

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 18th September, 1997

The House met at 2.30 p.m.

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

PRAYERS

NOTICE OF MOTION

ESTABLISHMENT OF FERTILISER PLANT

Mr. D.D. Mbela: Mr. Temporary Deputy Speaker, Sir, I beg to give notice of the following Motion: THAT, being aware that agriculture is the backbone of the economic development of this nation and also being aware that fertiliser is an essential component in the enhancement of our country's output; considering the negative impact that increasingly expensive fertiliser has so far had on agriculture of this country, this House urges the Government to urgently establish a fertiliser plant to produce appropriate and cheaper fertiliser for the Kenyan farmers.

ORAL ANSWERS TO QUESTIONS

Question No.536

SETTLEMENT OF BANTA SISAL ESTATES SQUATTERS

Bishop Kimani asked the Minister of State, Office of the President when squatters in Banta Sisal Estates of Ndungiri Location will be settled.

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

I am not aware of the existence of any squatters in Banta Sisal Estates of Ndungiri Location.

Bishop Kimani: Mr. Temporary Deputy Speaker, Sir, the answer given by the hon. Assistant Minister is very saddening. In Banta, we have indigenious people who were brought up there and who are landless. Their fathers and their great grandfathers died there. I would ask the hon. Assistant Minister to be sincere and answer this Question correctly because he knows that Banta Sisal Estates exist.

Mr. Wamalwa: On a point of order, Mr. Temporary Deputy Speaker, Sir. I know of the area and the estate that the hon. Questioner is talking about is called "Banita", but here it is spelt as "Banta". Maybe that is what has caused the confusion. I do not know whether the Assistant Minister is aware of that?

The Temporary Deputy Speaker (Mr. Wetangula): Bishop Kimani, did you ask about "Banta" or "Banita"?

Bishop Kimani: Mr. Temporary Deputy Speaker, Sir, it is "Banita" Estate.

Mr. Manga: Mr. Temporary Deputy Speaker, Sir, I cannot be expected to answer questions pertaining to another area rightly. So, if the word is wrongly spelt, maybe that is the reason for the confusion. But as far as I am concerned, we do not have any squatters in this particular estate which is referred to as "Banta" on the Order Paper..

Mr. Achola: On a point of order, Mr. Temporary Deputy Speaker, Sir. If that is so, could the Assistant Minister tell the House where this "Banta" that he is referring to is located?

An Hon. Member: Exactly! Where is Banta?

Mr. Manga: Mr. Temporary Deputy Speaker, Sir, that has no relevance to this Question because I do not think I should be taken to task to answer where it is located vide a different Question. If you want me to answer that Question, then re-phrase it later.

The Temporary Deputy Speaker (Mr. Wetangula): Bishop Kimani, it does appear that you might not get a just answer to your Question because of the spelling mistake. Can we defer the Question to next week so that the

Assistant Minister can bring a correct answer?

Bishop Kimani: Mr. Temporary Deputy Speaker, Sir, I will go for that, but I would like to inform the Assistant Minister that when I asked this Question, I used the word "Banita" and not "Banta".

The Temporary Deputy Speaker (Mr. Wetangula): You can see him privately and correct the spelling mistake.

Bishop Kimani: Mr. Temporary Deputy Speaker, Sir, when is he bringing the correct answer?

Mr. Manga: Mr. Temporary Deputy Speaker, Sir, I will do that next week on Tuesday.

The Temporary Deputy Speaker (Mr. Wetangula): We will defer the Question and find a suitable time for it.

(Question deferred)

Question No.595

ISSUANCE OF INVALID INSURANCE
POLICY BY ACCESS INSURANCE COMPANY

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mumba is not here? We will leave this Question until the end. Let us move on to the next Question.

Question No.289

NUMBER OF CONDEMNED HOUSES IN NAIROBI

The Temporary Deputy Speaker (Mr. Wetangula): Dr. Otieno-Kopiyo is not here? We will leave this Question until the end. Let us move on to the next Question.

Question No.367

EXPANSION OF ROADS

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Nthenge is not here? We will leave this Question until the end. Let us move on to the next Question.

Question No.240

SEIZURE OF MR. WANYOIKE'S PLOT

Dr. Lwali-Oyondi asked the Minister for Lands and Settlement:-

(a) why Mr. J. Chege Wanyoike was deprived of plot LR No. 451/1270, Nakuru Municipality, which he bought from the Ministry for Kshs154,500 and given a letter of allotment Ref: 30884/XXX1 of 31st May, 1991; and,

(b) what action he is taking to ensure that the plot in question is given to its rightful owner.

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): Mr. Temporary Deputy Speaker, Sir, you will excuse me because I have lost half of my voice because of some cold.

Mr. Ojode: It is the alcohol virus that has made you lose your voice.

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): My friend, I do not drink and you know it.

Mr. Obure: On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Ojode is claiming that the Assistant Minister has lost half of his voice due to drunkenness and I know he is a Christian. Is the Member in order?

(Laughter)

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): Mr. Temporary Deputy Speaker, Sir, I beg to answer.

My friend knows very well that I do not drink alcohol. I was with him in London where they had a very nice

dinner party and I looked after him until he arrived home safely.

(Laughter)

(a) Mr. J. Chege Wanyoike has not been deprived of his plot LR. No.451/1270 (now Block 13/124), in Nakuru Municipality. The records that the Ministry maintain shows that he is the registered proprietor.

(b) No further action is required as the plot belongs to Mr. J. Chege Wanyoike.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, I am grateful for that answer, but it appeared that when this man came to me, somebody from the Municipality had been threatening to get him out of his plot. If that is true, I will have to go and verify that, but, on the whole, I am grateful. Thank you.

Mr. Sumbeiywo: Mr. Temporary Deputy Speaker, Sir, to enlighten the hon. Questioner by giving him more facts, I would like to give him a letter that was written by Mr. Chege himself to the Ministry of Lands and Settlement saying that he was satisfied although earlier on there was an attempt by another individual to grab this land, but his efforts were thwarted.

Mr. Obwocha: On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the Assistant Minister tell this House why Mr. Chege paid Kshs154,500 for a Government plot which normally could go for between Kshs20,000 and Kshs30,000 and how big is this plot?

Mr. Sumbeiywo: Mr. Temporary Deputy Speaker, Sir, to be able to know the exact size of the plot, I have to read the answer from the Ministry. "On 25th October, 1966, by a letter of allotment 1996, Mr. Chege---"

The Temporary Deputy Speaker (Mr. Wetangula): Order! Mr. Assistant Minister, it is so simple. How large is the plot? Must you read the paper?

Mr. Sumbeiywo: Mr. Temporary Deputy Speaker, Sir, I am not able to get the exact size of the plot. It is somewhere within this long answer. I wanted to read it, but I better table it for him to read.

(Mr. Sumbeiywo laid the document on the Table)

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, can the Assistant Minister throw more light on this for us? We know there are two different things; when you buy a plot, especially from the Government, you do not receive an allotment letter, but you receive receipts to show that you have bought that land. When you receive an allotment letter, it means that you have been allotted that land by the Government and all you have to pay are the rates and such other incidental charges to that kind of land? How comes that the Ministry or the Government was selling land to somebody and giving allotment letter. In fact, this is the scenario that happens on all grabbed land because, first, you buy a plot and then you are given allotment letter at the back of the house. Can the Assistant Minister tell us how this occurred?

Mr. Sumbeiywo: Mr. Temporary Deputy Speaker, Sir, the question of buying the land does not arise. It is what the allottee was paying for the survey fees, stamp duty and so on. That totalled up to Kshs154,000.00.

The Temporary Deputy Speaker (Mr. Wetangula): Next Question, Mr. Mwaura.

Question No.639

MEMBERSHIP OF IKINU HOME INDUSTRIES
CO-OPERATIVE SOCIETY

Mr. Mwaura asked the Minister for Co-operative Development:-

(a) if he is aware that Ikinu Home Industries Co-operative Society Ltd. of P.O. Box 184, Kiambu, has been collecting some money from members of the public stating it would buy land but has not done so;

(b) if he could ensure that money paid by Mr. Ngatho Wangeci Ng'ang'a, Receipt No.3552 for Kshs2,000.00; Lucia Njeri Kshs1,000.00 Receipt No.7469 of 6th August, 1992 and many others is refunded; and,

(c) how many members are registered by this society and what the value of its assets is.

The Assistant Minister for Co-operative Development (Mr. Titi): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that Ikinu Home Industries Co-operative Society Limited, P.O. Box 154, Kiambu, has been collecting some money from members stating it would buy land.

(b) Therefore, it will not be possible for Miss Wangeci Ng'ang'a, Lucia Njeri and many others to be refunded their money at the moment because the money has been committed for the purchase of land and construction of the society's building at Ikinu market.

(c) The society has a membership of 6,000 and the value of its assets stand at Kshs9 million.

Mr. Mwaura: Mr. Temporary Deputy Speaker, Sir, what the Assistant Minister has answered is not correct because this society has been collecting money for a number of years from some of the poorest people in the rural areas and none of them has been given any promise or sign that that land the Assistant Minister is referring to has been purchased on their behalf.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mwaura, you have just made a statement, you have not asked a question?

Mr. Mwaura: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has told us that the money collected is for buying land. What evidence has been given to the people who have contributed the money that land has actually been purchased? Where is the land?

Mr. Titi: Mr. Temporary Deputy Speaker, Sir, the information I have is that the society has been trying to buy about four parcels of land. They have made an attempt, unfortunately, they have not been successful in the deal. It is only in one land which the society paid Kshs2,215,955. This land is at Mau-Narok in Nakuru District. So, part of the land has been given, but the other deals did not succeed, although the money has been deposited with that lawyer.

Mr. Michuki: Mr. Temporary Deputy Speaker, Sir, last year, I brought a Question here regarding this same co-operative society when the Minister admitted that this co-operative society has deprived a lot of people of their money because the land that was supposed to be bought was "imaginary land" in Laikipia. The Minister then asked me to write him a letter complaining that the leaders should be taken to a police station for questioning. I wrote that letter to which no reply has been sent to me. The Ministry is fully aware of this lady who resides in Ikinu and the only reason why the Ministry does not take action is because this is the KANU women leader in Githunguri. Could the Assistant Minister now tell this House what he intends to do in order to give thousands of people their justice because without his action a lot of people are going to suffer? The 100 acres bought at Nakuru does not in anyway cover the millions and millions of shillings which this lady has collected throughout Central Province, including my constituency, Kangema. Could he tell us what exactly he intends to do?

Mr. Titi: Mr. Temporary Deputy Speaker, Sir, I think the hon. Member must be aware that the Ministry has no direct responsibility on this affair. It is the committee or the society leaders who have full responsibility. According to the records, they have made several agreements and some of the money is relying with the lawyer. Especially when they tried to buy land in Laikipia, they made an agreement and paid Kshs3 million on the 22nd May, 1987 to Kai Ukai(?). There was another deal again for another farm in Chokoria which they also paid Kshs4 million through their lawyer. For Samaki Farm, 600 acres, they paid about Kshs2 million through their advocate. So, in fact, when I gave all these details, we see that the problem is not with the Ministry, but with the committee and the lawyer. Therefore, there is not much we can do. If they want to recover the money, then the only advice I can give is that they can see the Complaint Commission that can assist them to recover the money from the lawyer.

Mr. Mwaura: Mr. Temporary Deputy Speaker, Sir, can the Ministry undertake to establish the list of all the people from whom money has been collected and ensure that those people who have contributed, as members of this farm, are given their portion of the land that has been purchased? I want to lay before the House the receipts of people from my own constituency who have paid money as a shareholders. I would like the Ministry to find out exactly how soon the subdivisions of that land can be done in order that people do not continue losing their money. Can the Ministry do that?

(Mr. Mwaura laid the document on the Table)

Mr. Titi: Mr. Temporary Deputy Speaker, Sir, the Ministry is prepared to do that, if the hon. Member will give us more information, even though he has laid the documents on the Table.

Prof. Ouma: Thank you, Mr. Temporary Deputy Speaker, Sir. The question of land is a very vexed one and any company which promises the people that it is going to purchase land, it is likely to entice many people. Therefore, the chance of fraud is high. In the light of the information the Ministry has on fraudulent co-operative societies, and in the light of the answer just given today, what is the Ministry going to do, as a preventive measure, to ensure that "frauds" and connen will not freeze "land-hungry people"? What "preventive" not "curative" measures is the Ministry going to take to stop this problem?

Mr. Titi: Thank you very much, Mr. Temporary Deputy Speaker, Sir. Normally, we receive complaints

from either the members or the societies which enable us to take action. So, up to this time, we have not received any complaints from either the members or the societies whether the committees are inefficient or they have committed a fraud. There is nothing on record. So, there is nothing the Ministry can do because there is a possibility in the by-laws, that other members have committed a fraud because the actual---

Ikinu Home Co-operative Society has collected colossal sums of money from the members of the public, about Kshs20 million.

Mr. Ndicho: Thank you very much, Mr. Temporary Deputy Speaker, Sir. The hon. Michuki has said that he had asked a similar Question last year, and I remember that we gave the Minister some information. I told him that the Chairlady of this co-operative society by the name, Wanjiru Kabaki, who was working under the former DC for Kiambu, Samuel Oreta, are the two people who freezed this society. We gave him that information to follow up this lady and the former DC for Kiambu, Mr. Samuel Oreta. Could the Assistant Minister take up this lead again and follow this lady, who was also the Chairlady of KANU, Githunguri Division? They are using these positions of KANU to "freeze" other people. The Assistant Minister is refusing to follow up this lady because of that political connection. Can he confirm or deny that the reason why he is unwilling to follow up peoples' money that were "freezed" by Mr. Oreta and Wanjiru Kabaki is because she is the Chairlady of KANU, Githunguri Division?

Mr. Titi: Mr. Temporary Deputy Speaker, Sir, the hon. Member is making a lot of insinuations against Ms. Kabaki. I am not aware and I am sorry to deny that. The hon. Members have not given me any report which I have failed to act on. Hon. Mwaura is welcome to our office, we are so transparent and we will sort it out. Maybe the hon. Member did not furnish me with a letter detailing members complaints.

Mr. Michuki: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Assistant Minister has said that he has not received any complaints in the Ministry over this matter. Hon. Mwaura is a representative of the people and so is myself. We have sent these complaints on behalf of the people who have been deprived of their money to the Ministry. Is it in order that he should ignore this representation by elected Members of Parliament to whom people who have lost their money, have complained and these complaints have been taken to the Ministry? Is it in order that he should ignore elected Members? Furthermore, would he undertake to appoint a management committee like he does with co-operative societies for coffee and other co-operatives, to manage Ikinu Home Co-operative Society so that we know exactly what is going on because this money has been collected for the last 20 years?

Mr. Titi: Mr. Temporary Deputy Speaker, Sir, I share the same sentiments with the hon. Member, and I have not denied anything. I have been so open. Maybe he did not deal with me personally, so, this information is not available to me. That is why I am calling him to open a new chapter. He should come to the office through me and then we will take the necessary action.

The Temporary Deputy Speaker (Mr. Wetangula): Next Question, Mr. Mumba?

