

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 5th November, 1996

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.352

DEATH OF POLICE CONSTABLE

Mr. Deputy Speaker: Hon. Shikuku is not here; so we defer the Question for the moment. Next Question.

Question No.168

ASSISTANCE TO FORMER FREEDOM FIGHTERS

Robert Mungai, is not here! So we defer the Question for the moment! Question No.736, the Member for Kang'undo.

Question No.736

NUMBER OF STUDENTS IN UNIVERSITIES

Mr. Mulusya, not here! His Question is deferred for the moment! Question No.202, Member for Githunguri, Mr. Gatabaki.

Question No.202

COST OF DIPLOMATIC MISSIONS

Mr. Gatabaki, not here! We defer his Question too for the moment! Question 1001, hon. Wetangula.

Question No.1001

CESS PAID TO COUNTY COUNCIL

Mr. Wetangula asked the Minister for Local Government:-

(a) how much cess was paid by Nzoia Sugar Company to Bungoma County Council during the year 1995; and,

(b) how the said money, if any was utilised.

Mr. Deputy Speaker: The Minister for Local Government is not here; so we defer the Question for the moment! Question No. 282, hon. Ruhiu!

Question No.282

UPGRADING SLUM AREAS IN THE CITY

Mr. Ruhiu, not here! So, we defer the Question for the moment! Question 769, Mr. Busolo.

Question No.769

ENVIRONMENTAL IMPACT ASSESSMENTS

Mr. Busolo asked the Minister for Environment and Natural Resources:-

(a) how many environmental assessments have been conducted at the Pan African Paper Mills (E.A) Limited between 1990 to date; and

(b) when the last assessment was done and what the findings were.

The Assistant Minister for Environment and Natural Resources (Mr. Khalif): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Pan African Paper Mills Limited have conducted two environmental impact assessment studies since 1990.

(b) The last study commission by Pan Paper was conducted in 1994. The findings of the study focused on measures to be undertaken to offer staff water and additional effluent treatment strategies to ensure that the expansion of the Plant maintains acceptable waste discharge standards.

Mr. Busolo: Mr. Deputy Speaker, Sir, a study by the bank monitoring unit of the African Water Network indicates that children between the ages of one and five are dying in Webuye and that brings out the question of environmental impact of this factory. What is his Ministry doing about that, if children are dying at that rate?

Mr. Nthenge: Very good!

Mr. Khalif: Mr. Deputy Speaker, Sir, the Ministry does not have such information so far.

Mr. Busolo: Mr. Deputy Speaker, Sir, now that I have brought this information to the Assistant Minister, could he undertake to study in conjunction with the Ministry of Health, to find out why children between the ages one and five are dying and why men working in the caustic chlorine plant of the factory are getting impotent; they are not "functioning"?

Mr. Khalif: Mr. Deputy Speaker, Sir, it is a very serious issue, but it is a problem to be taken over by the Ministry of Health. So far, my Ministry has no information of even those impotent men in the factory.

Mr. Busolo: On a point of order, Mr. Deputy Speaker, Sir. My request was that, since the factory falls under the purview of the Ministry of Environment and Natural Resources, could they undertake to call on the Ministry of Health to study this? If men are getting impotent, they are not "functioning", and children are dying; it is a very serious matter. Could he promise this House that he will contact the Ministry of Health to do a study?

Mr. Khalif: Mr. Deputy Speaker, Sir, my Ministry will have to request the Ministry of Health to study that immediately.

Mr. Deputy Speaker: Will you give the undertaking?

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

Mr. Deputy Speaker: Next Question!

Question No.439

NUMBER OF JUA KALI PROJECTS IN NYERI

Mr. Mathenge is not here; so the Question is deferred for the moment. Next Question!

Question No.379

PROCUREMENT OF SUB-STANDARD FERTILIZER

Question No.379 is deferred pursuant to a request by the hon. Questioner. So, we go back again to Question No.352, by Mr. Shikuku, for the second time!

Question No.352

DEATH OF POLICE CONSTABLE

Mr. Achieng' Oneko: On a point of order, Mr. Deputy Speaker, Sir. You have not called out Question No.379.

Mr. Deputy Speaker: I said, that Question is deferred pursuant to a request from the hon. Questioner and I am satisfied I should grant the request.

Mr. Achieng' Oneko: I beg your pardon, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Question No.352, for the second time!

Question No.352

DEATH OF POLICE CONSTABLE

Mr. Shikuku, not here! Question dropped.

(Question dropped)

Question No.168, by hon. R.K. Mungai!

Question No.168

ASSISTANCE OF FORMER FREEDOM FIGHTERS

Mr. R.K. Mungai, not here! So, the Question is dropped.

(Question dropped)

Question No.736, by hon. Mulusya for the second time!

Mr. Mulusya: Mr. Deputy Speaker, Sir, I apologise for coming late.

Question No.736

NUMBER OF STUDENTS IN UNIVERSITIES

Mr. Mulusya asked the Minister for Education:-

(a) how many students were admitted to the national universities from each of the four districts of Ukambani in the 1995/96 academic year;

(b) how many students applied for loans from the Higher Education Loans Board for the same period from each district and how many qualified for the loans; and

(c) how much in total, in each district, the students were allocated.

