobilise them among ourselves. What we are only doing is giving the Provincial Administration some thousands of bags of maize to give people two killogrammes to each person.

Recently, we saw the Minister giving out two killogrammes of maize per person in the Coast. Sincerely speaking, is it enough to give two killogrammes of maize per a person per month?

Hon. Members: Shame! Shame!

Mr. Munyes: Mr. Deputy Speaker, Sir, these are really the issues that this Parliament should discuss today. On long-term planning, I know that getting food all the time is not easy and what this Government should be doing is to start long-term planning. We have the irrigation schemes and fishing activities in Lake Turkana which the Government has neglected all this time.

In the 1960s, the fall back activity for pastoralists during famine was fishing. I remember all my parents used

to go fishing that time because it was a very bad time for the Turkana people, but the Government did not do anything to improve the fishing sector. The irrigation schemes along Rivers Turkwel and Kerio, according to the Ministry of Agriculture and Rural Development, are twice the potential of Trans-Nzoia. So, we have the capacity there and we can produce enough food in that district, if the Government can support the activities there. What I am trying to bring to this House today is not all about improving the development sector, but taking immediate steps to arrest the famine that is now affecting Turkana District and many other parts of this country. We should declare a disaster and mobilise Non-Governmental Organisations (NGOs) in this country. We have many good NGOs, like Oxfam and others, who are willing to help us but because of our ego in the Office of the President, and the attitude we have, that we will be seen as if we are a poor country and that we should not be begging around, we are allowing our people to perish. So, we should mobilise these resources ourselves, like what hon. Kapten did the other day. I understand many people are trying to come up with support, and we should mobilise NGOs who want to help us. They only want to hear from us that we have a problem, and they will come to our aid.

With those few remarks, I beg to second.

(Question proposed)

Mr. Deputy Speaker: Order! Order! As I can see, there is a lot of interest in this Motion. I would like to propose that each Member contributing to this Motion, except the Mover and the Official Responder, be allowed only five minutes. The Mover has had 15 minutes and the Official Responder will be given 15 minutes as well. Is that agreed?

Hon. Members: Yes!

Dr. Kituyi: Thank you, Mr. Deputy Speaker, Sir. I join other Members in appreciating that we were collective in identifying the crisis of famine in this country as a national crisis. If the euphoria that has been explained and demonstrated over the past weekend, about Members of Parliament rising to responsibility, is to be nurtured with substance, a crisis that has been festooned in this country for more than a month now like the crisis of famine that is going on right now, requires the attention and the abhorrence of us all. It was getting embarrassing that Kenyans were dying in their tens and Members of Parliament were talking things that were outlandish, showing no reaction collectively as a National Assembly to a major national crisis.

The hon. Mover of this Motion has brought out the reality, Mr. Deputy Speaker, Sir, that if Turkana District was located in Nairobi, we would have expressed our outrage at what was happening there a month or two ago. But we have to wait until reporters from the Kenya Television Network (KTN) go there before it clicks our conscience, because we were seeing little children dying. The reality is that many Kenyans are dying where televisions will never go. There are many of our people who started dying the moment it was noticed that there was going to be a deficit in food in certain areas of this country. The crisis in Turkana and Ukambani; the crisis in the ASAL districts, and indeed, the crisis across the country among the under-class is not an accident of geography. It is a product of mismatch between policy and resources.

Mr. Deputy Speaker, Sir, one of the most fundamental causes of the crisis of food deficit in the dry areas of this country today is the collapse of law and order. People who are permanently victims to banditry and cattle rustling, even under the best climatic conditions, cannot invest in food production. Some parts of this country, like Marakwet, have for all practical purposes been occupied by Pokot bandits. They cannot produce food if children are mowed down in health centres while going for vaccinations. Turkana has been doubly unfortunate. Early this month, the Merile crossed over into Kenya, raided and killed many Turkanas and took away their animals. Last week, the most important irrigation project in Turkana District, Katilu Irrigation Project, was raided by Pokot raiders who took away more than 1,000 cattle and 4,000 small livestock. This afternoon, Pokot raiders occupied Kainuk in Turkana and killed people and took away animals.

(Applause)

We have known what has been happening in the areas around Isiolo; that those with the best weapons can do pasture mining at the wrong time, in the wrong season occupy pastures or deplete them before the start of the critical season, and move on. When the law of the jungle is allowed to abuse traditional land tenure systems; traditional securities; when the avenues of retreat are destroyed by insensitive behaviour or crimes of omissions, the crisis of famine ceases to be an accident. We are all guilty of the crimes of omission against the victims of these pogroms.

Mr. Deputy Speaker, Sir, in parts of Trans Nzoia, Bungoma and Uasin Gishu today, there is a lot of maize which is rotting in the field because of excess rain. The disengagement of the State from facilitating the marketing of

farm produce, the absence of competent storage capacity, and the abusively extortionist work of retailers or middlemen have mismatched production and consumption of food produce in this country. That can never be blamed on nature or drought. We need, as a country, to do a number of emergency things and a number of critical long-term things. With regard to emergency things, certain areas that are major deficit areas of food today, particularly the northern districts and most of Eastern Province, should be declared emergency areas to qualify for international emergency aid that is being received by areas that are accommodating the victims of Chechnya and areas of Ethiopia which are today receiving emergency assistance.

The second thing that we need to do is to start thinking. Liberalisation is not a religion. We cannot succumb to the dictates of greedy middlemen at the expense of the livelihoods of our people.

With those few remarks, I beg to support.

(Applause)

Mr. Poghiso: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this chance. Today, we have justice and seen justice by the fact that this can be debated in this House, because Kenyans will have gone on without being brought to understand the situation in northern Kenya, if a young lady in KTN, Farida Karoney, had not gone out there to bring these images to our sitting rooms. I would like to congratulate the young lady. I would also like to suggest that sometimes, the Government has a sense of humour. In agreeing and appreciating the role of the KTN in bringing these images to the Government's information, I believe that the time has come for the Government to own up in this matter of famine. How could you sit there and say that we thank the KTN for bringing this information to us when we have chiefs, DOs and DCs in these districts, who, upto now, do not know that their own people are starving?