Question No. 595

ISSUANCE OF INVALID INSURANCE POLICY
BY ACCESS INSURANCE COMPANY

The Temporary Deputy Speaker (Mr. Wetangula): Is Mr. Mumba still not here? The Question is dropped.

(Question dropped)

The Temporary Deputy Speaker (Mr. Wetangula): Next Question, Dr. Otieno-Kopiyo?

Dr. Otieno-Kopiyo: Mr. Temporary Deputy Speaker, Sir, since we are now in a single-party Parliament, I beg to ask Question No.289 from this side!

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Dr. Otieno-Kopiyo in order to say that we are in a single-party Parliament, when it is known that it is a multi-party democracy in this country today?

(Laughter)

Question No.289

NUMBER OF CONDEMNED HOUSES IN NAIROBI

Dr. Otieno-Kopiyo asked the Minister for Local Government how many houses that were built without proper plans have been condemned in Nairobi during the last one year.

The Minister for Local Government (Mr. F.L. Lotodo): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

During the last one year, Nairobi City Council has condemned 394 houses and structures built without proper plans in Nairobi. The Council has consequently issued development stoppage notices or dispatched notices to the developers. Where the notices have not been complied with, the Council has either demolished the illegal structures or referred the matter to a court of law for prosecution, pursuant to the current building by-laws.

Dr. Otieno-Kopiyo: Mr. Temporary Deputy Speaker, Sir, could the Minister lay on the Table, a list of the 394 houses and structures which were built without proper plans in Nairobi and which have been condemned since then? The public ought to know which buildings are dangerous for their own safety. For example, View Park Towers whose engineering integrity is in question should be among those buildings condemned. The Minister should inform the public through the House.

Mr. F.L. Lotodo: Mr. Temporary Deputy Speaker, Sir, I do not have the list of the 394 houses and structures to table.

Mr. Achola: Thank you, Mr. Temporary Deputy Speaker, Sir. Could the Minister explain to the House how these illegal structures were allowed to come up when we have specific departments in the City Council which ought to have checked the plans before they were constructed? How did this come about?

Mr. F.L. Lotodo: Mr. Temporary Deputy Speaker, Sir, it is possible for a person to put up a house without going through the City Council. This is not impossible!

Mr. Mbeo: Mr. Temporary Deputy Speaker, Sir, it is interesting that the Minister has not laid on the Table and he is not willing to lay, the list of those condemned houses which include offices and homes. In Mathare North, we have six to seven storeys where children have died, where sewerage system have been known to be in a complete mess. In Mathare Constituency, we have houses and structures that have been built where toilets used to be. Could the Minister assure this House that he is going to table a list, as asked by hon. Dr. Otieno-Kopiyo, of all the condemned houses and structures in Nairobi City so that we can, at least, help the Government and the Ministry, to ensure that the safety of the public is maintained?

Mr. F.L. Lotodo: Mr. Temporary Deputy Speaker, Sir, I will table the list on Tuesday, next week, as requested by the hon. Member for Mathare. But as the Member for Mathare, he should have drawn the attention of the Ministry to what he knew was wrong. He should not wait until the hon. Member for Kasipul-Kabondo brings a Question here!

(Laughter)

Mr. Nyagah: Mr. Temporary Deputy Speaker, Sir, I am wondering as to whether the Minister has taken into consideration, out of the 394 houses that have been condemned, thousands of houses built in Githurai, Zimmerman, for the last many years do not have any plans? Would the Ministry get down to its work and check how many houses do not meet the requirements? I am only helping the Ministry.

Mr. F.L. Lotodo: Thank you very much for that information. I will get my engineers to work on what the hon. Member has requested.

Mr. P.N. Ndwiga: On a point of order, Mr. Temporary Deputy Speaker, Sir. While appreciating the answer from the Minister, is he in order to tell this House that he is going to bring a list of structures and buildings which have been condemned, while we also have certain structures which have been converted into "other use"? As he brings that list, would he also consider to bring in a list of structures which have been converted into "other use"? For example, on Race Course Road, there was a toilet which was converted into a kiosk. Recently, I saw some writing at the back of that kiosk which reads: "Toilet now closed, Hotel now open"! **Mr. F.P.L. Lotodo:** If the toilet was knocked down and a building was put up to the satisfaction of the engineer, then what is the problem?

Dr. Otieno-Kopiyo: Mr. Temporary Deputy Speaker, Sir, what is the Minister doing to ensure that buildings coming up within cities conform to the by-laws of the cities, so that this kind of disaster does not recur? Would he consider advertising for public consumption, the plot numbers and the names of the buildings that have been condemned?

Mr. F.P.L. Lotodo: Mr. Temporary Deputy Speaker, Sir, I have answered the last part of this Question which was raised by hon. Mbeo. I am not going to advertise but I will bring the list here. That is what you asked me

to do and I will do it next week. But to ensure that in future no illegal buildings are put up without proper plans, I will hence ask my engineers to be on the full alert. But unscrupulous people always escape.

Mr. Nthenge: Mr. Temporary Deputy Speaker, Sir, I apologise for coming late. However, I beg to ask Question No.367.

Question No.367

EXPANSION OF ROADS

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

(a) whether he is aware that many roads are narrow and yet, there are adequate road reserve areas; and,

(b) if the answer to "a" above is in the affirmative, what steps he is going to take to widen the roads to enhance greater road safety.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) I am aware that many roads are narrow due to edge chipping caused by traffic movement along the roads over a long period of time, although there are adequate reserve areas.

(b) The Ministry has a programme to have roads with chipped edges repaired, resealed, re-carpeted or reconstructed with a review to enhancing road safety. For instance, under the programme, 14 roads totalling 300 kilometres have been completed while another 18 roads totalling 878 kilometres are on-going in various areas throughout the country.

Mr. Nthenge: Mr. Speaker, Sir, other than taking care of the chippings, could the Minister consider constructing dual- carriage roads where the volume of traffic is very high, such as Langata and Bahati? Many roads are now too narrow due to the traffic congestion that we have.

Prof. Ng'eno: Mr. Temporary Deputy Speaker, Sir, we have roads classified into various categories. These categories are A,B,C,D,E. The standard width of category "A" roads is 7 metres. For category "B", it is 6.5 metres and for classes EDC is 6 metres. So, we cannot go and just double it to make it 14 metres. 7 metres is the international standard required. So, what the Member is talking about is the increase of traffic. He wishes that we had dual carriage ways and we shall consider that.

Mrs. Asiyu: Mr. Temporary Deputy Speaker, Sir, could the Minister tell this House why category "A" roads from Ahero to Kisii which was wide has now been made narrower due to the re-carpeting process? Why has this happened? The road is in category "A" and it has been made narrower by about one foot and yet, it is only re-carpeting work which has been done.

Prof. Ng'eno: Is it the one from Kisumu to Sondu to Kisii? It is not true that it has been narrowed. In fact, it is good up to Oyugis. The part that is narrow is from Oyugis to Kisii and we are paying attention to it. We do not have money right now but the contractor is still on site and we will continue to widen the road up to Kisii.

Mrs. Asiyu: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is misleading the House. I am talking about the area in Ahero that has already been re-carpeted. It has been made narrower. If the Minister is questioning my integrity, he should send his people to find out what has happened to the road.

Prof. Ng'eno: Mr. Temporary Deputy Speaker, Sir, I have driven along that road from Ahero-Sondu to Tonongoi. I am not an engineer. I did not find it to be narrow but I will send my people there again, to check and give me the facts. If the hon. Member is correct, I will make sure that it is widened to the required standard.

Mr. Aluoch: Mr. Temporary Deputy Speaker, Sir, can the Minister tell us what happened to the dual carriageway that was going to be built on the Langata Road? If it is going to be built, what is going to happen to the petrol stations which are along the road?

Prof. Ng'eno: That is a different question altogether. Langata Road is under the Nairobi City Council and it falls under the Minister for Local Government.

Dr. Lwali-Oyondi: Mr. Temporary Deputy, Speaker, Sir, while speaking about the narrowness of the roads, why is it that at the moment, in certain areas roads are wide enough but when it comes to a bridge, that bridge becomes so narrow, that it allows only one car to pass through it at ago? That can cause very bad accidents.

Prof. Ng'eno: That is meant to avoid accidents. The road has to narrow when it approaches a bridge to bring the attention of the driver to the fact that he is approaching a dangerous place and he should slow down to go over the bridge.

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, the Minister is misleading the House. Engineers who

construct the roads initially, have to design specific sizes of the bridges. The Makutano-Embu Road has two bridges that have been overwhelmed by the size of the road that is almost double the width of the one that was intended. Those are the type of questions that he is being asked.

Prof. Ng'eno: Mr. Temporary Deputy Speaker, Sir, I do not think we understand each other. I thought the question was: Why is the road narrowing towards the bridge?

Mr. Nthenge: On a point of order, Mr. Temporary Deputy Speaker, Sir. I only put one question and the Minister almost answered it, but then he evaded it! Can I ask the final supplementary question?

The Temporary Deputy Speaker (Mr. Wetangula): I thought your colleagues ably helped you!

Mr. Nthenge: They did, but there is a point he is trying to evade! The main question is this: In 1920 and 1930, there were very few cars in Kenya, and the roads were of the same width. The width has not changed up to now and yet there are so many cars now. Can he consider doubling the width of most of the roads like the one going to Nakuru, Mombasa and others? The motorists have to slow down because the roads are very narrow and the traffic is terribly heavy. You cannot overtake when the other vehicles are on-coming.

Prof. Ng'eno: Mr. Temporary Deputy Speaker, Sir, the classification of roads is based on the volume of traffic. If the traffic increases, the road is upgraded from D to C, C to B and from B to A. So, we just do not go and say that because it was the same in 1920, we have to widen it. We have to look at the volume of traffic. We are constantly reviewing that and where the traffic volume has increased, we change the classification of the road.

QUESTIONS BY PRIVATE NOTICE

DISAPPEARANCE OF MR. MWANGI

Mr. P.N. Ndwigwa: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Is he aware that Mr. Stephen Githaria Mwangi disappeared in Mombasa on 28th May, 1997?

(b) Is he further aware that statements have been recorded at Central Police Station, Mombasa, about his disappearance?

(c) If the answers to "a" and "b" above are in the affirmative, what is the outcome, if any, of the police investigation?

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

(a) No, I am not aware.

(b) No, I am not aware.

(c) Arising from my replies to parts "a" and "b", part "c" does not arise.

Mr. P.N. Ndwigwa: Mr. Temporary Deputy Speaker, Sir, I am rather shocked by the reply from the Assistant Minister. This is because the facts are that on the 28th of May, 1997, near the Tusks in Mombasa, Mr. Mwangi fell sick by the roadside. The people who operate kiosks there called the police. The police came and picked Mr. Mwangi. These people have already recorded statements at the Central Police Station in Mombasa. I am rather shocked that the Assistant Minister says that he is not aware, when the vehicle that picked Mr. Mwangi is GK 595. How can he tell us that he is not aware? Where has he buried Mr. Mwangi?

Mr. Sunkuli: Mr. Temporary Deputy Speaker, Sir, I have perused records at the Central Police Station, Mombasa. There has been no report of a missing person by that name at all. In fact, the only time I have heard of this, and the only thing that the police know about the disappearance of this person is the report that the hon. Member has made through this Question. Unless the hon. Member wants me to take some time and investigate, I have not found any trace of that person.

Mr. Shikuku: Kufuatana na swali la ziada la mhe. Ndwigwa, alimueleza Waziri Msaidizi kuwa Bw. Mwangi alichukuliwa na gari la Serikali, GK 595. Hili lilikuwa ni gari la Serikali. Anaweza kuwafuata wale waliomchukua Bw. Mwangi katika hilo gari la Serikali, ili waeleze walimpeleka wapi, na walikuwa wameitwa na raia?

Mr. Sunkuli: Bw. Naibu Spika wa Muda, mhe. Shikuku labda hajui kwamba, ripoti hiyo haijanifikia---

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Sunkuli! You started answering the Question in English, and you must do so until the end!

Mr. Sunkuli: Mr. Temporary Deputy Speaker, Sir, I do not want to contravene your ruling, except I thought that only applies to Motions. But if hon. Shikuku understands English, because I thought he asked in Kiswahili---

Mr. Shikuku: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Ni haki kwa mhe. Sunkuli kuwa na tashwishi ikiwa najua Kiingereza au hapana, na hali nilipita mthani wa wakoloni kabla ya kuja hapa Bungeni? Sitaki

kuongea Kiingereza! Nataka kuongea Kiswahili! Tena nilipokuwa Lancaster, kwani nilisema Kiluhya huko?

An hon Member: *Mundu khu mundu!*

Mr. Sunkuli: Mr. Temporary Deputy Speaker, Sir, the fact that he was at Lancaster is definitely beyond reasonable doubt. What hon. Shikuku might have missed is that I said that this report has not been made to the police. The Occurrence Book (OB) at the Central Police Station, Mombasa, does not show any report made by anybody. There are no statements which have been recorded so far. But I have taken it upon myself to continue to investigate this matter, now that hon. Ndwiga has brought it to the notice of the Government.

Mr. P.N. Ndwiga: On a point of order, Mr. Temporary Deputy Speaker, Sir. I take great exception to the insinuation that this is the first time that the Assistant Minister is learning about the disappearance of Mr. Mwangi. Before his parents came to see me about this issue, the mother, an elderly lady, had been in Mombasa for over one month, looking for her son. The sister, even up to yesterday, was still in Mombasa, looking for her brother. I am saying that statements have been written at the police station by the people who called the police. Is he in order to say that this is the first time he is getting this information, while I have already told him in my first question, that statements have actually been written at the Central Police Station, Mombasa? The relatives have been there and the reason that I asked this Question is because Mr. Mwangi's parents and relatives are not getting any assistance from the police. Is he in order?

Mr. Sunkuli: Mr. Temporary Deputy Speaker, Sir, let us not miss the point. The point is that we want to trace Mr. Stephen Githaria Mwangi. Let us not argue on whether the statements have been recorded or not. This is because I have not seen any. What I will do on my part is to make sure that the Kenya Broadcasting Corporation announces the disappearance of this man tomorrow. The hon. Member should also assist to ensure that those who have to record statements actually go to Mombasa to do so. This is because they have not done so, so far. The hon. Member has been mis-informed by those who gave him the report.

The Temporary Deputy Speaker (Mr. Wetangula): Can we have Question No. 2 by Private Notice, hon. Maore?

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, my Question has got about four parts and it is a bit comprehensive. There seems to be a mix-up regarding my copy of the written answer. What guidance can you offer? This is because I do not want to ask the Question and I am not--

The Temporary Deputy Speaker (Mr. Wetangula): If you do not ask your Question, I will drop it! That is all!

Mr. Maore: Then, I beg to ask Question No. 2 by Private Notice!

(Laughter)

OPERATIONS OF KENYA DUTY FREE COMPANY

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, I beg to ask a Minister of State, Office of the President the following Question by Private Notice.

(a) Is the Minister aware that the Kenya Duty Free Company Limited is no longer banking all its foreign currency in Kenya?