The Assistant Minister for Education (Mrs. Ndeti): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The number of students admitted to national universities in each of the four districts of Ukambani in the 1995/96 academic year are as follows:-

<u>University</u>	<u>Mkos.</u>	<u>Kitui</u>	<u>Makueni</u>	<u>Mwingi</u>	<u>Total</u>						
Nairobi		121	55	93	--	269	Kenyatta	61	48	62	--
			175								
Egerton		100	48	89	11	248					
Moi		58	35	43	8	144					
JKUCAT		23	15	21	3	62					
Maseno		23	15	20	5	63					
<u>Totals</u>		<u>390</u>	<u>216</u>	<u>328</u>	<u>27</u>	<u>961</u>					

(b) Mr. Deputy Speaker, Sir, the number of students who applied for loans per district were as follows:-

<u>District</u>	<u>Applied</u>	<u>Qualified</u>
Kitui	750	740
Mwingi	327	325
Machakos	1482	1457
<u>Makueni</u>	<u>1342</u>	<u>1332</u>
<u>Total</u>	<u>3901</u>	<u>3854</u>

(c) Mr. Deputy Speaker, Sir, the total amount allocated to students in each district were as follows:-

<u>District</u>	<u>Amount (Kshs)</u>
Kitui	29,603,000
Mwingi	13,012,000
Machakos	57,966,000
Makueni	53,283,000
Total Kshs	<u>153,864,000</u>

Mr. Mulusya: Mr. Deputy Speaker, Sir, the hon. Assistant Minister who unfortunately comes from Ukambani has given a misleading answer. The Assistant Minister is aware that she has conducted Harambees for more than 50 students in her own constituency who were not allocated loans from the Higher Education Loans Board. At one time, I was supposed to be a guest of honour in one of her Harambees.

Mr. Deputy Speaker, Sir, if she - excluding the other Members of Parliament from Ukambani - was able to get more than 50 students from one constituency who have not qualified to be allocated loans, where did these figures come from? How can she be able to account that all the students in Ukambani are not suffering from non-allocation of loans for higher education?

Mrs. Ndetei: First of all, I am not aware of the 50 Harambees because I have never conducted 50 Harambees for 50 different students. The hon. Member should understand that the fact that a student qualifies for a loan, does not necessarily mean qualifying for the total loan. He may qualify for a part of it and the other part has to be raised by the parents of the student.

Mr. Mulusya: Mr. Deputy Speaker, Sir, can the Assistant Minister confirm or deny that most of the students who have been allocated loans - the whole amount applied for - even in this current academic year, whose allocation of loans has just been released, that most of those students are the ones whose families are able to pay for their fees? Can the Assistant Minister further confirm or deny that the children of the poor have been denied the loan and even those who have been given, got very minimal amounts for example, some got, Kshs15,000 or Kshs20,000 and the Higher Education Loans Board has refused to approve enhancement of what has been allocated to them?

Mrs. Ndetei: Mr. Deputy Speaker, Sir, I am not aware whether that is the position. But any students who feel that they have not been fairly considered for the amounts they deserve are free to reapply, be re-assessed and something will be done for them.

Mr. Nthenge: Mr. Deputy Speaker, Sir, does the Assistant Minister realise that even if you re-apply and you were earmarked not to get it, you will never get it, because the reasons which made one not to qualify the first time will be used when re-assessing?

Mrs. Ndetei: Mr. Deputy Speaker, Sir, the truth of the matter normally is that whatever information the students put in their application forms, is the same information that is used to enable them qualify for whatever amount of money which they qualify for. So, I am not aware that the information is used to victimise the applicants. It is used to assess and therefore, award the loans.

Mr. Kapten: Mr. Deputy Speaker, Sir, when a student makes an application for a loan, he or she provides all the information that the university requires in order to assess him or her. Why should they apply for reassessment when the university has got that information already? Why should they make another application for the same loan?

Mrs. Ndetei: They reapply because they are dissatisfied with their allocation and so, when they

re-apply, normally there is less variation in their re-application with the information which they had already given earlier. We should not forget that most of these students have gone through school up to form four and their parents have been able to sustain them. There has been a lot of payment of school fees. They used to pay from Kshs20,000 to Kshs25,000. So, this information is normally used to award the loans and the bursaries.

Mr. Otieno: Mr. Deputy Speaker, Sir, we need a better attitude from the Ministry of Education with regard to these loans. I have four students in the universities. Some of these students are third years while others are fourth years, who cannot pay, Kshs17,000, Kshs23,000 and Kshs28,000. The reason is that their education through the secondary school wiped off all the assets of their families. So, the appeal mechanism is too weak to be called an appeal. It is a repeat of the process that led to that low allocation. We want a better mechanism which means a physical assessment of the condition of the student at home. What point is it Madam Assistant Minister, for a student whom you have given loans for three years to be sent home for Kshs17,000 because the family assets have been exhausted and you do not have the mechanism to determine that?

Mrs. Ndetei: Mr. Deputy Speaker, Sir, there is no point but that information is necessary to the Higher Education Loans Board. A lot of this information is never given to the Higher Education Loans Board.