I do call upon this Government, which is my Government because I sit on this side--- Unfortunately, there are people called DCs in the districts who would not be ashamed to steal the baby's food. A case in point is West Pokot. You cannot believe it, but the divisions in my constituency get 50 bags of maize per division per month. How would you distribute 50 bags of maize per month to people who are already starving? I think the call for an emergency or a disaster declaration is completely in order.

Mr. Deputy Speaker, Sir, I stand here because a few years ago, in 1988, when I was elected to this Parliament, I was expelled from my party and I lost my seat just because I said that the people were starving and they were hungry at that time. We have come a long way, that today, in this Parliament, we can actually talk about this. I thank all those who helped to bring this matter to the attention of the nation.

Dr. Ali: You will not be expelled!

Mr. Poghiso: Mr. Deputy Speaker, Sir, I would like to call upon this House's Committee on Agriculture to rise to the occasion and address this matter as a matter of national importance. I would like the committee to immediately tour the arid and semi-arid land (ASAL) districts and assess the situation and come with a report that can be adopted by this House. We need a policy on the ASAL districts in this country. I do not want to waste my time, trying to respond to some of the allegations made by Dr. Kituyi on the Pokots; this is not the time to raise issues other than the food issue; we will address those issues at some other time. I think the Pokots are victims of raids by the Turkana and Marakwet people, and the other way round is also true.

Mr. Deputy Speaker, Sir, since we know that all those communities are victims of raids, I would rather we do not spend our time addressing those issues for now. I would like to call upon the Government to look for the best way of getting the food directly to the hungry rather than take it there through District Commissioners (DCs).

(Applause)

The DCs are being given allowances; those are enough for them. They should not be allowed to "eat" the relief food that is meant for the hungry. We had to kick out one of our DCs from that area because of such malpractice. I think the International Red Cross Society, and other NGOs, should be handling these emergency situations. Giving dry maize to people who are already starving, like those in Turkana, only helps to kill them. So, I would like to ask that the best people who know how to nurse very weak people, including Doctors Without Frontiers, go to those areas and help.

Mr. Obwocha: On a point of order, Mr. Deputy Speaker, Sir. Where is the Minister for Agriculture to listen to this very important matter?

Mr. Deputy Speaker: Order! Order! Mr. Poghiso, your time is out. Could you proceed, Mr. Parpai?

Mr. Parpai: Thank you, Mr. Deputy Speaker, Sir, for allowing me to contribute to this very important Motion. I come from an ASAL district. The Government has, time and again, talked of supplying relief food to famine-stricken areas countrywide. It has re-assured Kenyans that nobody would die of hunger. However, indeed, people have died of hunger. So, it is now time that the Government acted. The division I come from in my constituency gets an

average of 100 bags of dry maize per month.

If the Government is serious about averting hunger-related deaths, it should increase the supply of relief food and do it frequently. There is no need of giving two kilograms of dry maize to a starving person after two months, because that kind of supply does not help the situation. If the Government cannot afford to supply the people with maize, it should stop the exercise completely. It is shameful that even when that little food is supplied, the young and the aged people are not taken care of. How would one expect a one-year-old, or one-day-old, child to eat dry maize?

Mr. Deputy Speaker, Sir, worst of it all, famine relief maize is sold in my constituency. The Government does not provide means of transport for the maize to be transported to the hungry. Maize that is meant for people who stay between 100 and 200 kilometres away is dumped at the district headquarters and at District Officers' offices. Then, the DOs call the chiefs and order them to take the maize to their various locations without providing them with money to transport the same. In turn, the chiefs ask the beneficiaries of that maize to contribute money towards its transportation. At the end of the day, only the able get the maize. Those who cannot afford the transport charges are excluded from the list of the beneficiaries of that relief food supply.

So, I would like the Government to rise to the occasion and supply the famine relief maize to the needy. If the Government decides to supply two kilograms of maize to every individual as relief food, it should transport the same to the beneficiary. Why should those people be asked to pay for the transportation of that maize? By doing this, the Government is only feeding the able, and not the needy people in the various affected areas. It is time that the exercise of distributing relief food was de-linked from the Provincial Administration (PA). The "animal" called "Provincial Administration" has "eaten" up everything. The PA sells about 300 out of the 500 bags of maize I have said my constituency receives, and, shamelessly, supplies to the needy people only 200 bags. Therefore, we should not continue having the PA supervising the distribution of relief food. The PA has already failed the Government as it pretends to distribute the relief maize to the needy.

Mr. Deputy Speaker, Sir, we need to have a lasting solution to the famine problem. There is need for educating the pastoral communities on the need to dispose of a few of their livestock to buy and store cereals for use on a rainy day. We need to start irrigation schemes in some of those areas to avoid depending on relief food supplies. Also, there is need for the Government to buy farm produce whenever it is harvested. I come from an area which produces maize. However, whenever we harvest the maize crop, it happens that prices are below the production cost. It is high time that the Government raised taxes on imported maize and beans, so that farmers can be encouraged to produce. We need some subsidy.

Thank you, Mr. Deputy Speaker.

The Assistant Minister for Local Government (Mr. Affey): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion.

In supporting this Motion, I would like to, first and foremost, request the Minister of State, Office of the President, that, given the circumstances, the mood of the House and the current situation in the country, we declare the famine situation a national disaster, so that the affected areas can get the necessary support not only from the Government, but also from anybody else who wishes to assist our people.