(b) Could the Minister state when the Agreement between the Government and the Kenya Duty Free Company is ending and whether work permits for all foreigners working at Jomo Kenyatta International Airport could be cancelled, except for the Managing Director and the Financial Controller?

(c) Since the Agreement required the Company to earn foreign exchange and provide jobs for Kenyans, which are no longer forthcoming, could the Minister cancel the agreement for breach of contract?

Now, on a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Wetangula): Is there any breach of order by yourself?

Mr. Maore: It is by the Assistant Minister.

The Temporary Deputy Speaker (Mr. Wetangula): Why can you not let him answer the Question and then you can raise supplementary questions.

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, that will be an ambush. There was a copy of the written answer which the Assistant Minister took away. I needed to have the answer so that I could have some background information to the three parts of my Question and in that way ask intelligent supplementary questions. I do not want an ambush.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Assistant Minister, are you ready with the answer?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I am here with the answer, but the hon. Member's insinuations that I took away his copy of the answer are not true. The

copy I have is mine. The hon. Member wants to indicate that he wants the Question deferred, and if that is the case, we can defer it so that I do not ambush him with an answer.

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, I would prefer that because it is a comprehensive Question.

The Temporary Deputy Speaker (Mr. Wetangula): Order! Once the Question runs on the Floor of this House, it is no longer the property of hon. Sunkuli or hon. Maore, but the property of the House. So, go ahead and answer the Question.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, on that wise judgement I beg---

Mr. Achola: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not like contradicting hon. Maore, but the contents of the Question constitute one of the paragraphs in the Public Accounts Committee Report for last year and the report is due to be discussed soon. So, I do not know whether we are in order to discuss this at this particular time or not.

The Temporary Deputy Speaker (Mr. Wetangula): What are you saying?

Mr. Achola: The Question forms part of the material contained in the Public Accounts Committee Report which is coming up any time in this House, although this does not stop him from asking the Question.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Maore, are you not a Member of the Public Accounts Committee?

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, I am and there is no paragraph in that report that talks about what is contained in this Question.

The Temporary Deputy Speaker (Mr. Wetangula): Answer the Question.

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

(a) I am aware that the Exchange Act was repealed by this House and the foreign currency earnings requirements were liberalized.

(b) The agreement between the Government of Kenya and the Kenya Duty Free Company is ending on July 1999. Work permits were issued for a period of one to two years only and the renewal of each of this is considered separately on its merit. The arbitrary consideration of all expatriates work permits at the Jomo Kenyatta International Airport complex cannot be done.

(c) The requirements for foreign exchange earnings became invalid with the repeal of the Exchange Act. Furthermore, the Kenya Duty Free does provide jobs for 275 Kenyan citizens. The issue of cancellation of the agreement for breach of contract, therefore, does not arise.

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, given the intrigue that was a preamble to this Question, could the Assistant Minister state who are the local KANU barons who own the Kenya Duty Free Company and who are using the Arabs as their front men? That is how money is being taken out of the country!

Mr. Sunkuli: Mr. Temporary Deputy Speaker, Sir, hon. Maore's attitude towards KANU is well known and I hope that he is not using this Question as an excuse to hit at KANU.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, could the Assistant Minister tell this House what specialized jobs there are in the Kenya Duty Free Shop which would warrant foreigners to be given jobs which Kenyans cannot do? What other specialized jobs are there other than for the two directors?

Mr. Sunkuli: Mr. Temporary Deputy Speaker, we have already said that 275 Kenyans are actually employed in the Kenya Duty Free Shop. Hon. Mulusya would appreciate the fact that it is not just a question of specialization, but that certain other members of the Kenya Duty Free also take care of the interests of the investors.

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker, Sir. Does the contract between the Kenya Government and the Kenya Duty Free shop give them the leeway to get a permit for specialized positions? Can the Assistant Minister tell the House what specialized positions, according to the contract, would make foreigners other the directors come and work there? Is the job of a cashier a specialized job?

The Temporary Deputy Speaker (Mr. Wetangula): Are you sure that was a point of order?

Mr. Mulusya: The Assistant Minister wants to evade answering the Question put to him, yet it is specific.

Mr. Sunkuli: Mr. Temporary Deputy speaker, Sir, is the hon. Member for Kagundo saying that there are no specialized jobs in the Kenya Duty Free?

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, out of the 275 jobs he talked about, does the Assistant Minister agree that when you have a foreign registered company working in Kenya, it is no longer necessary for it to earn this country foreign exchange? Is it just a matter of collecting the money from the shop and putting it on the Emirates Airlines to be taken back to Dubai? Is that why the company is there?

Mr. Sunkuli: Mr. Temporary Deputy speaker, Sir, I do not understand the purpose of that Question.

Mr. Maore: Mr. Temporary Deputy Speaker, what I asked is contained in part "a" of the Question. A company operating in Kenya or in the Export Processing Zone is there to earn this country foreign exchange. Now, here the Assistant Minister is saying that since we liberalized our market, we no longer have any interest in dollars. Could he state that on record?

Mr. Sunkuli: Mr. Temporary Deputy speaker, Sir, to me, that looks like a rhetorical question.

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, the Speaker approved this Question together with part "b", and I do not see what is rhetorical about it. Part "a" of the Question reads as follows:

"Is the Minister aware that Kenya Duty Free Company Ltd., is no longer banking all its foreign currency in Kenya?"

The Assistant responded in the positive to the above question. I went further to ask him whether he has allowed this company to operate here and any other companies without bothering to bring foreign exchange here and he answered by saying that, that is a rhetorical question.

Mr. Sunkuli: Mr. Temporary Deputy Speaker, Sir, I have answered that Question.

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

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mulusya, we have spent so much time on that Question.

Mr. Mulusya: I have a very important question.

The Temporary Deputy Speaker (Mr. Wetangula): So is Mr. Imana's Question. Mr. Imana's Question!

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, the House is just about to be prorogued.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mulusya, if any of you is dissatisfied with the answer, check in the Standing Orders and you will know what to do.

SUPPLY OF CHEMICALS TO LODWAR HOSPITAL

Mr. Imana: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice. (a) Is the Minister aware that there have been no laboratory chemicals and X-ray films at Lodwar Hospital for the last two months?

(b) Is he further aware that X-ray films for Lodwar Hospital were lost by one of the staff of the hospital between Eldoret and Lodwar?

(c) If the answers to "a" and "b" are in the affirmative, could the Minister intervene and ensure constant supply of laboratory chemicals and X-ray films to this hospital?

The Assistant Minister for Health (Mr. Criticos): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that there are no laboratory chemicals and X-ray films at Lodwar hospital.

(b) I have also been made aware that the X-ray films for Lodwar Hospital were lost by my staff at the hospital.

(c) By the end of September, 1997, my Ministry will have enough supplies of laboratory chemicals and X-ray films for distribution to the hospitals including Lodwar District Hospital. In the meantime, the hospital has been instructed to utilize cost-sharing money to purchase the X-ray films and other chemicals which are required.

Mr. Imana: Mr. Temporary Deputy Speaker, Sir, I am not surprised by the answer given the Assistant Minister. Taking into consideration what is happening in Turkana given that it is malarial zone, we urgently need these laboratory chemicals. There is no other private laboratory in the area to assist patients. What urgent steps can the Assistant Minister take to ensure that we get the chemicals and the X-ray films immediately?

Mr. Criticos: Mr. Temporary Deputy Speaker, Sir, I said that the secretary has been requested to use cost-sharing money to purchase the X-ray equipment. However, I would like to say that we are expecting at the MSU to distribute X-ray films in the whole country on 20th September, 1997, an exercise that will cost Kshs11 million.

Mr. Rotino: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister aware that Lodwar is very far, more than 1,000 kilometres from Nairobi and bearing in mind that there are no other facilities around Lodwar to assist those residents, could he therefore consider--- Is he in order to mislead the House that Lodwar is very near?

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Rotino--- "Can he consider---" "Can he therefore---" "Is he in order---" What do you want to ask?

Mr. Rotino: All of them, Mr. Temporary Deputy Speaker, Sir.

Mr. Mbeo: Thank you, Mr. Temporary Deputy Speaker, Sir. Considering the fact that the Turkanas and the Pokots have been at war for quite some time now, and since it is a known fact that they all have guns and they have

been shooting at each other during the last few months, could the Assistant Minister tell us how long the X-ray films have been in short supply in Lodwar Hospital, and if so, has he also instituted legal charges against the officer who stole the films?

Mr. Criticos: Mr. Temporary Deputy Speaker, Sir, there has been a shortage of X-ray films for approximately two months in Lodwar Hospital. The matter was reported to the Kitale Police Station in July and a statement was recorded by the person who claims to have been attacked by thugs in Kitale and the films stolen. However, what I said is that, we only have to wait for two more days for the X-ray films to arrive in Lodwar Hospital. The Central Medical Stores is expected to start distributing them on the 20th, September, 1997.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister talked about cost-sharing money expected from Lodwar. As far as we know, the people of Lodwar are not the richest people and those who go to the general hospitals are certainly poor. How does he expect cost-sharing money to come from the Lodwar people? Secondly, where do they buy those films from?

Mr. Criticos: Mr. Temporary Deputy Speaker, Sir, under the circumstances, the staff of the hospital should come to collect the X-ray films and other medical supplies from Nairobi, Eldoret and Nakuru; the five distributing points in Kenya. Therefore, it is the same thing, they still have to come with the money to collect or purchase these films from private companies. However, I am stressing again, that in the next three or four days, the X-ray equipment and chemical reagents will be taken there.

Mr. Imana: Mr. Temporary Deputy Speaker, Sir, again last time, in Lodwar Hospital, there was the issue of stolen films, radio communications and microscopes from the laboratory. Now, on this issue of X-ray films, they were stolen in a lodging in Kitale. Now, we cannot believe anything to do with Lodwar Hospital because there seems to be some collusion between the authorities there and the staff. It seems as if there is some misappropriation, to the extent that we cannot believe it any longer. Could the Assistant Minister undertake to make sure that the person concerned is arrested and charged for this?

Mr. Criticos: Mr. Temporary Deputy Speaker, Sir, this is a police case, it has got nothing to do with my Ministry. The person, in his own volition, went and reported the matter to the police and the police are investigating the matter. Obviously, the hon. Member is even aware of the place where they were stolen, which I do not know myself.

IMPORTATION OF INFECTED CUT FLOWER PLANTING MATERIAL

(Mr. Ndicho) to ask the Minister for Agriculture, Livestock Development and Marketing the following Question by Private Notice.

(a) Is the Minister aware that on 19th August, 1997, a Mr. Prinhas Moscorich of Amiran (K) Ltd., imported into Kenya cut flower planting materials of the species Papillon and Ravel (Roses) for Valentine Growers of Kiambu that were infested with Red Spidermites and nematodes from Solomons Nurseries in Israel with were later ordered burned by officers from the Kenya Agricultural Research Institute on 1st, September, 1997?

(b) Is he further aware that the directors of this company have caused cut flower farmers in Kenya to incur heavy expenditure on chemical sprays against the Spidermites, and that they also sell the chemicals at exorbitant prices?

(c) What action is the Government considering to take against Amiran (K) Ltd., for continuing to import into Kenya infected planting materials which are now all over the country?

The Temporary Deputy Speaker (Mr. Wetangula): I have been informed that Question No.4 by Private Notice should be deferred on the request of both the Questioner and the Minister.

(Question deferred)

POINTS OF ORDER

STRIKE BY NYERI COFFEE FARMERS

Mr. Mutahi: On a point of order, Mr. Temporary Deputy Speaker, Sir. I rise to demand a Ministerial Statement from the Ministry of Co-operative Development. Because of the current crisis facing coffee farmers in Nyeri District, where there have been strikes every day in every factory. I would like to request the Minister in charge to investigate. I would also like to assist by telling him the areas that I would like him to investigate as to find out what problems the coffee farmers face. There are complaints about the factory accounts which are supposed to be opened by

individual factories in the district and there was a circular by the Commissioner of Co-operatives and it has not been done. There is also refusal of the meeting by the coffee farmers and every time they have met, they have been dispersed by the police. I would also like him to investigate into claims that coffee chemicals supplied by the local supplier are substandard. There is also the tendering system by Nyeri Co-operative Union which is questionable. The coffee cess which is supposed to benefit the coffee farmers is not reaching the farmers. They have an account and a committee that has been formed which is using that money.

Mr. Temporary Deputy Speaker, Sir, I would like the Minister for Co-operative Development to assist because some areas in Nyeri District depend purely on coffee and it is going to be very bad if this trend continues. I do not even see the Minister or his Assistant Minister here.

EVICITION OF CIVIL SERVANTS

Dr. Oburu: On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like to seek a Ministerial Statement from the Ministry of Lands and Settlement about the fate of civil servants in Kisumu who live in Milimani area and who are threatened with eviction. The District Commissioner, when asked about this eviction, has stated that he is not aware and yet these grabbers are already fencing off these houses under the protection of Administration Police sent from the District Commissioner's Office.

Last year, a similar event happened in the same area and so many civil servants suffered, and there was no alternative housing for them.

Mr. Temporary Deputy Speaker, Sir, first, we would like the Ministry to tell us who are these people who are being given plots where some civil servants have resided for the last 20 years and these same civil servants are not offered those facilities. We would also like to know the arrangements the Government makes for these civil servants when they are evicted from the houses they are occupying. Right now, the number of people who are being evicted from these houses is more than 200 in terms of family members and this is a very serious situation and we would like to have a Ministerial Statement on this matter.

Thank you.

The Temporary Deputy Speaker (Mr. Wetangula): Next Order.

BILLS

First Readings

THE STATUTE LAW (REPEALS AND
MISCELLANEOUS AMENDMENTS) BILL

THE CONSTITUTION OF KENYA REVIEW
COMMISSION BILL

*(Orders for the First Readings read -
Read the First Time - Ordered to be
read the Second Time tomorrow)*

Second Reading

THE ELECTRIC POWER BILL

(The Minister for Energy on 10.9.97)

(Resumption of Debate interrupted on 16.9.97)

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. When the Clerk-at-the Table was reading out the First Readings of the Bills the Minister kept on standing, bowing and saying "tomorrow". I do not know what he will do tomorrow since there will be no Sitting of the House!

The Temporary Deputy Speaker (Mr. Wetangula): Dr. Lwali-Oyondi, that is a procedure that is done here!

Mrs. Nyamato was contributing last time and since she is not here we will hear Mr. Achola.

Mr. Achola: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to also contribute to the debate on this important Bill. I had intended to take almost three days on this Bill, but, because I have other duties this afternoon I will take maybe half an hour on it.

I would like to state from the outset that this Bill was really long overdue. I would like to state that I am a qualified electrical engineer and, I think, I have certain relevant issues that I would like to raise on this Bill. I would like to start by looking at the Memorandum of Objects and Reasons on page on page 1024. I would like to point out from the outset that the intention of the Bill is very good. However, having gone through it from first to the last page it would appear that the main objective of liberalising electricity generation, transmission, distribution and supply will not really be achieved, as claimed in the Memorandum of Objects and Reasons. I say this because we find in many clauses that most of the decisions will still be referred to the Minister. This will be so even though it has been claimed that the Minister's main responsibility will be formulation of policy as opposed to regulation of generation, transmission, distribution and supply, generally, of electric energy in this country.