Mr. Mulusya: Mr. Deputy Speaker, Sir, there are also students from your area?

Mr. Deputy Speaker: Order! Order, hon. Mulusya! I can tell you that it was only last week that I wrote a rather nasty letter on this subject to the Higher Education Loans Board. But I am afraid that we must go to the next Question now.

Question No.202

COST OF DIPLOMATIC MISSIONS

Mr. Deputy Speaker: Mr. Gatabaki is not here? The Question is dropped.

(Question dropped)

Mr. Wetangula asked the Minister for Local Government:-

(a) how much cess was paid by Nzoia Sugar Company to the Bungoma County Council during the year 1995; and,

(b) how was the said money, if any utilised.

Mr. Deputy Speaker: Anybody from the Ministry of Local Government here? Anybody who will answer that in the spirit of collective responsibility? Is it scaring? The Question is deferred and it will be put in the Order Paper at the earliest opportunity.

(Question deferred)

Mr. Busolo: On a point of order, Mr. Deputy Speaker, Sir. Many Questions have been deferred in this House and this issue of deferring Questions is bringing a backlog of so many Questions. There has been a ruling by the Speaker, in this House, that the Ministers first duty should be in this House. What happened to that ruling? This is the second time that this Question is being deferred!

Mr. Deputy Speaker: As far as the Chair is concerned, when it comes to Question Time, the Ministers prime duty is to be here. But if they are not here, I think you will expect me to be fair to you by not dropping the Question. They should not benefit from their own failures and so, the Question is deferred to the next earliest possible opportunity, which I hope it will be next week. There is nothing which I can do beyond that.

Mr. Orengo: On a point of order, Mr. Deputy Speaker, Sir. The reason why we have the Leader of Government Business or his Deputy is for purposes of resolving issues like this. Now that the Government is under a collective responsibility to have these Questions answered, can they give an indication as to when? Or KANU B is the only one which is here and KANU A is away?

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. When a Member or a Minister comes late to ask or answer a Question, they are normally required to apologise to the House. When a Member is absent, he suffers the punishment of his Question being dropped. But when a Minister is not here, the Question is deferred, but when he comes to answer that Question, he does not apologise to the House. Is it not high time that Ministers were required to explain and apologise to the House when they fail to answer Questions?

Mr. Deputy Speaker: Order! Order! I think where Ministers turn up to answer Questions when

Questions are called for the second time, the fact has always been that they must, first apologise to the House for coming late. On the other hand when we defer the Question, perhaps that has not been that clear and I think they should apologise in that case too.

Question No.282

UPGRADING SLUM AREAS IN THE CITY

Mr. Deputy Speaker: Mr. Ruhiu is not here? The Question is dropped.

(Question dropped)

Mr. Deputy Speaker: Mr. Mathenge's Question for the second time.

Question No.439

NUMBER OF JUA KALI PROJECTS IN NYERI

Mr. Deputy Speaker: Mr. Mathenge still not here! His Questions is dropped.

(Question dropped)

Mr. Deputy Speaker: We will now move on to Questions by Private Notice.

QUESTIONS BY PRIVATE NOTICE

Mr. Deputy Speaker: Prof. Mzee's Question.

BRUTALITY AGAINST MEMBERS OF THE PUBLIC

(Prof. Mzee) to ask the Minister of State, Office of the President:-

- (a) Is the Minister aware that an Honourable Lady Member of Parliament and three Standard Newspaper journalists were physically assaulted by the O.C.S., Athi River Police Station on 22nd October, 1996?
- (b) What disciplinary action was taken against the said officer?
- (c) What steps is the Minister taking to prevent this kind of brutality against members of public, especially women?

Mr. Deputy Speaker: Prof. Mzee not here? His Question is dropped.

(Question dropped)

Mr. Deputy Speaker: Mr. Raila's Question.

ACUTE FAMINE IN TESO DISTRICT

(Mr. Raila) to ask the Minister for Agriculture, Livestock Development and Marketing:-

- (a) Is the Minister aware that due to a compulsory Government Vaccination programme on livestock in Teso District between the years 1990 and 1992, there occurred an epidemic that has wiped out large numbers of livestock in the area?
- (b) Is he further aware that this year (1996), in Teso, crops have failed and there has been little or no harvest at all as a result, there is an acute famine that is threatening the lives of about 200,000 Tesos in the area?
- (c) What urgent measures is the Ministry taking to address the escalating famine and to

compensate the affected people for the livestock lost?

Mr. Deputy Speaker: Mr. Raila is also not here? His Question is also dropped.

(Question dropped)

Mr. Deputy Speaker: Mr. Anyona's Question.

NUMBER OF LOAN RECIPIENTS

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

In view of the current outcry by the Abagusii students in the five national universities about the award of loans by the Higher Education Loans Board (HELB), will the Minister tell the House:

(a) How many students from Kisii and Nyamira Districts at Nairobi, Moi, Kenyatta, Egerton and Jomo Kenyatta Universities received loans from the HELB for the 1996/97 academic year and the amount of each award?

(b) The number of students from the two districts in each national university who did not receive any loan at all or received the minimum of Kshs6,000?