Mr. Deputy Speaker, Sir, I would like to handle only one issue. At the moment, people are dying, suffering and becoming poorer. The backbone of the economy of those areas which are hard-hit by famine is livestock. I would like to request the Minister of State, Office of the President, to request the Minister for Agriculture, Livestock and Rural Development to urgently revive the Kenya Meat Commission (KMC). It has come to the knowledge of most Members of Parliament from the ASAL districts that a clique of civil servants are out to doctor some documents related to the revival of the KMC, so as to kill any initiative taken towards the revival of the KMC.

(Applause)

This is being done by our civil servants. I would like to appeal to the Minister to, first of all, investigate the matter and take action. I would also like to appeal to the Permanent Secretary, Secretary to the Cabinet and Head of the Public Service, to ensure that those officers are sacked. This is because the only hope these ASAL areas have is the revival of the Kenya Meat Commission. Animals are dying, and I am sure that if we had sold those animals to the KMC, they would have reduced poverty in our areas.

Mr. Deputy Speaker, the other serious problem in the area is lack of sufficient water. People are suffering because there is not enough water for drinking. This is because our boreholes have collapsed and the water ponds are dry. I would like to appeal to the Minister for Water Development to urgently put a master plan in place to rehabilitate all the boreholes in the ASAL areas, especially in Wajir South Constituency, which I represent in Parliament. These boreholes were drilled in 1974 through the help of the USAID and, today, they are collapsing one after another. There must be a plan to rehabilitate them as quickly as possible.

Mr. Deputy Speaker, Sir, given the concern of the hon. Members in this Motion, I would like to stop there. Thank you.

(Mr. Keynan stood up in his place)

Mr. Deputy Speaker: Order! Order, hon. Keynan! It looks like there is a lot of interest in this Motion, and the Chair will exercise its discretion under Standing Order No.17 to extend our time to 7.00 p.m.

(Applause)

Dr. Omamo: Thank you, Mr. Deputy Speaker, Sir. When you are faced with a desperate situation, you need a desperate remedy. This is not the first time that this country is facing a serious famine condition. In the mid-1980s, we had a similar famine, but no Kenyan died because of this catastrophe. This is because the food that we could get from within and outside the country reached those who were hungry. The Office of the President (OP) had an excellent system of ensuring that the food that was off-loaded at Mombasa got into the hinterland to help the people who were suffering from famine and, therefore, they escaped death. What is wrong now? Why can we not get food from within our country or from our friends outside, and get it to the people who are dying? What is hon. Nassir doing? Being happy and humble in the OP will not help the hungry people who are dying in Turkana and West Pokot!

(Applause)

This is very serious! Our country is so blessed in many respects, but we cannot afford to see a Kenyan dying in 1999 because of hunger. Something is wrong somewhere. If it is the DC or DO who is interfering with the distribution of relief food, let him or her be done away with. If it is a question of a Select Committee of the House meeting, let it be done tomorrow; if it is the question of the Land, Agriculture and Environmental Committee taking action, let it take it tomorrow, but we cannot afford to see our people dying because of hunger!

There is need for immediate action to be taken because of the immediate problem and then think about the long-term solution. The long-term solution, in my opinion, is that a time has come when the food policy of Kenya must be reviewed. It appears to me that almost every major food crop or cash crop is in trouble. Coffee, tea, sugar-cane and maize are all in trouble. Even fish is in a lot of trouble!

(Laughter)

There is need for us to review our food policy. For example, time has come for Africa not to depend too much on rain-fed agriculture. Let us go in for irrigation to boost the yields of our food and cash crops. We can do it because we have the rivers, lakes and what I always call the hillocks along the lake shore, which can help with gravitational irrigation. We need a review of the food policy.

Mr. Deputy Speaker, Sir, with these remarks, I beg to support.

Mr. Musila: Thank you, Mr. Deputy Speaker, Sir. I rise to support this very important Motion. This is because, as you know, I come from a district which is worst hit by famine. I would like to associate myself with my friend who said that the amount of famine relief food that is being given is totally inadequate. This is because to give someone two kilograms of maize every month is laughable. Therefore, the Government should be serious and decide on what to do with this catastrophe in this nation. I would like to inform this House that the hungry people are only being given dry maize. When I looked at those pictures which were taken in Turkana District and saw those people cooking maize for their children--- I think we are not serious! It is high time that the Government looked into the matter and gave out not just maize, but powder milk and all types of food, including porridge.

The problem of famine relief food is being compounded by transportation problems. When relief food gets into a district, as one of my friends has said, it is dumped at the locations, and then the hungry people are made to go round looking for means of transport. I wonder why the Kenya Army, which is idling in the barracks, cannot be used to transport this food to these areas. The matter is very serious.

Again, to support what my hon. friends have said, the distribution of famine relief food has been abused. Administrators have taken advantage of the famine to hold Harambees at the meetings where they are distributing food. They demand that families give them money before they are given food. Why should a hungry person be subjected to part with Kshs10, so that he can be given one kilogramme of maize? I think it is laughable and very bad, and we must ensure that this is not done.

I would like to introduce one area which has not been touched; schools. We have a very high rate of dropout of children from primary schools. As I am speaking now, most of the children from the affected areas have dropped out of primary schools. For example, thousands of school-going children have dropped out of school in my district because they cannot concentrate in their education due to hunger. It is high time that the Ministry of Education also ensured that students are fed during lunchtime in all these areas.