Having said that, let me go to the beginning of the Bill and start with Part 1 - Preliminary. I would like to agree with hon. Lwali-Oyondi, who contributed to the Bill two days ago, that in designing certain things---

QUORUM

Mr. P.N. Ndwiga: On a point of order, Mr. Temporary Deputy Speaker, Sir. I wish to draw the attention of the chair to the fact that the Government has defected and, therefore, we have no quorum in the House.

The Temporary Deputy Speaker (Mr. Wetangula): That is right. Ring the Division Bell.

(The Division was rung)

Order! Order now! Carry on, Mr. Achola.

Mr. Achola: Mr. Temporary Deputy Speaker, Sir, as I said, I will go through the clauses of the Bill, starting from Clause 2 on interpretation of certain terms. These are technical terms which have been defined in this particular Bill. I would like to agree with hon. Lwali-Oyondi that the word "pressure" is not a technical term and is being unreasonably used in this particular Bill. I would suggest that the word Pressure be replaced by the word "voltage", which is generally understood. The Clause should then go ahead and define it.

I also find the words "competent engineer" used in very many areas, particularly in the area of "application of licences", and they need to be defined. We have known of many Jua Kali people who pose as engineers when, in fact, they are not competent engineers. My suggestion is that we should define the words "competent engineer". The Minister should include them in the interpretation of certain words that are regularly used in this Bill.

Mr. Temporary Deputy Speaker, Sir, let me now go to the Memorandum of Objects and Reasons of this particular Bill. We have said that the Bill is proposed to liberalise the generation, transmission and distribution of electricity in this land. One wonders why it took KANU so long to bring this particular Bill here. In fact, it had to happen at the instigation of the International Monetary Fund (IMF) and the World Bank for an important Bill like this one to be introduced in this House. But that notwithstanding, I must commend the Government for having brought this Bill.

If one looks at Cap 315 which deals at great length on the licensing, generation, distribution and transmission of electrical power in this country, he would agree with me that it talks about nothing because it gives all the monopoly to Kenya Power and Lighting Company(KPL&C), and that really encourages sub-standard application and supply of electrical energy.

Mr. Temporary Deputy Speaker, Sir, I would like to say a few things on the licensing. In Clause 5(g), all applicants for licences that will enable them to be involved in either generation, distribution and transmission of electricity, are asked to have an address in Nairobi where they can be contacted. I think when these conditions were being laid down by whoever drafted this Bill, they had basically in mind people like the KPL&C and other people residing in Nairobi. But assuming we have a company, say, resident in South Nyanza or in Migori in particular, applying for a licence to be able to generate, distribute or transmit electricity, why would it be necessary for that particular organisation or body of people to have an address in Nairobi? I think this part of the Bill ought to be changed to state that the actual address should be that of the licensee applying for a licence. There is no need really for a licensee to provide an address in Nairobi because he might be coming from Turkana, and there is no reason why he should have an address in Nairobi to be able to apply for a licence.

Mr. Temporary Deputy Speaker, Sir, Clause 5(h) which relates to the application of a licence, deals with the acquisition of land. For example, if I want to place a sub-station or a generating station on land, one's land can be acquired using Cap 265 without giving any option to the owner of the land. I think this is extremely unfair in a

liberalised economy because there is no reason why the Government should come and acquire land by force because the owner of the land is not allowed to object to a Government acquisition of land to enable those applying for a generating station to be able to site their kit.

In applying for a licence, the applicant is being asked to draft the licence. I think this is crazy. The Board, the Government or whoever is doing it ought to know exactly what the conditions or requirements ought to be. They should have a pre-prepared format in which the applications ought to be done. Here in Clause 6, we are asking the applicants to prepare a draft licence when they have already been asked during the application stage, to state so many other things which are duplicated on the draft licence as proposed in this particular Bill. I would suggest to the Minister that this draft licence should be done by the Ministry, instead of asking the applicants to provide a draft licence because most of the information being sought in Clause 6 is actually contained in Clause 5 which deals with the application for a licence.

Mr. Temporary Deputy Speaker, Sir, I would now like to turn to Clause 10 and at the same time point out here that it is very badly drafted. I am sure that if I were to ask the Minister now to explain what it means, he cannot say. It is so badly drafted that it is vague and does not make sense. I would like to request the Minister to go and investigate what he meant in the notice of application and time. It is jumbled up and cannot be understood. In fact, if one looks at the whole of this Bill, he can categorise it in two sections. The part which is dealing with supply was actually borrowed from Cap 315 which was originally produced by the colonial powers in this country and it is fairly well put. But the new part which is on the application is a mess. Those who drafted it were not experts because we have single sentences running over a full page, and one can hardly understand most of the things that are being talked about.

I would like to refer you to Clause 9 which deals with submission of licences and applications to the Board. In the Memorandum of Objects and Reasons of this Bill, we have claimed that we want the Board to be independent from the Government. But at the same time we are saying that whatever applications made will just be considered by the Board and their recommendations will be forwarded to the Minister. If we are talking about a liberalised economy or regime in this particular sector, why do we still want the Minister to be approving everything else that the Board does? I do submit that this will be tantamount to duplicating efforts in the Board and also in the Ministry. In fact, the Government will not be helping itself by setting up a Board whose functions will be duplicated in the Ministry. For example, when we are looking for technical people, capable of vetting what would be competent applicants in the generation, transmission and distribution of electrical energy, it will mean that we must have similar personnel and resources in the Ministry to be able to verify or confirm what the Board is recommending to them. It is my submission that this is unnecessary and it is just a duplication of responsibilities. I was going to suggest that the Minister allows the Board, if they want the Board to be a regulating body, to be separate from the policy making functions of the Ministry. They should allow the Board to vet the applications because then they can have competent personnel that will be able to look at each and every application and certify the same to be correct without transferring the same responsibility to the Ministry.

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

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

Mr. Temporary Deputy Speaker, Sir, Clause 9(3) talks of certain things that ought to be covered in the application. It is stated in the Bill that the Minister will need six months to consider an application which has already been recommended to him by what would appear to be the technical body, which is the Board. I think that is really an unnecessary long period of time to keep applicants waiting.

I would now like to go to another section which I thought ought to be talked about in this Bill, and that is the part asking for the concepts; that whoever applies for a licence and has been granted a licence must have a contract. If there is a contract between one licensee and another, then they must have their contract approved by the Minister. Maybe, this one could be acceptable if the Government was one of the licensees and knowing how corrupt this country is, one could have understood this particular thing. But if we are going to truly liberalise the power and electricity sector, then how can we justify the fact that we are asking independent companies to submit their contracts to the Ministry? I would submit that this does not really free the various organisations and undertakings in trying to do their own businesses.

Mr. Temporary Deputy Speaker, Sir, if we are going to start a generating company, why should the Government want to know how we are going to transact our business? For example, why should the Government even

determine the level of charges the various companies are going to impose on the consumers? The reason why this particular aspect was included in this Bill is because the Government believes that the business of generating and transmitting electricity is something that will not be done by any ordinary people. This Bill is for the Kenya Power and Lighting Company and a few other companies that might be set up by the usually corrupt people associated with KANU in this country.

Mr. Temporary Deputy Speaker, Sir, an example on the contracting business is Iber Africa and Nortcort East Africa which are supposed to supply electricity off shore in Mombasa on a mobile boat. This has been a subject of a lot of complaints, that the agreement which was signed between these two companies and the Kenya Power and Lighting Company was a one-sided one; a corrupt contract that was done in order to allow certain corrupt Kenyans to be able to supply suspect electricity and in the process, make millions of money for their own reasons. This has been a subject of major discussion and disagreement between the Kenya Power and Lighting Company and the World Bank. There should be no need for the Government to get involved in the contracts between one licensee and another. They should leave it, if it is really going to be liberalized. The Government should not be concerned with how a specific company does its business.

Mr. Temporary Deputy Speaker, Sir, the Board should decide on the regulations as to how the individual licensees should be able to transact their businesses within some ethics. The Government involvement in deciding what should be in the contract should be removed. The Minister should look at Clause 14, Sub-section 2, and see whether it is really necessary for the Government to get involved in deciding what should be in the various contracts. As I said, this is as a result of public criticism of the contract that was entered into between Kenya Power and Lighting Company and the two independent power producers which are currently trying to produce electricity at the Coast.

Mr. Temporary Deputy Speaker, Sir, in this country during the rainy season, electricity voltages go up and down. These are transmitted to the transmission lines and they damage equipment in various installations and consumers are never compensated by the licensees. In this country it has always been the Kenya Power and Lighting Company that benefits. There are cases where computer installations have been damaged by faulty supplies and these consumers have no recourse whatsoever, as to how they can get compensation for the damage. In this Bill, there are sections which actually protect the licensees. One of them is that, if a consumer causes the supplier to suffer damage, they would have recourse to the courts and they can be actually compensated. No such facilities exist for the consumers if they are offended. In fact, in ordinary homes, televisions have been blown to pieces because of unnecessary surges coming out because of lightning or irregular switching by the power supplying companies. People have incurred losses and there are no provisions which allow consumers recourse for this compensation to be made.

Mr. Temporary Deputy Speaker, Sir, I would like to go back to the composition of the Board because, the functions of the Board are so important in the whole Bill. Clause 100 to 121, Sub-section (a) states that the Board can review the tariffs and the charges of persons transmitting or distributing electrical energy. If we are going to have a competitive market situation, why should the Board review these tariffs? It should be left on the market to determine the right level of pricing and tariffs that should be charged by any specific licensee involved in generating, transmitting or distributing electrical energy.

Mr. Temporary Deputy Speaker, Sir, as I said earlier, Clause 121, Sub-section (f) which talks of approving electric power purchase contracts, does not really amount to liberalizing this sector. The Minister through the Board, will have a direct say on how much the licensee or the power generating or transmitting and distributing company can charge its consumers. So we should either decide to liberalize or we have some controls on the supply of electricity. If you look at the whole process, from electricity generation up to the consumers, there are certain aspects that cannot just be left to the market forces. For example, it might be possible to ask a few individuals like ordinary Kenyans to be involved in the generation of electrical energy. Many people can use thermal generators and atomic reactors to produce electricity, but it will not be possible for many Kenyans and even the big companies to be involved in the transmission of electricity. You can imagine somebody producing power in the Owen Falls transmitting it all the way to this part of the country. I do not think we can expect any company in this country to be able to transmit such energy to us. I think this Bill is meant, if not just for the Government and, therefore, a monopoly, for foreign investors who can have the capacity to do this kind of thing. I think, the level of investments we are talking about are massive and ordinary Kenyans will not be able to get involved in the transmission of electricity in this country.

Mr. Temporary Deputy Speaker, Sir, when we get to the distribution of electricity, this particular Bill does not talk of what we should do. For example, in Nairobi to liberalise this particular sector is not easy realising that we have about 20 companies that may want to distribute electricity in this vicinity. My submission, as a technical person is that it will be a very difficult job. If you have 20 people who want to distribute electricity in Nairobi, then everybody will be digging and laying his own cables here and there. That will then be a mess. I am sure that the Minister should for once put a limitation on this. It is not particularly obvious from the Bill that there is that limitation appearing in here. Perhaps, the regulations, as stipulated in the Bill, might assist. The Regulatory Board, perhaps, might allow for this

limitation to be put. But I am saying that it is not possible not even in a small area. For example, if I want to distribute electricity in a small estate like Lang'ata what would stop another person wanting to distributing electricity in Lang'ata from doing that? How are they going to ensure that the distribution is done properly without one licensee interfering with another and have lines criss-crossing each other and, therefore, making a mess of the whole thing?

I think the Bill should clearly come out and say:

"In every particular area, we will have, maybe a single licensee doing the distribution and that if there are to be more licensees, then the Board would bring in relevant regulations to control that legislation."

If that was to happen, it would mean, therefore, that that distribution phase would not be subject to market forces because it would really operate as a monopoly. That really is my specific worry in this aspect of liberalising the energy sector in this particular case.

Mr. Temporary Deputy Speaker, Sir, I have already talked about the fact that the consumers do not seem to have a provision here for their protection arising out of charges and other supplies that could arise from generating companies or supplying companies when their power gets out of stock. I think that ought to be stated very, very clearly in the clauses specifically under Part (iii) which deals especially with the supply of electricity..

Mr. Temporary Deputy Speaker, Sir, I was talking about the Board and I will say that I thought that it was not right for us to go and dictate to the various licensees or applicants what should be the nature of their contract. That is contained in Clause 125, sub-section (f) which says as follows:

"One of the functions of the Board is actually to determine what type of contract it would be."

If we were to do that in a liberalised economy, we would be defeating what we have set out to do.

Mr. Temporary Deputy Speaker, Sir, I will now go to Clause 122 which talks about the funding of the Board. We should be specific as to whether the Board is going to be funded by the consumers or through the normal estimates? It is not clear here when we look at Clause 125 which says as follows:

"The funding of the Board shall be obtained through a levy which the Ministry may impose on electricity."

Now, what if they do not impose this levy on the suppliers where are they going to get the funds from? I think we should come out clearly here and say that the electricity consumers should pay for funding this Board that is going to regulate the operations of the electricity supply. We should not leave it like that because it does not say much. We would want to know exactly where the funding is going to come from and my contention here is that we do not want to tax people who are not benefitting from the supply of electricity. It should be really consumers because this could be like a service charge on electricity consumers. So, that would really be my input on clause 124.

Mr. Temporary Deputy Speaker, coming to Clause 123 which reads as follows:

"The Minister shall direct the Board on policy relating to the power sector."

Also when we go ahead another clause says as follows:

"Whatever the Board does the Minister has got to approve."

This is not liberalisation. We are still just transferring one department and calling it a parastatal and at the same time leaving authority really in the Ministry. So, the Minister should decide whether he wants to retain that function of making a policy on how we are going to generate, transmit and distribute electrical power in this country or he should let an independent Board carry out the regulations on how this could be done. Clause 123 and the Memorandum of objects and Reasons of this particular Bill are specific on this issue. When you read the details on what is contained in all the clauses under Part (iii) of the Bill, they all refer to the Minister. Although in certain paragraphs we have talked about the Minister appointing people to deputise the Board, I am saying: "No, there is no need for duplicating things."

Mr. Temporary Deputy Speaker, Sir, I have also one or two comments on the Part V- miscellaneous especially on Paragraph 127 which is talking about how a licensee can be furnishing statistics. Again, everybody is being asked to produce statistics. Statistics are supposed to be produced by the Board, Ministry and individual licensees. For once let us centralise these things and not duplicate the efforts here. So many people are being asked to do certain things which ought to be done by, in my own mind, the Board if it is going to be the authority that will be responsible for regulating the supply of electricity in this country.