(c) Will the Minister ensure that all students in the national universities who did not receive any loans or who received less than they deserved are reconsidered for loan award?

The Assistant Minister for Education (Mr. Komora) Mr. Deputy Speaker, Sir, I beg to reply.

(a) In the 1996/97 academic year the number of students from Kisii and Nyamira Districts at the five public universities who received loans from the HELB is as follows:- The figures for those from Kisii District who received Kshs42,000 were 192 students; Kshs40,000 - 31 students; Kshs35,000 - six students; Kshs30,000 - 64 students; Kshs27,500 - 407 students; Kshs25,000 - 227 students; Kshs20,000 - 161 students. The total number of students assisted from Kisii District is 1,088. The figures for Nyamira District are as follows: Kshs42,000 - 104 students; Kshs40,000 - 23 students; Kshs35,000 - four students; Kshs30,000 - 37 students; Kshs27,500 - 263 students; Kshs25,000 - 157 students; and Kshs20,000 - 81 students. The total number of students assisted from Nyamira District is 669.

(b) The number of students in the two districts who did not receive loans at all is as follows:- Kisii - 34 and Nyamira 19. The minimum amount awarded to students is not Kshs6,000, but Kshs20,000.

(c) Those students who were not satisfied with the amounts awarded or those who applied, but did not receive any loans are always encouraged to appeal to the HELB. Appeals are handled throughout the year.

Mr. Anyona: Mr. Deputy Speaker, Sir, whereas I would like to have a full explanation of the criteria for each amount awarded in those categories, I would particularly want to have an explanation as to why in the case of Kisii District under the columns of Kshs40,000 and Kshs35,000 only in one university a student got some money and the rest got nothing. In the case of Kshs35,000 category only three students got the money. The only exception was Jomo Kenyatta University of Agriculture and Technology. In the case of Nyamira District, similarly, only one student from Egerton University and another one from Moi University got some money. I want an explanation as to why in that category very few students got any loans at all.

Mr. Komora: Mr. Deputy Speaker, Sir, what is his question?

Mr. Anyona: Mr. Deputy Speaker, Sir, under the category of Kshs40,000 of the list he has read out here, in the case of Kisii District, except for Jomo Kenyatta University, no student got any loan at all. In the category of Kshs35,000 only three students, one student in each of Kenyatta and Egerton Universities and Maseno University College, got something. The same thing applied to students from Nyamira District. Why were very few students awarded loans under that particular category?

Mr. Komora: Mr. Deputy Speaker, Sir, those students who are not satisfied with the allocation of loans are free to appeal.

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. I have asked a very specific question and I am coming to the one he is trying to answer. I want to know the criteria used in denying loan to students from the two districts under the categories of Kshs40,000 and Kshs35,000? After that I will ask him to reconsider their cases. Let him answer that question first.

Mr. Komora: Mr. Deputy Speaker, Sir, I have already answered the hon. Member and said that those students who were not satisfied with the allocation of the loans can appeal. But I want to make it clear that the

decision as to what amount is awarded to a student is based on the information supplied by the student and availability of funds.

Dr. Kituyi: Mr. Deputy Speaker, Sir, when hon. Kamotho was moving the Bill here for the creation of HELB one of the main arguments that he presented to the House was that the purpose of establishing the Board was to make sure that no Kenyan who has qualified to go to university would be denied university education because of inability to pay fees. As Members of Parliament, we are all facing this problem. Can the Assistant Minister tell the House: At what point did the rationale and the justification for HELB cease to be the guarantee that poor students will finish university education?

Mr. Komora: Mr. Speaker, Sir, the provision of loans should not be misunderstood. Loans are provided to assist those who are unable to get all the money required to provide for their education.

Dr. Kituyi: On a point of order, Mr. Deputy Speaker, Sir. Is this Assistant Minister in order to continue to lecture me about an irrelevance when I have asked him a very specific question? I have not asked for any reason for taking loans. I have asked: At what point did the rationale for the HELB change from making sure that every poor student at the university gets access to education to a point where it becomes another institution for giving loans?

Mr. Komora: Mr. Deputy Speaker, Sir, I have already replied to the hon. Member and said that each student fills in an application form explaining his or her inability to pay university fees, and the decision as to who gets a loan depends on the analyses of that information which are made by the Board, and the amount distributed depends on the availability of funds.

Mr. Mulusya: Mr. Deputy Speaker, Sir, the Assistant Minister and another Assistant Minister who also replied to a similar Question here earlier are deliberately misleading this House. Whenever a qualified student has been denied a loan, either totally or partially, and he or she has applied for reconsideration by the Board it has taken almost a full academic year for a decision to be made and communicated to the concerned student. By that time the student has already dropped out of university. The essence of creating the HELB was that, as explained by Dr. Kituyi, no poor student who qualified to have university education failed to do so, unless he failed his examination. Why has the Ministry not tried to enforce the initial undertaking which the Minister gave from the Floor of this House? He said that such was the purpose of creating this Board. Why is the Ministry not ensuring that no poor student fails to complete his or her higher education because of lack of university fees?