The other area is secondary schools. Imagine when families have no food to feed their children, and they are required to pay up to Kshs15,000 as school fees for secondary school children. Children have left secondary schools because they cannot afford school fees. All we are doing is to tell headmasters not to expel students. They are expelling children because they have to eat in school. I am proposing that in view of this problem that we are facing, all districts which are affected should have a moratorium of paying school fees. The Government must ensure that these children go to secondary schools, and co-exist for two years without paying school fees so that they can follow education. If this is not done, I am afraid we are not only going to lose people who are going to die because of famine, but we will also lose a lot of children who are not going to follow their education. They are going to drop out and their lives will be ruined. Therefore, I appeal to the Government to put a two-year moratorium so that fees should not be paid in secondary schools in these famine districts. This will ensure that the students are able to continue with education. Finally, long-term policies must be put in place. Ever since I was a young District Officer, we used to talk about famine relief. It is high time the Government put in place long term policies. These will include irrigation schemes. In Ukambani, we have two rivers, the Tana and Athi. All we need is water for irrigation and I can assure this House that we will feed the whole nation.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Shill: Thank you, Mr. Deputy Speaker, Sir. This issue of famine is a real concern and there is no debate about it. One issue is that while the Government is aware there is famine, up to now we do not have any Minister, Permanent Secretary or senior Government official who has visited those famine stricken areas. That shows---

(Mr. Nassir interjected)

You have only visited Tana River!

The Minister of State, Office of the President (Mr. Nassir): On a point of order, Mr. Deputy Speaker, Sir. My colleague on the Floor, who is a Muslim like me, should never say that. I have walked down day and night in various places. The last time, they even wanted to kill me.

Mr. Shill: Mr. Deputy Speaker, Sir, I know that hon. Nassir visited Tana River District for a Harambee. First, I would like to join my colleagues in thanking the KTN for highlighting issues. I would like the other media to also visit those places. Most of these other Ministers say that they cannot go to that place because it is inaccessible. In my constituency, 13 people died last month of hunger. There is no disease called hunger, but people die of diseases related to hunger. I would have really loved to show them the 13 graves of people who have died of hunger, some of them women and children. We are aware that the Government gives out some famine relief. They give out with one hand, and take it back with the other. They provide famine relief, but do not give money for transportation. They will give Kshs90,000 for the entire district for the transportation of famine relief food. This food is given to the DC's, DO's and chiefs as a blank cheque to sell under the pretext that they are transporting it.

Some of these DO's and chiefs return that money back to Ministers and Permanent Secretaries for Harambees. If this Government is very sensitive to the people's needs, why should they give them only maize, which consists of carbohydrates? Where is the food that contains proteins, vitamins and other nutrients? In my constituency, there is a place called Hagadera refugee camp. Life in this camp is better than the life of those people outside. I want them to challenge me. I will even hire a plane and take them to Hagadera to show them the lives of refugees in that camp, and that of Kenyans outside that camp. It is a challenge!

This Government should not be ashamed of calling in the World Food Programme (WFP), CARE and other NGO's to come to our rescue. I came, today, from Garissa. My people are asking: "Why do you not call CARE and WFP to salvage us?" There is no shame in saying it is a disaster. There is a problem. We know the reality. The most hard hit areas which are now suffering are those where people keep livestock. The Government has deliberately killed KMC. The livestock farmers do not have a place to sell their animals. Are they going to eat the sand, anyway? The KMC was killed because some people wanted to grab its houses in Nairobi; they have already grabbed the KMC land.

This Government is like that queen who, when her people demonstrated for bread, said: "Why do they not eat cakes?" They are telling us to eat cakes when we are asking for bread. There is a very big river passing through Tana River and Garrisa Districts, which is under-utilised. We would not be asking for maize if the Government had not deliberately killed Bura Irrigation Scheme. Right now, the Member of Parliament for Turkana was saying that they could go for fishing, but the fishing schemes have already been killed. Our schools are collapsing. In Garissa alone,

there is Kshs13.5 million outstanding fees. Schools cannot be run. Why is this Government insensitive to its people? We would like these Ministers to feed on maize for only one day.

The Minister for Public Health (Prof. Onger): Mr. Deputy Speaker, Sir, this is an issue which is emotional, and I do not think we want to inject politics into it. We are talking about the survival of people. It does not matter where you come from, the issue is affecting Kenyans. When we look at this issue, we must look at the extent of the problem, define the problem, and then work out modalities that will address the issue. Therefore, I also join in this Motion in saying no Kenyan has any business to be hungry. It is quite correct. No Kenyan must suffer for lack of food.

Mr. Deputy Speaker, Sir, for the information of some of the Members who are here, it is important to know what you can do with what you have at hand first. If the maize is being distributed properly, I can say, as a medical doctor, that this maize has the husks which have the necessary ingredients to provide---

(Loud consultations)

Unless you just want to shout for the hollowness of it, if you want to have the academic knowledge, it is important that you get to know the truth. It is quite knowledgable---

(Loud consultations)

Mr. Deputy Speaker: Order! You may not like what the hon. Member is saying, but he has the right to say it. If he is making a scientific point, it takes another scientific point to counteract that one and not noise. Proceed.

The Minister for Public Health (Prof. Onger): Indeed, 7 to 8 per cent of the husk is pure protein. That is a scientific fact. Challenge it! The inside of the maize is oil. That is carbohydrates.

Mrs. Ngilu: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member on the Floor to really continue saying that when you give people maize, there is some protein in it? Even though he is a medical doctor, he knows, just as we do, that maize only consists of carbohydrates.

The Minister for Public Health (Prof. Onger): Mr. Deputy Speaker, Sir, ignorance is no defence. Therefore, I will proceed and make the point. Seven to 8 per cent of the husk does contain protein. The rest of it is carbohydrates and fat. On top of it, the beans that are being provided are wholesome and do provide the protein. Therefore, the point I am making is that it is quite possible within the regimen of providing the maize and beans, that we can address this problem adequately. If the problem is one of distribution then we must nail it down and say: "We have bottlenecks in the distribution." However, the food is available, and it must be distributed to the people to get adequate food supply.

Mr. Deputy Speaker, Sir, the other point, which I must say, is the problem of insecurity in this country that affects everybody. This problem requires participation of everybody, including the Government and hon. Members. It is important for our people to live in peace because when there is insecurity, it will not be possible for us to assist those desperate people. They are desperate because they need a balanced diet. Over and above that, these are the people who will always succumb to infectious diseases because their defence mechanisms lack vitamins. I hope hon. Dr. Ochuodho will understand what it means to provide your body with the necessary vitamins for the purposes of survival.