Mr. Temporary Deputy Speaker, Sir, I would like to comment also on the Electricity Levy which is contained in Clause 129. I would like to completely disagree with what hon. Murungi said here at the beginning that he thinks that this five per cent levy that would be charged on the consumers of electric energy in this country ought even to be increased to ten per cent. What is the rationale behind asking, for example, consumers in Nairobi to pay for rural electrification in Turkana, why should consumers in Nairobi be asked to pay for rural electrification in Migori? The idea of having a Fund to be able to fund rural electrification in areas inaccessible to commercial areas should be a Government responsibility and should be taxed on all Kenyans. I think it amounts to double taxation to tax certain

consumers and leave the general population who do not use computers at all. It would need a lot of convincing on my part for someone to come and convince me that because I am using electricity here, part of what I am paying for using that electricity is going to be used probably unfairly and corruptly to finance electrical supply or laying electrical lines somewhere in Turkwel. I think if we are going to tax people, let us tax them sensibly.

Mr. Temporary Deputy Speaker, Sir, I would like to suggest to the Minister that although he has very good provisions on how the rural electrification Fund could be financed, he should think of getting the money from the Printed Estimates which we can include in the Budget so that every Kenyan can contribute to that Fund. But I think it is most unfair to ask only users of electrical supply to finance this Fund.

Mr. Temporary Deputy Speaker, Sir, I would like to give an example of the technology that is evolving today.

With regard to electric energy, there are a lot of people in future who will not go through the national grid. They could be using electricity and enjoying some substantially good level of high standards of living using electricity produced from the sun. This group of people would obviously be enjoying electricity from the sun, but they would never be contributing to the Rural Electrification Fund. I think this would be extremely unfair.

Mr. Temporary Deputy Speaker, Sir, going back on to the powers of the---

QUORUM

Mr. Sankori: On a point of order, Mr. Temporary Deputy Speaker, Sir. As much as I would like to listen to my friend, there is no quorum in the House.

The Temporary Deputy Speaker (Mr. Ndotto): Yes, there is no quorum. Ring the Division Bell.

(The Division Bell was rung)

Order! We have a quorum now. You may proceed, Mr. Achola.

Mr. Achola: Mr. Temporary Deputy Speaker, Sir, my last appeal really to the Minister is that knowing the level of the investment that would be involved in various processes of electricity generation up to the consumers' level, I would appeal to the Minister to think very seriously about how we can supply electricity to the rural areas at some reduced cost.

Mr. Temporary Deputy Speaker, Sir, at the moment, despite the fact that the former Minister for Energy came from my constituency, we have not really had any rural electrification in the constituency. I would appeal to the Minister to stop being influenced by people working currently with KPLC because that is really the "seat" of corruption. I know of a case, for example, in my constituency, where an electricity line, as long as 11 kilometres, was taken to an individual who happens to have been working with KPLC and whose main consumer was just one individual. This particular line passed through several market places where wananchi would have benefited in using electric supply, but that was not to be.

Mr. Temporary Deputy Speaker, Sir, the main reason why the rural electrification is still going to be a nightmare in this country is that the cost of transformers have been unduly high. I will request the Minister, if possible, to use his good influences and also in co-operation with the Minister for Finance, to reduce the duty on transformers so that more wananchi can be supplied with electricity at a reasonable cost.

Mr. Temporary Deputy Speaker, Sir, two months ago I applied for electricity to be supplied to a group of individuals in my constituency and the main transformer was only 50 metres, but we were asked to pay almost Kshs1 million just to move the terminal of supply point to supply a group of Kenyans who are desperate in need of electrical supply and who are going to be involved in very sensible economic activities in this particular area. My appeal to the Minister is to see how best he could do to reduce the duty on transformers so that many people can use electricity to be able to industrialise this country. In fact, when we talk about industrialisation of this nation by the year 2020, I can say it is a pipe-dream because it is not going to be possible when we do not have electricity in this country. Electricity is concentrated mainly in major towns and this is not going to help that objective of industrialising this country by the year 2020.

Mr. Temporary Deputy Speaker, Sir, when talking about Cap.265, where we acquire rights to be able to compulsorily take certain people's land to be able to compensate the ensuing losers of those land appropriately.

Mr. Temporary Deputy Speaker, Sir, I would like the Minister to try, as much as possible, to stop corruption in supply of electricity, particularly in the rural areas. From this particular Bill, the Minister will be allowed in certain obscure areas where commercial operations cannot take place profitably, to use money raised through taxation to lay electricity lines. I think that, as rightly said in the Bill, ought to be discussed in the House because we fear, knowing how corrupt Kenyans are, that the Minister could unduly use his influence to decide where certain electrical supplies are going to be effected. That is really my main quarrel with the rural electrification in this country.

Mr. Temporary Deputy Speaker, Sir, I would like to give a chance to my friends to contribute. With those few remarks, I beg to support the Bill.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Mr. Temporary Deputy Speaker, Sir, we can see that the Ministry is doing a good job and even most of hon. Members of Parliament do not want to say anything more about this Bill. So, if you allow the Mover to come and reply, it will be very good.

The Temporary Deputy Speaker (Mr. Ndotto): Order! Hon. Ndicho wants to say something!

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, I rise to support this Bill. We expected that with the introduction of this Electric Power Bill, the Government was going to liberalise this energy sector so that the business of generating and supplying electricity in this country is going to be like any other profitable business where it is done by competent businessmen, who will want to help Kenyans as well as generating income for that company and also earn revenue for the Government.

Why does the Minister bring a Bill whereby he wants to liberalise the power sector, while at the same time, he is holding it? We are supporting this Bill because it has got a lot of good things, but it should have been completely liberalised so that Kenyans can make maximum use of electric power. I would like to request the Minister to ensure that electricity supply in this country is not pegged to politics as it is the case today. We know very well that if individuals or a group of people want to be supplied with electricity, they must be politically-correct. If you are not "politically-correct", the amount of money that they will require you to pay is so prohibitive that most people opt to use paraffin. I would like to ask the Government to ensure that the services we get are better like those offered by the KPTC. If one wants to get a telephone-line today, it is affordable. It will cost about Kshs7,000.00 to Kshs10,000.00 and you can communicate to the whole world. But if you want to be supplied with electricity today, and you do not have money to the tune of hundreds of thousands of shillings and if you are not "politically-correct", you cannot get it.

Mr. Temporary Deputy Speaker, Sir, we hope that this Board that the Minister intends to establish through the enactment of this Bill, is not going to act like the KPLC. We hope that this Board is going to look at the applications from consumers from a business perspective and not from a political perspective, as it has been the case. We hope that when we pass this Bill and becomes an Act of Parliament, most of the beneficiaries should be people from the rural areas because, since Independence, these are the people who have suffered most and they have not enjoyed the fruits of Independence. For example, in my village, a group of people plus my parents wanted to be supplied with electricity, but it took seven years to get it, while the power lines had just passed there when I was in Standard Three. They were asked to pay Kshs800,000.00, although the powerline and the transformer were there. Todate, I have never been convinced as to what was the purpose for the Kshs800,000.00 since everything was in place. From the main road where the power line has passed to my father's house is around 100 metres, yet, he was asked to pay over Kshs100,000.00.

Mr. Temporary Deputy Speaker, Sir, in Juja, at a place called Ngoliba, in 1990 and 1991, the company brought some poles so that it could supply electricity to the locals in that village. But all of a sudden, the company withdrew all the poles after it had done all the groundwork, including survey work. Up to now, because those people elected their Member of Parliament on an opposition ticket, electricity is a luxury to them. I do not know why the company and the Ministry or the Government behaves like that because, this is a place where the Government or the company ought to generate a lot of money, because all the consumers were going to pay. Mr. Temporary Deputy Speaker, Sir, I think the Government should lease electricity to a company that is commercially-minded and free from any state intervention. We hope that the Board that is now being vested with the powers to make policies in cahoot with the Minister is going to look into this Bill in such a way that every Kenyan is going to enjoy this commodity. It should also make it cheaper so that, as many Kenyans as possible, can afford it. Electricity is for the rich in this country. For instance, if you go to Turkana where the Assistant Minister for Energy comes from, despite the fact that he is an Assistant Minister for Energy, his people---

The Assistant Minister for Energy (Mr. Nang'ole): On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like to remind the hon. Member who is on the Floor that I do not come from Turkana District, but I come from West Pokot.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, to us, we do not know the boundary between Turkana and West Pokot. But whether he comes from Turkana District or West Pokot, I would like to urge the Assistant Minister to use his position to ensure that his people are supplied with electricity so that he can be re-elected next time.

Let every Kenyan benefit from this commodity irrespective of where he comes from by the Government liberalising and making it cheaper.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on the licensing. We are quite optimistic that the people who would be licensed to generate and to supply this commodity are again the rich people in this country. They have made money through dubious ways. Everything in this country rotates around a small clique of people who have been made rich by just being in the right party as far as politics is concerned. Let the Minister and this

Board demonstrate, at least, within this particular sector that if somebody has got money and he is willing to generate and supply electricity, he should be licensed as a Kenyan irrespective of his ethnic background.

Mr. Temporary Deputy Speaker, Sir, we are also worried that the people who are going to benefit in this generation and supply of electricity are Indians because, these are the people who are "swimming in riches". Any big investment that is also lucrative is going to this class of people. Our country is going back to the foreigners. We liberated this country from Wazungus, and we are afraid that the Asians have dominated every sector of our economy. I would like to ask the Minister to ensure that these people are not let loose in this particular sector because they have money. I understand that it is going to cost a lot of money for one to be licensed to generate and supply electricity.

There are black Kenyans in this country who can venture into this business, the Government should encourage them. Let us not give foreigners licences because once this Bill becomes an Act of Parliament, and it is read in the international media and other parts of the world, investors from Europe, America and other areas will rush to Kenya to make good money since there is an opening. The Government should not be inclined to license only foreigners. I do not know why the KANU Government prefers the white skin at the expense of the black skin. At least, for this particular sector, let us see a demonstration from the Government encouraging our people to participate in this particular industry. That is why we are supporting it so that our people who have money can venture into this sector.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on another area which is of great concern. This is Clause 40 on page 944, where the Minister talks about compliance with the standards of Kenya Bureau of Standards (KBS). Every Tom, Dick and Harry would like to rush to this sector where he can make easy money.

Mr. Temporary Deputy Speaker, Sir, we have seen substandard and shoddy jobs being done by people who have just come from college or people who have just been shown how to connect wires or even people who just go and buy licences and they are given by the same Ministry. We have cases where people have corruptly acquired electro-contractor licences. In most cases, these things have resulted in deaths because the work that was done was lacking in professionalism and it even lacked supervision. So, when the Minister talks about the compliance of this work with the Kenya Bureau of Standards, it gives some hope that the work that will be done will be standard. He should check and ensure that the work supervised and it does not jeopardise the lives of people.

Mr. Temporary Deputy Speaker, Sir, I have got a case in point where the Municipal Council of Thika has contracted somebody to put street lights at Makongeni Estate in the town. When I visited those works to see what the contractor was doing, I was so shocked to learn that he was digging small trenches, less than six inches deep and instead of putting the PVC pipes for the electric wires to pass through, he buried the bare wires. When torrential rains come and flood waters sweep the soil away, these wires will be exposed and we are going to have people electrocuted and killed in Thika. I wrote a letter to the Town Clerk and the Municipal Engineer in Thika warning them that, if the contractor is not going to uproot those wires and put PVC plastic pipes for the wires to pass through, then I am going to mobilise the people of Makongeni Estate to uproot them. We better remain in the dark rather than be burying one person every week because of electrocution. There is nothing that can cause faster death than electricity. I have even written a letter to the Managing Director of Kenya Power and Lighting Company and also to the Permanent Secretary in the Ministry of Energy, bringing to their attention, that particular case. I have given him one week to see to it that the contractor does his job properly. If he does not do it, we are going to do it ourselves because it is very dangerous.

Mr. Temporary Deputy Speaker, Sir, I have also written another letter to the Managing Director of Kenya Power and Lighting and the Permanent Secretary, Ministry of Energy informing them that people in Thika have gone ahead to grab all the land that is meant for leeway and electric power reserves. Two weeks ago, someone was putting up highrise building just near electric power cables. He was using metal bars and there was an accident. That man was electrocuted and blown up into pieces. It was only his bones that were buried! We tried to raise the matter but the Press never picked it up and yet, that was a tragic incident. There are five houses on such plots that are now being constructed under electric cables in Thika and I am sure that, this is also happening in other towns and areas. I even talked at one time to Mr. Gichuru, the Managing Director of Kenya Power and Lighting Company about this. In fact, he called the area manager at Thika and those people were told to stop constructing houses under electric cables. They stopped temporarily for two weeks and in the third week, they came back. If Mr. Gichuru goes to see what is happening there, he will find that there is a four-storeyed building that has come up.

If we want to increase the supply of electricity in Thika, where are we going to get the leeway? I thought that there is always an area left so that, when we want to put up another line of electricity, there should be some space for that purpose. I have also brought up this issue to the attention of the District Commissioner, the Municipal Engineer and the Town Clerk in Thika but these are the same people who have either grabbed or sold these plots. I do not know where we are heading to. I think it is high time that the Ministry or the Government took stern action against these people. We hope that after the Managing Director and the PS have received those letters, action will be

taken. I can take the Minister or his representative round, to show him what is happening because I am not just talking about politics. I am talking about real things and the dangers facing the people of Thika are enormous and the losses can be disastrous. So, I think the company and the Ministry are so busy with other things and that is why they do not listen when MPs bring to their attention some of these issues. So, we hope that this Board will be a full time Board with people who are committed to see to it that, power generation and supply in this country is done in accordance with the laid down rules and laws of this country.

Mr. Temporary Deputy Speaker, Sir, as I conclude my remarks I want to tell the Government that if it is serious about creating jobs for the rural folk, it should supply electricity to those places. For example, the President raised about half a billion shillings for the National Youth Development Fund. If this money was used to take electricity to the rural areas, then we would not need to give the Kshs10,000 or Kshs20,000 that a group of 45 people in Thika were receiving. Just help them with electricity by taking it to the jua kali sheds. They are going to make use of that power to make the jua kali sector develop by itself. But what we hear is that a lot of money has been raised for the youth and every group is receiving about Kshs15,000. In fact, about two weeks ago, we had a big party with a group that received Kshs15,000. This was a group of about 27 young men. They invited me for a goat-eating session where we ate, drunk and finished the money. It could not help anybody. So, the Government is ill-advised and that is why we are here to give our contributions, so that when such money is generated, it should be put into communal work and not for individual groups. I am yet to see any one project in my constituency, Nairobi or any other place which was initiated through the National Youth Development Programme. Even the Kshs800 million which was raised for the women, there are doubts as to whether it will be used properly. The Chiefs, the District Officers (DOs) and everybody is stealing it. Why can the Government not form a technical committee from all the Ministries, so that the officers from the Ministry of Energy can come and say that the money can be used to bring electricity to the rural folks? That way, the young people can benefit. But this big money is either left to the politicians, or to the Provincial Administration and three quarters of it is stolen. There is a DO who was brought to Thika from Lari last week, who received Kshs3 million for Lari division youths. He "ate" Kshs300,000---

The Temporary Deputy Speaker (Mr. Ndotto): Order! Hon. Ndicho, we are on the Electric Power Bill---

Mr. Ndicho: But I am saying that this money is Kshs300,000---

The Temporary Deputy Speaker (Mr. Ndotto): Order! The Bill has nothing to do with the DO stealing money! Can you confine yourself to the Bill before the House?