Mr. Komora: Mr. Deputy Speaker, Sir, this Government is still upholding its stand that no poor student will be denied education for lack of money. But we are not going to give "free" money to those who can afford to pay. I would like to challenge the hon. Members of Parliament who have any students that have been sent away for lack of funds to come and see me.

Mr. Magwaga: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is misleading the House by telling the House that the students are going to get "free" money. As far as we are aware, this is a loan which the students are going to pay after completing their education. Is he in order to imply that the loan is "free"?

Mr. Komora: Mr. Deputy Speaker, Sir, we have got loans and we also have bursaries. We are still firm that, as far as loans are concerned, nobody gets a loan without applying for it. That application has to be considered and analyzed. The loan is awarded in accordance with the amount of money available.

Mr. Otieno: Mr. Deputy Speaker, Sir, the two Assistant Ministers are still referring us to the appeal process which we have said is inadequate. Can I ask a simple question? Will the Minister direct the Universities that no student shall be sent home while the appeal is pending and awaiting determination?

(Applause)

Mr. Komora: Mr. Deputy Speaker, Sir, in fact, this is why I have said that any hon. Member of Parliament who has got such a case should come and see me. We have already directed that no student shall be sent home for lack of money.

Mr. Anyona: Mr. Deputy Speaker, Sir, it is quite clear that this Assistant Minister is avoiding to answer the question, which means there is something seriously wrong. He has failed to give us the criteria which determined the amount of loans awarded. Can he now explain to the House, the criteria he used to disqualify 53 students from Kisii and Nyamira Districts? These students will not go to University because they did not get any loans at all. Will he take up those cases and make sure that they get loans?

Mr. Komora: Mr. Deputy Speaker, Sir, if hon. Members would be patient to listen to my answers, they

would not be complaining. I was completing the answer by saying that, the Higher Education Loans Board (HELB) has already been directed that no student shall be sent home while the appeal is being considered.

Mr. Wetangula: Thank you, Mr. Deputy Speaker, Sir. There is something tragically wrong in the administration of this university loans. As you can see and hear, everybody is complaining. Can the Minister consider dissolving the Board that was set up to run these loans and vest the authority of administering these loans in the District Education Boards (DEBs) where all hon. Members of Parliament sit and participate?

(Applause)

Mr. Komora: Mr. Deputy Speaker, Sir, this Board was established in accordance with an Act of Parliament.

Mr. Mulusya: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has continuously and deliberately refused to answer a specific question. As we talk here now, the HELB has completed the issuance of loans for this academic year and it has categorically said that there is no room for appeal. This prompted the students to go and see the Vice-Chancellors last week. If that is the case, and he has issued instructions that no student should be discontinued for lack of money, can he produce that directive in writing here so that these hon. Members can be able to use that? Next week we are going to see all the Vice-Chancellors of these Universities and make sure that they live up to that directive, if it exists.

Mr. Komora: Mr. Deputy Speaker, Sir, it is quite unnecessary for the Ministry to provide that letter here because we have given instructions as a Government, and that is enough.

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. It is quite clear that both sides of the House are not satisfied with the answers we have been getting from this Assistant Minister. This is a very serious national matter. We are sitting here when our children in the university are being sent away and they are wondering whether they have leaders or not. Can the Assistant Minister now go back, investigate this issue and come back to this House with a full answer and a full statement as to what the *status quo* is? Can he undertake to do that?

Mr. Komora: Mr. Deputy Speaker, Sir, I have given a full answer. I am prepared to consider any case that is brought to the attention of the Ministry.

Mr. Kapten: Mr. Deputy Speaker, Sir, we have been informed that instructions were given to the universities not to send students home when they have appealed. Can he tell us when the Ministry gave those instructions to the universities, and what is going to happen to those universities which have disobeyed these instructions?

An hon. Member: Alikuwa anadanganya!

Mr. Komora: Mr. Deputy Speaker, Sir, if hon. Members read the press today, there is a statement from the Vice-Chancellor of Nairobi University which confirms our stand.

Mr. Kibaki: On a point of order, Mr. Deputy Speaker, Sir. You could help us. The Assistant Minister is determined to refuse to answer this national question. It is true there are students who have been sent home. We are constituency Members, they come to our constituency offices and we know that they have been expelled from the universities. The hon. Assistant Minister is also a parent. Can you tell him to think like a human-being and a parent and state specifically whether the promise that those students are not going to be expelled will be fulfilled, or shall we have those students who are now at home staying at home? Those who were sent home last year are still at home. He must reply as a parent, do not hide behind any---

An hon. Member: As a Pokomo!

Mr. Komora: Mr. Deputy Speaker, Sir, I would like to assure this House that we will stand by our word that no student will be sent home or be denied his university education for lack of funds. I do not know how else I can put that assurance to this House.

Mr. Ndilinge: Thank you, Mr. Deputy Speaker, Sir. The Assistant Minister should take this issue as a serious one since it concerns the future of this nation. The Assistant Minister was asked a very simple question: Whether he is going to set up a special Committee to look into the matter because this matter is of concern to both the Opposition and the Government. It is a national issue concerning our future leaders. So, can he tell us whether he is going to set up a Committee to look into the matter and dissolve the existing HELB? Quite a number of students are at home as we are talking here now.