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

Mr. Munyao: Mr. Deputy Speaker, Sir, thank you for giving me this chance to also contribute. I am the vice-Chairman of the Committee of Agriculture, Lands and Natural Resources. We, in that Committee, will look into this and report back to this House.

Mr. Deputy Speaker, Sir, when it was reported that maize was eaten by locusts in some parts of this country, we summoned the Minister because we suspected there would be shortage of food in the country. However, we were assured that maize would be taken to Ukambani, North Eastern, and other parts of the country. We are now wondering: Where is the maize, which we were promised by the Minister, would be available?

Mr. Deputy Speaker, Sir, this House sought a Ministerial Statement from the Minister in the Office of the President on food situation in this country. Last week, the Minister made a statement, but we did not understand what he said. However, we wanted him to take some action, but nothing has been done, and people are starving. With the current rain, we even requested the Minister to provide seeds to our people, so that they can plant them in their farms. He assured us that enough seeds would be sent to all parts of the country, but up to now, we have not received them. How long will it take us to believe this Government? It is a shame.

Yesterday, we had a DDC meeting in Makeni District. The DC told us exactly what the Minister said in this House; that, he had received 5,000 bags of maize. These 5,000 bags of maize were of 50 kilogrammes each, instead of

the 90 kilogrammes per bag. The rest of the maize was sold on the way. In other words, the DC got 2,500 kilogrammes. However, the number of people who are in dire need of food in Makuani District is 600,000. Therefore, each family will get a kilo of maize per month. I know the Minister may not get this calculation, but if you use your calculator, you will know very well that this will be less than half a kilogramme per person. So, it is a pity to give a family of ten people a kilo of maize per month. How do you expect them to share this maize? The Minister has to tell us. We are told that relief food is being used as a weapon to silence some individuals. If this is the case, then we must be told. The kind of quota system being applied by the Minister--- The Minister is quite insensitive about the famine situation in this country.

Mr. Deputy Speaker, Sir, the issue of food must be addressed without favour or fear. We are asking the KBC to highlight the food situation in this country. We know it is a Government corporation, but it must say exactly what is happening on the ground. In the Kiswahili language, I am told that KBC stands for "Kenya Bila Chakula." The KBC must tell us about the famine situation in this country. This point is very interesting and I do not want to take a lot of time on it. I am asking the Minister to declare Ukambani, Eastern Province, Turkana District and North Eastern Province disaster areas. This is because the people of Ukambani require beans, maize, cooking oil and salt among other things.

Mr. Deputy Speaker, Sir, this Government should open up KMC. My committee has recommended very strongly that the KMC should be opened. In 1984, when there was serious famine in this country, we took our dying animals to KMC. This assisted our people.

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

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Sudi): Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to contribute to this very important Motion on famine in Kenya. I stand here today as a dejected, disappointed and very miserable and desperate Kenyan because, right now, the problem of famine in Kenya is very serious. Yesterday, we saw what is happening in Turkana and other parts of the country. There is famine everywhere in this country. For example, in Marakwet District, there is famine which has come about because of insecurity. The insecurity hit that area a long time ago. Security is paramount for day-to-day activities in this country. Marakwet District is capable of feeding the whole of Kenya. It stretches from the highlands to lowlands with very beautiful terrain. If Marakwets could settle on their farms, they would do farming and keep animals like sheep and cows. Our district can be compared to Scotland or Austria, because we can rear Merino sheep for wool. We can also grow maize, wheat and millet, which is very useful for diabetic patients. In the lowlands, we have so many orchards where we can grow oranges, pineapples, pawpaw and water melons.

Mr. Deputy Speaker, Sir, there is a problem of insecurity in Marakwet District. This has brought about shortage of food. We can do irrigation in Marakwet District because the land is fertile. We refer to this district as "Canaan". However, it has been turned into Kosovo or Baghdad because of the war, and our people are desperate. Recently, because of lack of security, 11 people were killed in Tot, of whom seven were children, three were women and two old men.

Mr. Sambu: Very sad!

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Sudi): Mr. Deputy Speaker, Sir, we are asking ourselves: Are we in Kenya, or where are we?

Hon. Members: Kosovo!

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Sudi): Mr. Deputy Speaker, Sir, it is a very desperate situation, and I can take all hon. Members there to witness it. Because of lack of security, people have fled to caves and forests; they have left their homes. Even the schools, on which we have used a lot of money to build are deserted. They are now closed, and nobody is in those affected areas.

Mr. Deputy Speaker, Sir, as you noticed, recently, there were over 1,000 people who immobilised the whole security system and surrounded the area. We wonder how it happened.

Hon. Members: How?

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Sudi): Mr. Deputy Speaker, Sir, it is something that we need to seriously address. Famine in this country has been caused by lack of proper management and planning of the resources which are available. Kenya is capable of feeding itself, come what may.

Hon. Members: Yes!

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Sudi): Mr. Deputy Speaker, Sir, there are various irrigation methods which have been used for a long time to feed people in other countries, and they can be improvised to feed this nation. The land utilisation policy in Kenya lacks plan and incentives. Our food distribution policy is also at stake; it is very poor because 500 bags of maize are being given out to feed a whole

district. We receive 500 bags of maize every month for our district. Which people can live on that kind of ration alone, and which is some time kept away from them?

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

Mrs. Ngilu: Thank you, Mr. Deputy Speaker, Sir. Let me first congratulate my colleague for bringing this Motion to this House at this very timely hour because the food situation in this country, as was clearly shown by different media houses, the *Daily Nation*, the KTN and the *East African Standard*, is serious. These media houses have been in the forefront in highlighting the famine situation in the country.