Mr. Ndicho: I am saying this: If this money was properly utilised to take electricity to the youths in the rural areas of Lari, they could have benefited. But the youths were told that their President raised this amount of money, but it is not there. Anyway, that is not what I intended to say.

I would also like to bring to the attention of the Ministry, that there is one company in Thika called Broadway Bakeries. It has imported a very big machine that bakes 100 loaves of bread in five minutes. This machine consumes a lot of power. Because it works for 24 hours; from 7.00 p.m. to 11.00 p.m., half of Thika has a blackout. This is the time that most people are using electricity, and it is also the time that these people make bread. We have tried to raise this matter with the District Development Committee at Thika, the District Commissioner (DC) and the Area Manager of Kenya Power and Lighting Company (KPLC), but nothing has been done. These particular Asians were advised by the personnel from the KPLC that if they are going to use that kind of machine, they must get their own power lines from the mains. But because they were told it would cost Kshs24 million, they refused and declined to use that money. They said that the machine had cost them Kshs12 million and they are not ready to use another Kshs24 million to get their own power lines.

I would like to request the KPLC to ensure that half of Makongeni area is not darkened at night, especially at this particular time when children are preparing for examinations. It is a big shame to see people who live in bungalows and maisonettes using candles and hurricane lamps, simply because the electricity is permanently off from 7.00 p.m. to 11.00 p.m. All this happens because this company is baking loaves of bread, and yet, we have a Government. I am appealing to the Government to take note of that, and make sure that the people concerned, that is the KPLC, go to visit the factory and take corrective measures. There is no reason as to why our people should suffer, just because one Indian is baking bread and taking all the electricity that he wants, during the prime time.

Even the people do not watch televisions and they do not listen to news. Some of them have forgotten how the President looks like. This is because they used to see him on the television, but they cannot see him now. So, I am appealing to the Government to investigate this particular case.

Mr. Temporary Deputy Speaker, Sir, we have also another problem at Ruiru, where big factories have been constructed near residential areas. When these big heavy industries are built in residential areas, instead of applying for their own supply lines, they use the old lines that were meant for domestic use. I agree with a previous speaker who was complaining about the damage done to electronic gadgets like televisions, computers, faxes and others. This is because power that is used by big factories is also shared by residents. When they switch it off, it surges in high

voltage and blows up equipments and other gadgets. The people of Ruiru have really suffered because of the Steel Milling Works and other industries. The people are asking whether they have a Government to come to their aid. Why should people come from far and just circumvent the bureaucratic way of doing things by using money, and instead of being supplied with their own high-voltage power lines, they share the meagre voltage of the people living in residential areas. Ruiru town is permanently without electricity during the night. They only receive electricity after 12.00 p.m. Who requires electricity during the day? This is exactly what is happening!

Yet, we want factories. They are employing our people and they are good investments. But the Government must make sure that the factories are benefitting both the investors and the locals, especially the people who use electricity.

Just to touch on some of the problems that Kenyans go through as far as electricity is concerned, the Ministry of Energy and the Board that is being established through this Bill have a lot to do. I hope that the Minister is going to listen to these things. We look forward to a brighter future as far as the electricity sector is concerned. We should make sure that our people benefit from the power that we generate in this country.

There was talk about some people being allowed to generate power privately. When we talked about that some years ago, we thought that it is only going to be just politics. In fact, we are happy to see that finally, the Ministry has come up with this kind of Bill. We will allow our people to generate electricity and supply it. We hope that in the next three to five years, every Kenyan will enjoy the fruits of electricity in his house. We hope that our people will develop from there.

With those few remarks, I beg to support.

Mr. Angwenyi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to comment on this Bill.

As we all know, electricity is an essential item to all households in Kenya. Electricity provides power, which cannot be provided now from other natural sources like firewood, coal and others. This Bill has been brought at the right time, to separate the two arms of power generation, and power marketing. In places like Kisii where I come from, and Kiambu, Kericho, where there is a very high concentration of population, we need power. This is because the highly populated areas look like towns. They are like metropolises, and the people live near each other. The people cannot be able to plant trees, from which they can get firewood and, therefore, get some source of cheap power for their duties. So, I believe that with this Bill, when we separate the two arms of power in this country, we will be able to get a better and more reliable power supply and, hopefully, it will be a cheap and affordable source of power for the bulk of our population in Kenya.

As you know, there has been a programme of rural electrification, but it is only known in a few areas of this country. There are many places in this country that have never seen electricity. I would like to urge the Ministry of Energy and the companies concerned with the distribution of energy to install electricity in all the areas that need it because this will assist in the industrialization. In this way, we will be able to build coffee factories, establish both small-scale and large-scale factories. I wish this farm in Thika, which the hon. Member said consumes a lot of power, would be moved to Kisii. It would give very many people employment. Unemployment is a big problem where I come from. We would like to have as many industries as possible because they can provide employment. If the Ministry of Energy and the power companies were able to provide cheap power in Kisii and the neighbouring districts, we would be able to set up industries which would in turn provide employment for our people.

Mr. Temporary Deputy Speaker, Sir, unemployment is a big problem in this country. It is a big problem because we do not have a Government policy on it. We do not have a policy which clearly stipulates what percentage of our people would be employed in a given year or what percentage would remain unemployed. That is the problem that is facing our country and one that can cause chaos in this country. So, to avert that---

*(Mr. Criticos walked between Mr. Angwenyi
and the Chair (Mr. Ndotto))*

The Temporary Deputy Speaker (Mr. Ndotto): Order! Order! Hon. Criticos, you do not walk between the Chair and the Member on the Floor?

The Assistant Minister for Health (Mr. Criticos): Mr. Temporary Deputy Speaker, Sir, I apologise for that. My mind was somewhere else.

An hon. Member: It must have been in Taveta!

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, I was saying that unemployment is a big problem in this country and it is a problem that will persist.

In the recent months, we have seen young men and women being used to throw stones at us, Members of Parliament, at the Parliament gate. These people are doing this because they are unemployed. They have nothing to

do. They are energetic and they must use their energy in doing something. In order to make these young people use their energy constructively, we need to supply electricity in all areas, especially the densely populated areas. We need to get these people to use their energy in constructive activities.

The energy sector needs to be run on a provincial level. The Ministry concerned with the supply of energy needs to be given more power to dispense matters concerning energy. As you know, right now, even if I went to my Minister and we agreed that he would supply electricity in my area, he cannot do much. He can agree to the proposal, but nothing will be done because he does not have the powers to do that. The same thing will happen with the PS for Energy; a man who is concerned about the cost of power in this country. He is featured on our television sets almost everyday imploring those people who supply energy to lower their prices, but they do not heed to his request. He is a very nice man. Instead of appreciating his good works, they call him corrupt. This is happening because he has not been given adequate powers. I would like the Government to give more power to the Minister and the PS so that they can decide on matters relating to energy in this country.

As I said, most of the industries are going to be the backbone of our economy and offer employment in the future. If this country hopes to be industrialized by the year 2020, then we must embark on promoting small-scale industries. We need these industries in Kitui, Kegogi and so on. I am talking as a teacher of management and one who has done a lot of research on small-scale industries.

Power generation can be increased by installing power stations in small rivers like Nyakwana River in Kisii, Cherachani Falls in Nyamira and Mogusi Falls in Kitutu-Chache. We can have these small power generating stations instead of having Turkwell Gorge which consumed so much money and yet it is producing so little such that even the Assistant Minister for Energy does not know what it is called. He calls it "Turukweli" Gorge. He does not know what comes out of that place. So, if we were to have these small industries it would be better. If we could have the Miriu Generation Plant and other plants, they would help us. We do not have to concentrate on Tana River or Athi River only when we have other Rivers such as Nyando, Yala, Gucha, Miriu and Sondu. If we did that, we could have adequate supply of power and as you know, if the supply is high, the cost goes down. This is because of the competition for the sale of that power.

One area inhibiting the supply of power in this country is the cost of transformers. Instead of us giving tax exemption to the importation of sugar, something which hurts our sugar cane farmers, we should give tax exemption to the importation of transformers and generators so that our people can afford this type of power. I am sure that if the Minister was given all the necessary powers, we would get energy cheaply. I am sure that we would get transformers at an affordable price.

Somebody talked about money from the women groups and youth groups being given to the Ministry. I do know that our women folks are smart enough to know how to use their money. If the price of electric power can be lowered, I am sure that they can purchase posho mills, sewing machines, start bakeries and many other investments with that money. I would not support the idea of diverting this money from the groups concerned to our Ministries. I am sure that if the cost of electric power was lowered, these women would start small-scale industries with their money and, therefore, develop our country.

I am particularly concerned about my areas and I would like them to be supplied with electricity. The areas are as follows: Mosochi-Kegogi-Nyakoora-Rioma, Bonyunyu-Isecha-Ng'enyi, Kisii-Gitare-Nyatieko-Iranda and Mosochi-Gisieka-Kiomoncha-Rioma. If the Minister and the PS were able to assist us in getting electricity along those four lines, or even along two of them, I am sure we would remove about 10,000 young men to Kisii where they can use their energy in developing this country.

We have seen cases where some of our Members have been asking donors not to give us money for power generation. I would like to urge my colleagues, especially in the Opposition, to allow us get all these funds because even if they are stolen by a few of our people, they will still remain in this country and they will help us develop our country. They should desist from the habit of asking donors not to give us money. Let us get all the money that we can get so that we can supply power to all the areas that we want.

There is the problem of shanties in towns. If you drive along Langata Road in the evening, you will see electricity on the upper ridges on your right and none in the shanties of Kibera. The same goes for the shanties in Mathare and Kangemi and this is where the bulk of our people live.

This is where a lot of wrong activities are carried out in darkness. I would urge the Ministry of Energy to ask the Kenya Power and Lighting Company (KPLC) to supply the shanties of Nairobi, Kisumu, Mombasa and those of Kisii Town with electricity where we have only one power line, especially in the centre of Kisii Town. All the environs of Kisii Town have got no power supply and that is a town with a population of 60,000 Kenyans living in an urban area and they cannot be supplied with the rudiments of urbanisation.

Mr. Temporary Deputy Speaker, Sir, I would urge the Ministry of Energy and the KPLC, to consider these towns and supply them with electricity so that people can have lighting in their houses and for those who are

employed, to use it in income generating activities.

With those few remarks, I beg to support.

Mr. J.N. Mungai: Thank you very much, Mr. Temporary Deputy Speaker, Sir. I also want to join my colleagues in supporting this Bill because it is, indeed, overdue. It should have come here a long time ago because the KPLC has been the only company in this country that has been dealing with power and, as a result, it has used its monopoly to oppress its own customers. What should be done right now is that, power should be made a necessity in this country. There is no way that we can talk about development, industrialisation and making our farming easy unless we provide the public with what can make their work easier and what can make them develop and be motivated to create their own employment, instead of waiting until the Government provides them with employment. Mr.

Temporary Deputy Speaker, Sir, we all know that the Jua Kali industry is an industry that was initiated by wananchi themselves and then the President saw what was happening with the people; how innovative they were and he came in to assist the Jua Kali industry which has really helped these people so much. When this was created, it was only reserved for the urban areas. The reason why I am saying that electricity must be made a necessity is because the rural people were not considered when the Jua Kali industry was being initiated in this country and up to this time, they are not considered. They would have started it themselves but because they do not have electricity, which is a necessity, they are unable to start it. I am calling upon the Minister who is here to take note of the fact that the rural people want electricity. They also want to show their initiative because all of them cannot move to urban areas and live there. If they can afford it, they can do it where they live in the rural areas.

Mr. Temporary Deputy Speaker, Sir, it is also worrying to see that the Ministry of Energy has not so much cared about making revenue from the KPLC. I am saying this because if you look at the people in the co-operative societies who apply for electricity; the cost that is assessed for them is unbelievable. A small area with so many people, whose income is not as much as they expect, is assessed for--- For example, 500 people are expected to pay about Kshs5 million. How is that possible? They also demand that, if they are going to be supplied with electricity in that particular area, they have to pay 10 per cent of that money. How do you expect the rural people, peasants, who want that power supply to come to their area, to manage contributing Kshs500,000 to be able to get that power supply?

Mr. Temporary Deputy Speaker, Sir, I would like to urge the Minister to make sure that power does not have to be supplied to people because they have paid. It has to be supplied to the people because the KPLC wants to make money. If you supply it to a village and somebody connects it to his house or to his business premises, it begins generating revenue. Let us not look at that money which the KPLC wants paid immediately. We want the money that will be paid continuously. Let the people be supplied with that electricity and they will pay that Kshs5 million in ample time. It does not matter whether it is 10 years or 20 years, they are Kenyans. While they are paying for that power they were supplied with, the economic activities that are taking place are also generating other taxes to the Government. So, the Government makes double profit by supplying that electricity. This is why some of us are worried because we are being ignored, if not rejected, and isolated in the rural areas.

Mr. Temporary Deputy Speaker, Sir, I represent a rural constituency with large-scale farmers. The farmer has to travel 20 kilometres to go and weld a bolt. That exercise sometimes takes a whole day, denying that farmer the opportunity to stay in his farm, do his work and produce for this country.

QUORUM

Mr. Nyanja: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am sorry to disrupt the hon. Member, but I expected the House to have a quorum. Is it in order for us to continue, few as we are? There is no quorum. How are we going to contribute when about two thirds of the Members are not in the House?

The Temporary Deputy Speaker (Mr. Ndotto): Order! Much as I am going to agree with you, I must also remind you that you have just walked in two minutes ago---

Mr. Nyanja: How can we continue when we have no quorum?

The Temporary Deputy Speaker (Mr. Ndotto): Order! Yes, we have no quorum, but we want hon. Members to sit here, not to walk in and two minutes later, they say that there is no quorum. Ring the Division Bell.

(The Division Bell was rung)

Order! I think we have a quorum now. Proceed, Mr. Njenga Mungai.

Mr. J.N. Mungai: Mr. Speaker, Sir, I was talking about large-scale farmers in the countryside. For us to be able to encourage our farmers to grow enough food for our growing population, farmers should be supplied with electricity wherever their farms are. In many areas of Molo today, where we have good agricultural potential, farmers have to travel many kilometres to go and have a bolt for their ploughs or tractors welded. Why should farmers waste

all this time? Is it not common sense for the Minister to see that this country needs food? This country needs farmers because the population is growing. Several times we have seen the Government going abroad to look for food after having drought for even one year. This happens partly because farmers are not given the incentive they need to produce food. Their work should be made easier.

I also wish to point out that farmers in some of our areas need power to dry their commodities. When pyrethrum growers have a big production they have, especially during the rainy season, to wait for a day when there is no rain, so that they can dry their crop. Yet sometimes rain in some areas falls continuously for almost 24 hours. We should realise that these farmers need to dry their crop before it rots and take it to the market. Most of these farmers are members of co-operative societies and they need electricity in trading centres, where they have driers for their crops. If they are provided with electricity in such trading centres this would make their work easy.