Mr. Komora: Mr. Deputy Speaker, Sir, there is no need of setting up any committee because we are able to handle the situation.

Mr. Orenge: On a point of order, Mr. Deputy Speaker, Sir. In his penultimate answer to a

supplementary question, the Assistant Minister quoted today's Press as confirmation of his Ministry's stand. Is he in order to use the Press as a basis for answering a Question in this House? There is a Standing Order which says that we cannot go by Press reports.

Mr. Deputy Speaker: Which Question was he answering?

Mr. Orengo: We cannot go by the Press.

Mr. Komora: Mr. Deputy Speaker, Sir, the reference to Prof. Gichaga's statement to the Press is in relation to our stand that no student will be sent home or miss university education for lack of funds and we stand by that.

Prof. Mzee: On a point of order, Mr. Speaker, Sir. If only you had allowed me to ask my Question for the sake of our ladies in this country!

MINISTERIAL STATEMENT

INSECURITY IN THARAKA-NITHI AND NYAMBENE DISTRICTS

The Assistant Minister, Office of the President (Mr. Awori): Hon. Members will recall that during the afternoon sitting on Thursday, 31st October, 1996, the issue of insecurity along the border of Tharaka-Nithi and Nyambene Districts was raised. I undertook to issue a Ministerial Statement in this regard. Let me assure hon. Members and the entire nation that as I stand here today, the situation in the area is calm and the Government is endeavouring to get a lasting solution to this problem by addressing itself to the cause of the skirmishes.

There has been a long standing dispute over ownership of land between the Tharaka and Igembe people of Tharaka-Nithi and Nyambene Districts. The tension normally escalates during the season of land preparation and planting. In the latest skirmishes, the sequence of events was as follows:-

On the night of 21st and 22nd October, 1996, in Kianda Sub-location, Gichuru Location, Igembe South Division, Nyambene District, a Mr. Mathew Kundi was killed and a Mr. Isaack Muriera was seriously injured allegedly by the Tharaka people. It is worth noting that Kianda Sub-location has a mix population of both Tharakas and Igembes and land disputes are bound to occur in this sub-location.

Following the incident on the night of 21st and 22nd October, there were skirmishes between the Igembes and the Tharakas on 23rd October, 1996 at Kianda and Kanjoro "B" areas. The Government quickly mobilised and sent security personnel to the affected area and calm was restored. However, the skirmishes left at least 32 houses burnt down. The houses belonged to both Tharakas and Igembes. Security personnel arrested seven people who have already appeared in court. During the skirmishes several people including parents, school children and teachers fled from the area. As a result, five primary schools namely; Kiumbe, Kalimba, Kabangwa, Mutungulu and Machabini were closed for one week. The affected schools were visited by the educational officers and district security teams from Nyambene district. On 31st October, 1996, the teachers and the pupils were assured of their security and the schools resumed their normal operations immediately.

In order to bring the situation back to normal, the Nyambene and Tharaka-Nithi district security committees addressed a series of public barazas in the border sub-location on 24th and 28th October, 1996.

On 30th October, the Provincial Security Team lead by the Provincial Commissioner himself addressed several barazas in the affected areas and advised wananchi to keep law and order and shun inciters who were bent on creating inter-ethnic animosity for their personal gain. The matter has also been referred to the local council of elders in Njuri-Njeeke for arbitration.

I would request all persons with genuine land claims or relevant information on land boundaries to liaise with the elders for arbitration. Moreover, security has been beefed up in the area and the situation is back to normal. However, the Government is keeping a close watch to ensure that the situation is kept under control.

As I pointed out at the beginning, the Government is doing its best to address itself to the root-cause of the problem. I am appealing to the residents of the areas to co-operate with the Government so that peace and tranquillity can reign in the area for their own benefit and that of their children. Thank you.

POINTS OF ORDER

GOLD MINING LICENSES IN TURKANA DISTRICT

Dr. Kituyi: Mr. Speaker, Sir, on 23th October, 1996, during a supplementary question, I asked the

Minister for Environment and Natural Resources to bring to this House copies of the exclusive prospecting licences in respect of gold mining in Turkana District awarded to Branch Energy Kenya Limited, Joshua Kuleis' Trade Wind Mines and Yussuf Haji's Blue Rubi Mines. Up to today, the Minister, who had made a commitment to bring such copies on Tuesday, 29th October, 1996, has not brought any such copies and has not given any explanation as to why he has not done so. Could it be in order that I oblige the Chair to demand that the Minister owns the promise he had made?

NEW VALUATION OF UNDEVELOPED
SITES IN OLD TOWN

Mr. Deputy Speaker: Prof. Mzee, before you raise points of order 2 and 3 which you had requested, I need to read the HANSARD first before I allow you to do so on the first point.

Prof. Mzee: Mr. Deputy Speaker, Sir, on 30th October, 1996, I had asked the Minister for Local Government a Question concerning a new valuation which increased the value of undeveloped sites in the Old Town by a 1,000 per cent and the hon. Minister had indicated that the matter is *sub judice*. We had requested him to give us the case number and he had promised to do it that afternoon. To date, the Minister has not responded to that and I wish to get that response.

Mr. Deputy Speaker: The Minister is not in the House right now, but he will get the message.