Mr. Deputy Speaker, Sir, I am not being heard!

Hon. Members: We must repair the public address system in the House!

*(Mrs. Ngilu moved to the Despatch Box
from her Back Bench position)*

Mrs. Ngilu: Mr. Deputy Speaker, Sir, thank you very much for allowing me to speak from the Despatch Box.

This Motion is very timely because I think this is just what the people out there in the countryside would expect. I also want to join everybody else who has brought out the famine situation in the country and talked about the KTN highlighting what is happening to the countryside about the food situation there. The media houses that I mentioned earlier on have been in the forefront in doing that. Surely, it should have been the duty of the Government to do that, and not only to highlight, but to actually see how they can help in the situation, because we are talking about one of the most basic requirements in life. We can talk about anything else at the moment, but I think that time is here for us to agree. I would like to propose that any other Government project that is being sought now may have to be suspended, so that people get food first and foremost.

(Applause)

I do not think there is anything else that is more important at this point in time than food.

Mr. Deputy Speaker, Sir, you have heard about the hopelessness in which our people have found themselves. I have heard and even shared it with my colleagues, that there are some people who have said that they would rather be in jail than in a refugee camp; that they should actually do some petty crimes so that they get jailed. When a situation gets to that point, it is up to us to make a decision once and for all.

Mr. Deputy Speaker, Sir, we should also not forget that many students have stopped going to school, not only because of the food situation, but also because of the poverty that exists. I have heard some people say that we are all affected equally. This is not true because there are other people who are more affected by the food problems than others. If most people in this country had money in their pockets, they would always be able to afford to buy food. Therefore, I think we are affected differently. Since more than 50 per cent of the population is affected, we have to get down to business and feed the people.

Mr. Deputy Speaker, Sir, I think the policies that the Government has come up with, time and again, are fantastic. The problem is that they are never implemented. Why do we formulate policies that we cannot implement? One of the reasons is simply because when important policies like the food policy are being formulated, the gender imbalance is usually glaring. It is only men who sit and discuss about food. I think it is time that whatever food policy is formulated, half of the committee members should be women.

Mr. Deputy Speaker, Sir, I would also like to propose that we suspend Harambee at the moment, so that people are not unnecessarily asked to give "something small" so as to get food. I agree with Prof. Ongeri that we should not politicise the food issue. This has been done before. For example, in Ukambani, it has always been politicised. In fact, in most places, people are told: "KANU imewaletea mahindi, let SDP also provide for you." This is incitement.

I beg to support.

Mr. Mbela: Thank you, Mr. Deputy Speaker, Sir, for giving me a chance to contribute to this Motion. I would like to start by saying that I support the Motion.

Mr. Deputy Speaker, Sir, famine is real in this country. There are many people who have suffered and actually died because of lack of food. People used to survive on wild fruits, which are now not available. Whatever Government subsidy that is being given to the people is certainly not sufficient. In other cases, the whole of it does not get to the people. For example, in my own district, where my constituency forms 30 per cent of the district, we are only provided with 100 bags of maize per month. The poor man who has no food is required to pay Kshs20 for transport in order to get that food. Otherwise, they are denied the food. The whole situation is pathetic.

Mr. Deputy Speaker, Sir, the famine

situation was aggravated by armyworms which invaded most parts of the country. Immediately after the armyworms, people consumed the little that was left. So, in reality, the people have suffered a great deal. It is very important that the Government finds enough money to be able to feed its people. If we do not find the money, we will find that there will be very few people who will continue to support the Government at the end of this very bad season.

Mr. Deputy Speaker, Sir, I agree with my colleagues that, if necessary, we should suspend even some of the projects so that we can raise enough money to feed the people. The entire country, particularly the 80 per cent which constitutes the ASAL areas, should be declared a disaster area. I cannot understand why the Government feels embarrassed in admitting that people are starving and have died either from famine related problems, or even simply from famine. Certainly, maize alone cannot rescue the people from the problems they are facing, and even if beans are added cannot be enough. We have children who cannot survive on maize and beans alone. We have to find a way of being able to---

Mr. Wambua: On a point of order, Mr. Deputy Speaker, Sir. Through the Chair or the relevant committee, I want to request that when this House adjourns, the sound system be overhauled because we cannot hear properly. We do not think that we will stay in a House with such a system.

(Applause)

Mr. Deputy Speaker: Order! Hon. Wambua knows very well that, in fact, the Chair has made that ruling several times in the recent past. So, something is being done about it. But intervening on a point of order to consume hon. Mbela's time is not being fair to him! Proceed hon. Mbela!

Mr. Mbela: Thank you, Mr. Deputy Speaker, Sir, for intervening. We need a transparent way of distributing this famine relief food. Clearly, a lot of the food has disappeared through the protected Provincial Administration. It is important that we get the hon. Members of Parliament, councillors and even party officials, to get involved in the distribution of the famine relief food, if it is to actually get to the people. We need to agree that in addition to the Government getting money to buy the food, it need to offer transport to take the food to the people without having to charge them anything.

In addition, it is about time that we gave serious attention to starting an ASAL Ministry. I realise that right now, it is a department with the Office of the President, but I am sure that, that is not doing any justice. We have relied for 35 years on being fed by the 20 per cent of the high-potential areas of Kenya. We need to be in production in the 80 per cent of the country which constitutes of the ASAL areas. Thank you, Sir.

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order! Order, all of you! Look at the time, hon. Members! We agreed that the Official Government Responder would be given 15 minutes. It is now 6.45 p.m.; so, hon. Nassir, the Floor is yours!