We have also seen discrimination by the Ministry. You will see a power line passing over certain areas and going to a particular home. Market centres, schools and individual farmers do not benefit from such electricity. It is very discouraging to see Kenyans---

(Loud consultations)

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Members! Can you consult quietly because we cannot hear what hon. Njenga Mungai is saying?

Mr. J.N. Mungai: Mr. Temporary Deputy Speaker, Sir, it is very discouraging for Kenyans to see power lines pass over their homes and market centres and yet when they apply for it they are asked for large sums of money. They are even told that electricity was taken to So-and-so because he paid for it. I want to call upon the Minister to ensure that we serve people and not individuals. His Ministry uses tax payers' money and we must ensure that we discharge our responsibility to Kenyans. Government Departments are not created for the rich, highly placed or the politically-correct people. They are created to serve people irrespective of their political opinion or status in life.

There is a power line that crosses from Molo to Olunguruone which goes through market centres like Muchorwe, Keringet, Nyota and Chandra Farm in Turi. I know that the people concerned have gone to the KPLC to apply for electricity. Every time they go to the company they are told: "Collect yourselves into groups and forward your names to us". They are also given forms to fill in, but the company always asks them for such large amounts of money that they cannot afford to pay. Those of high status, the few individuals who have been supplied with electricity in these areas, are just taxpayers like other ordinary Kenyans.

I call upon the Minister to ensure that such applications are considered favourably and without taking into account other factors, like politics

Mr. Temporary Deputy Speaker, Sir, I have attended many DDC meetings in Nakuru but I do not believe that DDCs ever do anything at all in connection with electrification. I have represented Molo Constituency for the last 20 years and can mention the areas in it that have been supplied with electricity during the last 20 years. I cannot say that DDCs have succeeded in anything: They have only succeeded in wasting a lot of leaders' time. This is because you sit in DDC meetings for hours and make priorities for things like electricity but at the end of the day you do not get anything. I remember that in the last 10 years we have talked about supply of electricity to Kihingo in Njoro Division, Ndeffo, Mau Narok and Likia. For all these years we have prioritised these areas for supply of electricity in our DDC meetings. However, after 10 years we have had nothing.

I thank the President because he paid a visit to that division the other day. He held a public rally in Lare Location where leaders said that since President Kenyatta went to that area, accompanied by his Vice-President, who is now President Moi, to allocate land to wananchi nobody else has ever gone back to the place. The late Kenyatta never went back to the area and, up to the time of that public rally, President Moi had not gone back there. So, the people were grateful when the President visited the area. The President was requested for supply of electricity to the area from a point which was just a few kilometres from the area of the President's meeting. He promised the people that he was going to ensure that they were given electricity. I thank God because after so many years without a visit to that area by any President today we are sure that the area will have electricity. I have seen that the work has started.

However, we should not be waiting until the President visits an area before we consider our people for service. If DDCs were established to consider people's priorities, like supply of electricity to them in their areas, then they must be seen to be working. We ask Questions about supply of electricity in this House and then we are told: "Your area is being considered for rural electrification", or "The DDC should sit down and consider your request". Let the people we represent hear over the radio and other media that the Government has promised them electricity. Then the District Development Committees (DDCs) should sit to have them considered for such supply. The same message of what has been passed here in Parliament should be passed down to the small villages and divisions for our electorate to know that the Government has promised them electricity. But these does not happen. It is a big shame!

The Government has got to be seen to be doing what it is telling its people, not just to please the people with sweet words. We must be a practical people. This country is a capitalist country where people want competition. We are now going to liberalise the power sector in this country. Let us make sure that priority goes to black Kenyans. We know we have many Kenyans; white, Asiatic, Arabic and black Kenyans. We are not racists, but let us also consider that we have our own indigenous people whom we must promote very strongly. These other white, Asiatic and Arabic Kenyans have some roots and relationships with their people where they indigenously came from. If they are made to compete with our people here, our people will not manage them. These people can manage loans through their brothers and sisters in other nations, while our people here have to depend on our Government to achieve some of these things. Mr. Temporary Deputy Speaker, Sir, let us not put conditions that will be too difficult for our people to meet, when it comes to licensing. Technologically, our people have grown and if they are given assistance and considered for such economic activities, certainly they will succeed, our economy will grow and we shall industrialise our country. We must not ignore our people and continue under-rating them just because they are black like ourselves. Neither our Permanent Secretary nor our Minister is a white, Asiatic or Arabic man. But when an application and a consideration for an indigenous Kenyan goes to his office, and there is competition from others, the indigenous black Kenyan is considered for tomorrow and immediately other applicants are considered and licensed.

Let me not be mistaken for a racist. But when will our people develop? When shall we be proud of an African doing something that is being done by foreigners? If you go to overseas countries, where some of us have been and have toured to learn what goes on there, it is very difficult to find a black Kenyan licensed to do certain businesses. They are considered as incapable of competing with the people in those countries. If they are considered as being incapable of competing with other nations in their own countries, why should we care so much about the foreigners here? Is it because we want to avoid being seen as racists? We must make sure that we favour everybody equally. Let us not fear helping our people where we can manage to help them. If we are capitalists in this country, we are also saying that our people must be placed in competitive places and let us push them where they can manage that competition, provided that we do not favour them where they do not qualify.

We have very many jobless university graduates, including electrical engineers in this country, but because they lack finances, they cannot manage to do anything with their education. They are left to stay idle and in a few years their education evaporates and they become useless. It is very discouraging because those others who are joining those institutions of higher learning see what is happening to their brothers and sisters. Definitely, they will make no effort to go for further education. That is why we see that after many students from this country complete their studies in overseas countries, they decide to work in those countries. They know that when they come back here, they will have no opportunity of getting employed whatsoever.

Mr. Temporary Deputy Speaker, Sir, the Board that will be appointed by the Minister must be a Board that will be controlled, not merely by political powers, but by patriotic people who are ready to work. The Minister must give them the freedom to sit down, decide for the Board and ensure that their Board does not release funds from their company to go and please anybody, not even the Minister himself. They must make sure that cheques are not written in order to please a Minister or any politically connected person in their big harambees. That must not happen. In fact, the way we know it, although I do not want to lay papers on this Table, is that a lot of money is being drained from our public institutions and corporations in the name of harambees. This is totally wrong. If we mean it to be a harambee, let it be an harambee. If it is a question of giving a donation, let that donation go to all. If the company has made big profits, I am not opposed to them donating such profits to Kenyans wherever they are. But it must not be awaited until hon. Nyachae has a harambee, then he is presented with that cheque in order to please him so that he makes you a director or extends your term of office as a director in Kenya Power and Lighting Company. I know the Minister for Energy is hon. M'Mukindia not hon. Nyachae, but I am saying to your colleague that it is a collective responsibility and it must not happen. We must get people who will be appointed to go and work to show patriotism by making sure that they are serving every Kenyan wherever he is.

I would like to suggest to the Minister that the question of electricity must now not only be considered by the DDCs, but even by the Minister himself up here. The simplest way he can do it is by considering the different divisions and districts in this country. We want all electricity supply to be considered on divisional basis. We must make sure that in each division, where there is a potential, some supply line goes through there. If you do that and make it easier for the rural people to get that electricity either cheaply or by lending it for them to pay in instalments, this will be helping Kenyans to develop the way they want. We do not necessarily need to bring Bills here and when we pass them, they are just stacked in the shelves and that brings an end to the implementation of such Bills. When these Bills are passed here, they should be seen to work. Let us also take into consideration the fact that electricity must be supplied proportionately to the more populous areas. There are some areas which are very highly populated and which can very easily develop industries. Such areas are highly populated because they have a high potential as far as agriculture and industry are concerned. People flock there to get employment, and therefore, increase the population

there. If we want to promote such populated areas, we must see population as one criteria that will determine the supply of electricity, otherwise we are just going to serve the needs of a few and not the needs of the public for whom such institutions are created. It is disappointing because we are now experiencing more power failures in the country than in the past. We wonder whether the transformers are being overloaded or it is deliberate rationing in the name of power failure. We do not know what is happening now. We are doubtful and suspicious because power failures last for many hours. In the past, whenever there was a power failure, they moved very swiftly to correct the situation. Today, it takes up to 12 hours to rectify. There is power failure at 7.00 p.m. till 6.00 a.m. the following morning.

Mr. Temporary Deputy Speaker, Sir, such power failures are hurting our children. Children in boarding schools and day schools are forced to go to bed early when they are supposed to be studying. There are industries which operate 24 hours on shift basis, and because of power failures, they are forced to close. Sometimes they go at a loss because they have to pay their workers. Because of such power failures, industries are being discouraged from employing permanent workers and resort to employing casual labourers. We have to be told why we have these power failures. Something must be done to make sure that the problem is rectified. I still believe that the power failures I have witnessed in Njoro, Elburgon and Molo have been deliberate, because we have not been told even through the press, the reason for these power failures and measures being taken to rectify the situation. I am suspicious that it is either political or rationing in the name of power failure. Something must be done because it is very unfair.

Mr. Temporary Deputy Speaker, Sir, there is demand for electricity supply everywhere. The electorate will see us as doing a good job for them if they are supplied with electricity through any means. To my surprise, electricity supply has become a political weapon. Electricity supply is cut off from a particular constituency, so that the hon. Member from that place is seen as a failure. I am trying to compare Molo Constituency and Rongai Constituency. Molo Constituency is on a hill whereas Rongai Constituency is down the valley. If you look at Rongai Constituency, nearly every corner of it has electricity, whereas Molo Constituency is in darkness. Why is this contrast there? I do not know how my immediate neighbour was supplied with electricity. Grass thatched houses in Rongai Constituency have electricity whereas in Molo Constituency, there is no electricity in permanent houses; they use lamps. This is totally wrong.

Mr. Temporary Deputy Speaker, Sir, previously, there was more electricity supply in Molo than Londiani, but at the moment electricity is traversing every corner of Londiani. Koibatek District is not more developed and it does not pay more taxes than Molo in terms of population, industrial activities and farming; yet, electricity is traversing everywhere. How can you convince anybody that we are not being discriminated against? How can we convince anybody that we are not being political in our services? It is a big shame.

Mr. Temporary Deputy Speaker, Sir, services to Kenyans should be equally distributed. Even if you try to hide your deeds, we are able to interpret what is happening. I would like to state that if I am elected once more and they are not supplied with electricity, I will wage war on the Minister for Energy. I will want to know why some certain areas within my neighbourhood are being favoured more than my constituency. The electricity supply promised to the people of Lari Location in Naishi Centre by His Excellency the President should be supplied immediately. We do not know why they are dragging their feet.

Mr. Temporary Deputy Speaker, Sir, telephones were asked for and we can now see poles are beginning to come. We are sure that the President did not give us this electricity because of political interests only. Otherwise, we would not like electricity poles to be dumped in our areas as it happened after the General Elections, when no supply of electricity was given and they were taken away. We did not speak politics in that meeting. He spoke on development. Indeed, he promised development. Let us see that development that he talked about without attaching politics. He was there about three months ago and I am now beginning to get worried as to whether he said something that will happen or something that will never happen. Let us not turn Molo into another Kipipiri. If that kind of development is to be taken there, then it is for the interest of the people. The President gave it because he has love for the people and let us see it being done. I am happy I can see the PS in that Ministry here. He was never told about it and let him know now that there was a directive that has never been revealed to him. I have revealed it to him now. Let him go tomorrow morning and do something about that supply.

Mr. Temporary Deputy Speaker, Sir, it is so sad today to note that most of the Opposition zones in this country for the last five years have not benefitted at all. If we can go into the Printed Estimates and see what was estimated to be used to supply electricity in those areas, hardly has the Ministry spent more than five per cent in these Opposition areas in supplying electricity. If you go to the same fund which was allocated to the KANU zones, they have spent nearly 100 per cent of that money to supply electricity there.

The Minister for Land Reclamation, Regional and Water Development (Mr. Nyachae): Bw. Mungai, wacha uongo wako!

Mr. J.N Mungai: No, we are complaining because we have visited several constituencies and we have seen wires traversing areas. I have been to hon. Nyachae's constituency myself. He is also my constituent. What would you

tell me about your farm in Mau Narok? Is he not a Government Minister? Why can he not tap electricity coming from Njoro and take it all the way to his farm? Just because I belong to the Opposition, he is facing a similar problem. He gets his power through his allegiance to KANU and also because he is a senior Minister. It is even sad that when he was a Chief Secretary, he never used his position to supply himself with electricity. Look at this guy! It is so sad.

Mr. Temporary Deputy Speaker, Sir, I am happy he never misused his office, but we want him to invoke the principal of collective responsibility so that large-scale farmers, and him being one of them to talk to his colleagues and tell them how many large-scale farmers in Mau Narok can get together and be supplied with electricity. I know a lot has been said about this Bill. I know a lot has been said about the sufferings of the people. I know people have been demanding electricity. Let us make the generation of power to be a revenue generator. Let us not make it an oppressor or a bait. Let us make sure that we make use of the Kenyan population to strengthen the economic and financial position of our power corporations by making sure that wherever people request for such electricity, life is not made too hard for them by the kind of requirements they are supposed to meet before they are supplied with such electricity.

With those few remarks, I beg to support. Thank you.

Prof. Mzee: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute on this important Bill.

Mr. Temporary Deputy Speaker, Sir, this is a very voluminous and technical Bill. It takes a lot of effort to read it and I tried to read all of it. But as a Member of Parliament, I would like to request that since quite a number of things which come to this House are very technical, we should have some backing like research workers and some people who can help us understand and read technical things so that when we pass them, we are satisfied as legislators that we are passing something which we know and understand.

Mr. Temporary Deputy Speaker, Sir, after saying that, most of the questions which have been asked by Members of Parliament concern four things: roads; water supply; land grabbing and electricity.

Most Questions revolve around these things. These things constitute infrastructure. It is only when we have a proper infrastructure that we can attract investors in the country. It is important that we create a proper infrastructure to attract foreign investors in this country. Mr. Temporary Deputy Speaker, Sir, currently, in this country, we suffer a big shortage of electricity. Even in urban areas like Mombasa, Malindi and Nairobi, there is acute shortage of electricity. From time to time, we have been subjected to rationing. This does not augur very well to attract investors because the first thing they will ask is whether we have enough electricity power for investment in this country.

Mr. Temporary Deputy Speaker, Sir, this Bill which allows private suppliers and private people to generate electricity is welcome. I hope when this Bill is passed in this Parliament, we are going to have enough electricity to attract investors. When we pass this Bill, I am also hoping that the big users of electricity like Bamburi Cement Factory which is the biggest user in Mombasa will together with other factories like Cusco(?) where they smelt and recycle things, be able to generate electricity cheaply for the people in Mombasa to enjoy it.