Mr. Orengo: On a point of order, Mr. Deputy Speaker, Sir. Hon. Ministers are not in the House during the proceedings. Now, a lot of matters are going without any type of response or guidance because KANU seems to have no leadership at the moment. Is there an acting leader on the Government side who can respond to this matter? I know hon. Kamotho cannot succeed because he is a nominated Member.

POWER RATIONING IN MOMBASA

Prof. Mzee: On 30th October, 1996, I asked for a Ministerial Statement concerning the situation of power supply in Mombasa and the Minister in charge promised that he would come up with a statement. To date, the situation has become very serious. The power rationing goes on for over 12 hours and we have not got any explanation on this and yet millions of shillings are being wasted because of this power rationing.

The Assistant Minister for Energy (Mr. Nang'ole): Mr. Deputy Speaker, Sir, I am sorry the Minister who was supposed to issue the Ministerial Statement is out of the country, but we are prepared to come with the Ministerial Statement tomorrow.

An hon. Member: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order! Order! I understand the Minister did issue a rather lengthy Statement last week and, maybe, Prof. Mzee was out of the House.

Next Order!

BILL

Second Reading

THE FINANCE BILL

The Assistant Minister for Finance (Mr. Keah): Mr. Deputy Speaker, Sir, I beg to move that The Finance Bill be now read a Second Time.

Mr. Deputy Speaker, Sir, in moving that this Bill be read a Second Time, hon. Members will recollect the processes through which we have been deliberating the financial measures in the management of this economy, and indeed, in running the Government services. The measures spoken about in this Finance Bill were first debated by the House, in the Financial Statement commonly known as the Budget. Thereafter, we had three days of a Motion in which the financial measures, as stipulated by the Minister in the Financial Statement, were discussed and effect was given for them to be implemented pending the Finance Bill. After that, we were able to debate on issues relating to the Vote on Account and we then went to the Committee of Supply where we deliberated and debated, Ministry by Ministry, on the expenditures of various Ministries. The fourth item in these procedures is the debate on the April Finance Bill which, in fact, details the financial measures to be taken by the Government, and for which we are seeking approval of this House, so that those financial measures can become

law. This is yet another opportunity for hon. Members to air their views in order to assist this country in progressing forward in our economy.

The Finance Bill is, indeed, the cornerstone of the Government fiscal policy. This Bill will allow the Government to finance the recurrent expenditures that allow the delivery of services such as education, health, security, and as well as all the other services needed by wananchi, and the development expenditures needed in the infrastructure that the economy so urgently needs. Through the on-going application of fiscal discipline that has been employed by the Government, it has been able to reduce the overall tax burden on the private sector in this fiscal year by some two percent of the Gross Domestic Product. This will, indeed, release more funds to the private sector to promote investment growth and create jobs in the economy.

When we talk about the fiscal discipline, we mean the control of expenditure and the raising of revenue through statutory means such as will be given effect when this Bill has been passed.

Mr. Deputy Speaker, Sir, let me summarise here, the major proposals that have been included in this year's Finance Bill. First, in the area of custom measures, the rationalisation of import duty rates has been continuous. The top rate has been lowered and the number of rate bans has been reduced to five, ranging from three per cent, five per cent, 15 per cent, 25 per cent and 35 per cent. Most of the capital equipment items and a range of primary raw materials are now in the five per cent rate ban. This will ensure competitiveness of our manufactured goods in contrast with the rest of the world.

Measures were also introduced to assist the paper, plastic, spinning and weaving, as well as the cosmetic and motor vehicle sectors. The rate structure measures are also backed up with the wide range of measures to improve customs control.

These controls includes:

- (i) The streamlining and tightening the pre-shipment inspection measures.
- (ii) Introduction of new container and cargo handling procedures in the port of Mombasa, that will improve the movement of goods, as well as reduce smuggling.
- (iii) More transparent procedures for identifying and auctioning of unclaimed goods.
- (iv) Tighter controls on goods entering bonded warehouses, especially, the exclusion of sensitive agricultural produce and imports, that is milk, maize, rice, sugar, as well as wheat, from bonded warehouses.
- (v) New control procedures for duty exemption allowed under the law.

Mr. Deputy Speaker, Sir, these measures are collectively aimed at improving the economic environment for efficient business and increasing the revenue yields, while providing adequate protection to consumers, as well as the producers. In the area of Value Added Tax (VAT), the Bill introduces rationalisation in the rate structure. Now, the top rate of 25 per cent has been eliminated. Also, goods will only be subject to the standard rate of 15 per cent and the lower rate of eight per cent. These more uniform rate structure will assist both the traders, as well as the tax administrators, to lower their operating costs.

To assist the tourist sector, professional tour promoters, as well as journalists, will be able to arrange VAT free visits to our tourist venues. Provision has also been made in the VAT revenue estimates to allow the VAT department to catch up on its refund payments to exporters and other legitimate claimants.

Mr. Deputy Speaker, Sir, in the area of Income Tax, a major feature is the move to a single higher personal relief amount of Kshs7,200 for all individual taxpayers.