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu wa Spika, leo nina furaha kubwa kuwaona waheshimiwa Wabunge wenzangu wakiwa na nia nzuri kwa watu wetu katika Kenya. Hili ni jambo la kufurahisha, na ninaomba jambo kama hili litokee kila mara kama kuna taabu au fujo. Katika kusema kwenu leo, ijapokuwa mimi nimeomba chakula nje, lakini mwenendo kama huu utaonyesha kuwa hili Bunge linashughulikia watu wetu ambao wamekubwa na taabu. Ninawashukuru Wabunge ambao kwao kumekumbwa na njaa ziadi kwa kujitokeza kwao kuwasaidia watu wao. Ni lazima mtu aseme hata akiwa katika mpaka wa El Molo. Lakini langu ni kuwaomba tu: Ikiwa Mbunge au diwani yeyote ataona mfanyakazi wa Serikali akiiba na kuuza mahindi, aje ofisini kwangu. Saa hiyo hiyo, atapewa heshima yake ya kisawasawa ya kuondolewa kazini!

Mr. Ndilinge: Jambo la nidhamu, Bw. Naibu Spika. Nataka kumwambia Waziri---

Mr. Deputy Speaker: Order! Mhe. Ndilinge, ulikuwa na jambo la nidhamu?

Mr. Ndilinge: Ndio!

Mr. Deputy Speaker: Lakini lazima kwanza ungoje upewe nafasi na Bw. Mwenyekiti. Hapa ni Bunge. Sio--

Mr. Ndilinge: Ahsante sana, Bw. Naibu Spika, kwa yale yaliotamkwa na Waziri, ambaye namheshimu sana. Amesema kwamba Wabunge au madiwani wakipata afisa yeyote wa utawala akiiba chakula cha kupambana na njaa, aripotiwe katika ofisi yake haraka iwezekanavyo. Je, Bw. Waziri, una habari ya kwamba Jumatatu iliyopita---

Mr. Deputy Speaker: Order! Address the Chair!

Mr. Ndilinge: Je, Bw. Naibu Spika, ni haki kwa Waziri kuliambia Bunge hili maneno ambayo siyo ya uhaki, tukijua ya kwamba, Jumatatu iliyopita, watu wa Kitaingo, Enzai na Maihiani walipoteza zaidi ya magunia 100? Hata leo, hawajapewa mahindi hayo! Je, ni hatua gani Waziri atachukua kuhusu jambo hilo?

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, nilikuwa nikiendelea na

maoni yangu. Lakini kama yeye ana ushahidi, aje ofisini kwangu, na atakwenda na huo ushahidi kortini.

Mr. Raila: Jambo la nidhamu, Bw. Naibu Spika. Je, ni sawa kwa Bw. Waziri kupotosha Bunge hili kwa kusema eti Wabunge wakipata mtu yeyote, waende kupiga ripoti kwa ofisi yake, na huku tunajua ya kwamba Mbunge wa Kitui ya Kati alitaja DC mmoja ambaye alipatikana akichukua chakula ya wasio na chakula na kukiua?

An hon. Member: Na hajafanya kitu!

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, wakati wa kuzungumza siasa umefika. Lakini, haswa, tunazungumza habari ya chakula. Chakula kwa binadamu ni kitu kikubwa sana. Mtu yeyote ambaye anajaribu kupeleka mambo ya chakula kombo, hajalala na njaa. Kama amewahi kulala na njaa siku moja, hawezi kuleta maneno hayo.

Yangu ni kuwafahamisha ndugu zangu Wabunge, ambao wametoa mioyo yao kusaidia Serikali. Serikali ni yetu sote pamoja! Hata mhe. Nyanja pia alikuwa kwa KANU! Tulikuwa pamoja tukiunda Serikali. Kwa hivyo---

Mr. Wambua: On a point of order, Mr.

Deputy Speaker, Sir. Is it in order for the Minister, while he knows that this is a very important matter, to keep on going round, telling people that no one has died of hunger, while some people have died? One man committed suicide in my constituency last week because he said he could not wait and see his children crying!

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, namshukuru mhe. Wambua kwa sababu nilienda kwake kufanya kazi na nikamsaidia. Yangu ni kuwaambia kwamba Serikali imejaribu vile iwezavyo kuzungumza na Non-Governmental Organisations (NGOs) na Serikali nyingine ili kusaidiwa na mambo ya chakula. Hivi sasa, tunatia nguvu kuona chakula kimepelekwa kila mahali. Nawaomba mnisaidie katika kazi hii. Mtu akiwa ofisini hapa Nairobi hawezi kuona mambo yote huko. Lakini wale Wabunge walioko kule, wakati tunapeleka chakula, wachunguze ili wajue ni akina nani wanaharibu mambo haya.

Lakini mambo ya njaa hayajafanywa na Serikali. Njaa imeletwa na ukosefu wa mvua, na haya ni mambo ya Mwenyezi Mungu. Ukavu wa nchi hauko Kenya peke yake. Kulikuwa na ukavu huko Israeli, Uarabuni na nchi nyingine. Lakini nia kubwa ni kuketi na kufikiria njia za kuondosha ukavu kabisa. Tatizo la ukavu laweza kutolewa na maji. Tunaomba Serikali za nje zitusaide kuchimba visima na mashimo ya maji, ili watu wapate maji ya kulimia. Kulima ndio dharura kubwa.

Bw. Naibu Spika, tunamwomba Mungu atusaide ili tuweze kupata mavuno ya kutosha kutoka kwa mashamba yetu na tupate chakula cha kuwapelekea ndugu zetu wanaotoka katika sehemu kavu. Serikali imetoa pesa kupitia Wizara za Kilimo, Afya na Maji---

Mr. Kihoro: Jambo la nidhamu, Bw. Naibu Spika. Ijapokuwa niengenda sana Waziri aendelee na yale anayoyasema, yale anayoyaangalia yako mbali sana na hali watu wetu wanakufa njaa sasa hivi. Je, anaweza kutueleza ni vipi wale watu walio na njaa watalishwa?

Mr. Deputy Speaker: Mhe. Kihoro, hilo ni swali. Endelea Bw. Waziri.