Mr. Temporary Deputy Speaker, Sir, Clause 128 allows people to use the natural resources of this country. The natural resources which could be used for generating electricity are things like wind which is prominent in North-Eastern Province. There are areas where economic amount of electricity could be generated. The use of thermal energy in places like Longonot in Rift Valley could be economically used to generate electricity and various rivers like Sabaki and so on. These are natural resources and not fossil resources which can be used to harness energy.

I hope in areas where the natural resources are found, for example, in North-Eastern or in the Coast Province; waterfalls and dams could be built by a private investor to generate electricity. If these natural resources are used and electricity is produced economically, then the people in that area should benefit. They should not only have high voltage lines passing through their area, but also money out of which people make profit; I hope the Government will obtain certain amount of money from these investors which will be ploughed back to the community in a similar way the money generated from the Maasai Mara National Park goes back to the Narok County Council. This will make people happy to see investors coming into their country. The problem we have had at Kaloleni with EPZ is because people were not convinced--- If we bring investors in our areas, use our land and our resources, what will the people benefit from? At least in this country, this has not been demonstrated strictly that when investors come and use the natural resources there, the people stand to benefit very greatly.

Mr. Temporary Deputy Speaker, Sir, this brings me to a certain amount of devolution and decentralisation, strengthening of our local authorities and giving them power to collect a certain amount of revenue which should be pumped back into that authority. We will have less problems, we will have less of Likoni type of chaos, if the local authorities are empowered to collect taxes and if the foreigners who have invested in those local authorities, will generate money back to those people who live in those local authorities and use them. Like the tourist industry, if the local authorities are able to tax the investors directly in tourist industries, and there is a certain amount of decentralization in the collection of revenue and strengthening of the local authorities similar to what Britain is undergoing at the present time, what they refer to as "devolution".

I do not want to talk about other things which other politicians talked on, but I will concentrate mostly on decentralisation to the extent of having a devolution type of a system where the local authorities are strengthened and they are able to collect revenue and utilise it for their own benefit. So, when energy generating ventures concentrate in an area, the local authority in that area should be able to tax them, especially if these people are using the natural resources there. I am not talking about those investors who are generating electricity using fossil energy, but using the natural resources which have been kept intact until these investors come in. In this line, I am thinking in terms of a large deposits of gas which has been discovered in Lamu, in the Faza area of Lamu. This is a natural resource which at the present time nobody is thinking about it in terms of economically or commercially viable to exploit. With little incentive to private investors, they could use that gas which has already been discovered there to generate electricity in Tahitu(?) at the place where the gas is obtained.

They produce electricity in this area using the natural gases which are existing there and then electricity which is easily transported, could be supplied to areas where it is consumed. There are a number of towns where this gas is obtained which can be utilised for the production of electricity. Every available resource in this country, like the wind, the petroleum gases which have been discovered and geothermal energy should be utilized and the people should be encouraged. If subsidy is required and they use that clause which can bring in Government revenue from the Consolidated Fund to develop such schemes, I think that should be encouraged so that, in return, after producing sufficient electricity for our own consumption, we can have sufficient electricity to invite investors to come into this country. We will tell them that, "If you have come to invest here, we already have so many millions of kilowatts of electricity available at affordable rates", and it can generate income for this country in a different way.

Mr. Temporary Deputy Speaker, Sir, I am hoping that when this Bill is passed and becomes an Act, those people who are already generating their own electricity in large amounts, like the Nyali Beach Hotel, where they use this electricity for distillation of the sea water, lighting and cooling the rooms and so on, will not be subjected to additional bureaucracy because they have already started the production of electricity in the area.

Mr. Temporary Deputy Speaker, Sir, for the last few years, the people of Mombasa have suffered big losses in our electrical equipment because of variation in voltage. Quite a number of our electrical equipment were damaged. It is high time that the supplier of electricity takes the liability of these damages and, therefore, any damages of electrical equipment which have been damaged entirely because of voltage variation. Mr. Temporary Deputy Speaker, Sir, Clause 99 talks about standardization of equipment in connection with any of the purposes of generating, transforming, converting, transmitting, distributing, supplying or using electrical energy, materials or apparatus. They are talking about transformers and all the equipment used in its supply to abide by the Kenya Bureau of Standards. By saying that, the implication is to stop this variation of voltage. Variation in voltage is a very serious thing but there is no clause which makes the producer and the supplier of electricity solely responsible for such variation, resulting in damages of equipment. That should be taken care of because we have suffered a lot because our electrical equipment have been damaged.

Mr. Temporary Deputy Speaker, Sir, Clause 85 talks about consumers' responsibility to keep the meters in proper order. This is an additional burden put into the consumers. The meters should be entirely the responsibility of the supplier. They should make sure that they put the meters in a safe place and they should take care of these meters and consumers should not be made responsible for these meters and be subjected to unnecessary payment for the meters. It is not proper to say that every consumer shall at all times at his own expenses, keep the meters belonging to him. The meters are the properties of the supplier and he should be responsible for the up-keep of the meters. One of the Clauses in here talks about somebody who needs electricity supply but it has not reached his place, putting an electric pole or transformer at his place in order to get electricity; and subsequent to him getting that electricity and paying for all the expenses, any person who taps electricity from that pole pays him. This is a very good clause because at the present time, if I need electricity and I live about 200 metres from an electrical pole, I should pay for all the expenses. Presently, when one purchases a transformer and paying for all the expenses, anybody can tap electricity from that pole and one is not paid a single cent. What is more hurting is that the transformer and the pole will remain the property of Kenya Power and Lighting Company. I think when this Bill becomes law, it will bring a lot of savings and encourage many consumers to invest and help the supplier put some poles and transformers, so that they can get their own electricity. Anybody who comes to get electricity from that pole will pay that first consumer who did that and not the Kenya Power and Lighting Company or any other person. Anybody person who subsequently comes to get electricity from that pole will pay the first consumer who installed the electricity, and not the KPLC or any other supplier. If that is implemented, a lot of other people will go out of their way to assist suppliers, including the KPLC, to see that electricity is available in many places.

What I have in mind is an area in Mombasa called Miritini. It is a small village right in Mombasa district, and it is in Changamwe constituency. It is surrounded by factories which are very big consumers of electricity. We have the Brollo and Cusco which does steel works, which are big consumers of electricity. We have the Kenya

Co-operative Creameries (KCC) and Doshi Ironmongers. The entire village is surrounded by factories which use electricity, but the village does not have electricity even now. I cannot understand why a village in the middle of an industrial area, could be left for so long a time without electricity, and yet we have the Rural Electrification Programme. I appeal, through the Chair, to the Minister and the Permanent Secretary and their personnel to look at this problem facing the people of Miritini. They should do something to assist them so that they can feel they are Kenyans as well and enjoy the privilege of having electricity.

Mr. D.D. Mbela: On a point of order, Mr. Temporary Deputy Speaker, Sir. I beg to move that the Mover be now called upon to reply?

The Temporary Deputy Speaker (Mr. Ndotto): I think this is the second time the question has been raised. I will oblige and put the question.

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

The Minister for Energy (Mr. M'Mukindia): Thank you very much, Mr. Temporary Deputy Speaker, Sir.

Right from the outset, let me start by thanking all the hon. Members who have contributed to this Bill, because it has had overwhelming support from the whole House. Despite the fact that the Bill is highly technical, and largely uses technical language, most hon. Members have made contributions that we, in the Ministry of Energy, have taken note of. The contributions will be considered and possibly, be included in the Bill at the end of the debate. Hon. Members have also made many valid suggestions about the Ministry of Energy itself, and the corporations that come under the Ministry. I want to assure hon. Members that we have taken everything that they have said positively, and we will try the best we can to incorporate their views and suggestions in whatever we will do in the future.

The general view that has emanated from this debate, is that there is major support for this Bill. It is also quite clear that the question of rural electrification is paramount in the minds of hon. Members, and Kenyans in general. We take note of this and, indeed, we will do something about it. There is already a rural electrification master plan that is being prepared, that will take account most of the views that hon. Members have expressed, throughout the time that this Bill has been debated in this House.

Other issues relating to rural electrification, apart from the shortage of funds to support this programme, is the equitable supply of electricity to all.

Mr. Temporary Deputy Speaker, Sir, Mr. J.N. Mungai has captured the mood of the House as a whole by saying what most of the other hon. Members said earlier on. He has emphasized the need for equitable supply of electricity in all parts of the country. I want to assure hon. Members that we are committed to this principle and that once the rural electrification masterplan is prepared, it will be based on a national basis so that hon. Members and wananchi can know how much money is available well in advance and when they can expect electricity to be supplied to their areas.

The second thing is availability of funding, especially the 5 per cent charge on electricity. That should also enable us to know in advance how much money will be available.

One other thing related to rural electrification is that we have started to use contractors to implement some of the programmes that have funds set aside. In the past, all construction of transmission and distribution lines was carried out by KPLC and at times even when funds were available, there was no sufficient manpower to do the job. I can give one example to illustrate what I am saying. We have a rural electrification project, fairly comprehensive, in Bamba and Ganze in the Coast Province. This is going to go to contractors because we do not have enough manpower to do the job in KPLC.

The other general point that hon. Members have raised is the need to improve the efficiency of supply and reduce the cost of supply of electricity to consumers. As I mentioned when I moved this Bill, KPLC has been separated from KPC which is a generating company and, therefore, we expect the efficiency of supply to improve significantly. As you know, KPLC was set up some 75 years ago and since then, it has grown tremendously, both in size as well as in complexity. Therefore, there was really a need to separate the functions of generation from those of transmission and distribution. On a stand-alone basis, we expect that we will be able to scrutinize the performance of each of these corporations more effectively in the future.

The other thing that the Government will insist on, is a performance contract between the Government and KPC on one hand and the parastatals and KPLC on the other hand. In other words, we will define some criteria which will indicate to us, as a Government, that these parastatal companies are operating as efficiently as any in the world. Therefore, there will be a need to enter into a covenant between us and the parastatals to ensure that they operate efficiently. The other thing that has come out quite clearly from the Floor of this House is that there is a need for both the Ministry as well as KPLC to improve the image as seen by the public.

It is quite clear that we do have a negative image. However, that may have arisen in the past, it is quite obvious that we are not held in very high regard by the public as has come up from this House.

Mr. Temporary Deputy Speaker, Sir, I want the top officers of the Ministry, as well as the parastatals concerned with power generation, distribution and transmission, to note the mood of the House and to realise that the mood of the House is really the mood of the country because these are the representatives of the people. They should ensure that we turn around this image to a positive one, by giving wananchi the kind of services that they expect from us.

Mr. Temporary Deputy Speaker, Sir, I want to assure the House and the country in general that, the Ministry will work very hard to ensure that they turn around this image from a largely negative one to a positive one. This is not to say that the Kenya Power and Lighting Company has not done a good job; it has really done a good job but it could be better or maybe, we need to improve on the way we actually carry out those jobs. There are two ways of doing a job: One, is to do it the right way but then the perception from the public is that, it is not done the right way. We must improve on those perceptions. This can only be realised if we are more open, transparent and accountable. We must realise we are accountable to the public, as corporations and, therefore, we must be more open and more transparent in the way we do our jobs. It means, therefore, that there must be better flow of information to the public since they own the corporations, to ensure that they are happy about the procedures that are followed in terms of the work we do, especially, perhaps, in the area of awarding major contracts which has been a source of poor publicity for the corporations under this Ministry. Therefore, I wish to assure hon. Members that we have all taken note of that and we will do something about it.

Mr. Temporary Deputy Speaker, Sir, the other general point that has come up is that, there may well be power rationing in the name of power failures which hon. Njenga Mungai talked about at length. I want to assure this House that we really have had no power rationing for the last one month or so. At the moment we have a capacity of 740 to 750 megawatts, but the peak demand is about 700 megawatts. For that reason, since the commissioning of the two IPPs, one in Nairobi South and the Barge mounted in Mombasa, we really do not do any rationing any more. I admit that there may be cases of power failures, and, indeed, we have said that we will look at the transmission and distribution side to see how best we can strengthen those areas where we have the power but the distribution side is not working as well as it should be. The Kenya Power and Lighting Company is looking into that to ensure that there will be strengthening of the areas where there may be a weakness in terms of distribution. But in terms of supply and generation, we have sufficient power at the moment. That was not the case early this year and last year and therefore, hon. Members could have been speaking more about what happened last year or early this year, than what is currently happening at the moment when we have no power rationing.

Mr. Temporary Deputy Speaker, Sir, nevertheless, there are some areas where people take a lot of load, for example, in industries. I would urge those companies that take a lot of power that, when they are requested by the Kenya Power and Lighting Company to shed some of that load, to follow those instructions because the Kenya Power and Lighting Company does not do it for the sake of it. They do so to balance the power distribution, especially in the evenings when demand increases. Some industries, at least, in the past, were requested to shed some load but some used to refuse and that caused problems. I think in future, we will strengthen the relationship between the major consumers and the Kenya Power and Lighting Company to ensure that when somebody is requested to shed load, he actually does so for the benefit of all users.

Mr. Temporary Deputy Speaker, Sir, the other thing that has come up as a general point again, is that, now that we have opened up the sector and are inviting the private sector to play a major role in terms of power generation and, in future, of course, transmission and distribution; we should encourage indigenous people to participate in the ownership of these facilities. I want to assure hon. Members that we in the Ministry share that view. Indeed, we would like to encourage indigenous Kenyans to participate in this fairly lucrative business. People need power and whenever you have power generation facilities you know that you have an attractive market. It is also a strategic industry. For that reason, it is important that local people own part of power generation, distribution and transmission facilities.

Mr. Temporary Deputy Speaker, Sir, in the new spirit of dialogue among all the hon. Members, and now that we have hammered out a new political dispensation, this may well be a time to really look at the possibility of having a similar forum for looking at a new economic dispensation for Kenyans. I am saying this because it is not possible for us to do something like this only in the Ministry. I think it has to be a programme for the country that everybody has discussed and knows the implication of doing things one way or the other. All of us should be agreed on a certain direction as far as the economy is concerned. That kind of broad agreement among all hon. Members and, perhaps people from the labour unions, employers and other organisations, may well guide Ministries and other relevant Government bodies in ensuring that the local people own the economy in future.

There are so many things that need to be done. Indeed, if we have to become industrialised by the year 2020

we will have to look at a lot of things. For that reason, time will come, perhaps in the next Parliament, for hon. Members to look very closely at the possibility of having a new economic dispensation for this country in line with the new political realities that this country faces.

I shall now answer some of the questions that hon. Members raised. Many questions were asked and I would like to very briefly cover some of them. I know that hon. Members raised very many questions and I hope that I have covered some of them broadly. Due to the interest shown by hon. Members in this Bill they raised a lot of points. I shall be able to give a fair amount of details on what we intend to do about the issues the hon. Members raised. I know that there is not much time today because we are coming to the end of our sitting today. However, I hope to continue with my reply next. For that reason, I will not move today because, I think, I will continue next week.

Thank you, Sir.

Hon. Members: Move! Move!

The Minister for Energy (Mr. M'Mukindia): No! No! I shall continue next week.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Members! It is now time for the interruption of our business. The House, therefore, stands adjourned until Tuesday next week, 23.9.97, at 2.30 pm.

The House rose at 6.30 p.m.