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, ni lazima tuwafahamishe ndugu zetu hali ilivyo, ili wakienda nymbani wajue watafanya nini. Serikali imepeleka mahindi kila mahali katika nchi hii. Hata tumepeleka maharagwe katika sehemu ya Turkana, na ninawaalika Wabunge---

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Endelea Bw. Waziri.

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, ninazungumza mambo ya chakula, lakini wale ambao wameshiba wanafanya mchezo hapa! Tuna chakula cha kutosha katika nchi hii, na siku ya Alhamisi nitapeleka chakula katika sehemu ya Turkana. Ninawaalika waheshimiwa Wabunge waandamane nami katika shughuli hii.

Mr. Murathe: Jambo la nidhamu, Bw. Naibu Spika. Huyu Waziri hana haya! Juzi tuliona Mzungu akiomba usaidizi wa chakula ili aendelee kuwalisha Waturkana wanaokufa njaa. Baada ya hayo, inawezekanaje Waziri kusimama hapa na kusema kwamba kuna chakula kingi katika nchi hii?

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, hii ndiyo siku yangu ya kuwasikiliza Wabunge wenzangu. Kila mmoja aseme vila anataka! Mliwaona Waturkana walio na njaa kwenye televisheni, lakini hakuna mmoja wenu aliyenda kule kuthibitisha jambo hilo. Inafaa tusaidiane kama Wabunge kwa kusema jinsi chakula kitafikia watu wetu.

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

Mr. Deputy Speaker: Order, Mr. Munyao! The Minister is responding to a point of order!

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, mambo yaliyotuleta hapa ni kuona kwamba walio na njaa wanapata chakula. Ngingependa kila mhe. Mbunge aende katika wilaya yake aangelie

kama kuna ukosefu wa chakula ili anijulishe kupitia kwa ofisi ya mkuu wa wilaya.

Mr. Katuku: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to tell this House that hon. Members should go back to their districts and inform the DCs that there is lack of food in their areas? In my home district, we made proposals four months ago that we need more than 10,000 bags of maize per month, and yet we are being given only 5,000 bags.

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, niliteuliwa Waziri wa mambo ya chakula miezi miwili iliyopita. Lakini kama mhe. Katuku ana haja ya kufanya kazi, aje tufanye pamoja. Kila mtu ana makosa, lakini kwa mambo ya chakula, tunahitaji mchango wa kila mtu. Haitatusaidia kutafutiana makosa. Mvua inatoka kwa Mungu na sio kwa binadamu wala Serikali ya KANU!

(Laughter)

Mr. Mwenje: On a point of order, Mr. Deputy Speaker, Sir. I know the truth since I was at one time in charge of supplies in that Ministry when I was an Assistant Minister there. Is the Minister in order to continue blaming the weather when we know it is the Government that sold maize from the silos? As we are talking now, there is no maize in the silos.

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, kuna watu wengine wakizungumza, inatajikana uwanyamazie maanake tabia yao itaonekana katika mdomo wao. Lakini hasa Serikali ina nia ya kufanya kazi kwa nguvu, kama hawa Wabunge watakavyo wafanye vile vile. Mimi nataka kuwaambia ndugu zangu wanaohusika na mambo ya KMC kwamba Serikali imekwishaweka karatasi kabisa ya kuzungumza, kununua au kufanya vipi, lakini kuifufua tena ili wale watu wenye ng'ombe, ikiwa hawana chakula, wapate kuuza ng'ombe wao, ili wapate kujisaidia. Watu wamepata nafasi kuzungumza hapa---

Mr. Munes: On a point of order, Mr. Deputy Speaker, Sir. We have the armed forces in this country which should be helping us transport---

Mr. Deputy Speaker: What is your point of order?

Mr. Munes: My point of order is, is it in order to say our resources are not enough and yet we have available resources around? The armed forces are just here to help us. They cannot drill a borehole---

Mr. Deputy Speaker: Order! That is not a point of order. You are instead arguing. Proceed!

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, zamani kulikuwa na kitabu kimoja kilichoitwa "Jifundishe Serikali Yako". Umefika wakati watu waletewe kitabu hiki ili wajue ni nini maana ya Serikali.

Mr. Nyanja: On a point of information, Mr. Deputy Speaker, Sir. I want to inform the Minister, who is very powerful in the Office of the President, that I am co-operating with the Government, but if one person dies from my constituency, Ndeiya Location, then that co-operation will cease.

(Laughter)

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, kama waheshimiwa wanaweza kuniacha kidogo ili nimalize maneno yangu, mimi nakubaliana nao, kama kuna njaa, kuna njia ya kusadiana nao ili chakula kiwafikie. Lakini Serikali ina chakula cha kutosha. Mambo haya ya makosa madogo yanatokea tu.

Mrs. Ngilu: On a point of order, Mr. Deputy Speaker, Sir. I have heard the Minister say that the Government has adequate food, but where is the food? Can he tell us where the food is?

Hon. Members: Why are people dying? Chakula kiko wapi?

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, chakula hakiwezi kuja hapa katika Bunge. Kiko mitaani huko.

(Laughter)

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

Mr. Deputy Speaker: Order! Minister, can you finish.

The Minister of State, Office of the President (Mr. Nassir): Bw. Naibu Spika, nafurahika sana kabisa na hata mkiinua mikono yenu na mkikasirika, bado ukweli ni ukweli, na nishawaambia. Lakini hasa ni lazima tuwatazame watu wote katika Kenya na tuone kwamba kila mtu amepata chakula, na namuunga mkono yule mtu aliyeleta Hoja hii. Ni mtu mwerevu sana na ni hodari. Asante.

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, that brings us to the end of that debate. The House therefore, stands adjourned until tomorrow, Wednesday, 17th November, at 9.00 a.m.

The House rose at 7.00 p.m.