This not only makes the tax administration simpler, but also makes it more gender sensitive. This will relieve about 140,000 low-income workers from paying the PAYE next year. The tax brackets will also be expanded by 5 per cent and a new 30 per cent tax bracket will reduce the tax burden on the middle-income earners. The withholding tax system on interest income is simplified and made fairer. The withholding rate on interest income is raised to 15 per cent, but it becomes a final tax for individuals earning interests from financial institutions.

I must add here, Mr. Deputy Speaker, Sir, that earlier on in the course of the debate on the Financial Statement, this aspect was misunderstood, because people felt that taxation on savings was going to reduce savings. What I want to emphasise here is that the 15 per cent is a final tax on interest income vis-a-vis what used to previously be the case which was that the interest income was added to the rest of your income and could have attracted the higher tax bracket of 35 per cent. What we should be seeing, therefore, is 15 per cent now versus 35 per cent which was previously the case.

Mr. Deputy Speaker, Sir, to reduce the tax burden on equity investment income, the final withholding tax on dividends has been lowered to 5 per cent, and the tax deductible contribution limit for pension savings is raised markedly from Kshs60,000 to Kshs90,000. These measures will encourage long-term savings which are necessary in order to finance long-term investments that have been brought by the Government.

Mr. Deputy Speaker, Sir, finally, I want to note that the Road Maintenance Levy has been increased.

This will allow over Kshs4 billion to be spent on road maintenance out of this Fund this year, an increase of some Kshs700 million over the same figure last year.

Collectively these measures aimed to raise some Kshs2.6 billion to meet the expenditure as well as the debt reduction plan within our economy. Effectively, the measures in the Finance Bill will ensure that the economic reforms as well as the development plans of the Government are financed. These measures are designed to encourage further investments as well as job creation and growth in the economy as well as to some extent, poverty alleviation.

Mr. Deputy Speaker, Sir, it is up to hon. Members now to make their contributions to the Bill, and as I have earlier stated, they have had various forums in which to make these contributions. This is really the final chance. It is my hope and trust that hon. Members will give their blessings to the Finance Bill, so that the measures stipulated therein become law.

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

The Minister for Education (Mr. Kamotho): Mr. Deputy Speaker, Sir, I would like to make my contribution and second the Finance Bill, which has just been moved by hon. Keah, the Assistant Minister for Finance.

Mr. Deputy Speaker, Sir, as we all know, the amendments of laws pertaining to the various Acts governing various taxes of Income Tax, VAT, Customs and Excise, and all other taxes, is always a crucial legislation of this House in order to enable the Government to collect the various revenues from various sources in order to be able to finance Government expenditure during the current financial year.

Mr. Deputy Speaker, Sir, I would also like to remind this hon. House that without the Finance Bill, the Government would not legally be able to collect additional taxes which it is expected to collect in order to be able to finance its expenditure in education, health, social services and all other activities which the Government is expected to perform. Some of the areas as mentioned in the Bill, like the rationalisation of Customs and Excise Tariffs and Rates are very important, because when the Minister was moving the Budget in June this year, we recall how much he tried to come out with proposals which were meant to ease the pressure which has been on several Kenyans who are unable to pay taxes because of lack of adequate income.

Mr. Deputy Speaker, Sir, we know that with the economic liberalisation, very many poor people have been hit very hard. The liberalisation of the economy has left a lot of unscrupulous business people to do as they please and, therefore, sometimes end up charging prices which are beyond the reach of the ordinary Kenyans. If we look at education, a lot of parents in this country cannot be able to pay school fees, because of the Structural Adjustment Programmes which have made them poorer than they were before. Most of the essential items which were available to consumers at reasonable controlled prices, Kenyans are now paying double what they were paying before, and, therefore, making the people unable to meet their basic requirements in life.

In addition, Mr. Deputy Speaker, Sir, we are aware that the interest rates of the commercial banks have gone so high that the ordinary Kenyan businessmen cannot be able to borrow money from a bank and be able to trade with that money and repay the loans they have borrowed, because some of the margins left to the businessmen in this country, are by far below the interest rates which are charged by the commercial banks. I would like to call upon the Ministry of Finance to go out of their way and look for ways and means of controlling, or persuading the banks to lower their interests rates so that more Kenyans can be able to borrow money for doing their businesses which they are unable to finance today.

Mr. Deputy Speaker, Sir, I would also like to thank the Minister for Finance because during the Budget in June this year, at least, he outlined very positive areas which are meant to reduce the burden on the ordinary Kenyan by reducing import duties on raw materials and inputs for production, both in the agricultural and the industrial sector. By doing that, unless on the other side, as I was saying earlier on, the bank correspondingly also lowers the interest rates so that we can enable the traders to borrow money and be able to pay back those loans in good times, it will be a useless exercise. Therefore, I call upon the Ministry once again to try and use the machinery available to persuade the banks to reconsider some of these points.

Mr. Deputy Speaker, Sir, on Road Maintenance Levy, we are happy to hear that there is an increase of Road Maintenance Levy. It is important that the money raised from this source is spent nation-wide to maintain roads leading to areas of agricultural production properly. I have in mind tea-production areas and, as we know, tea is one of the major sources of income of foreign exchange for this country. But roads leading to tea factories are not passable during the rainy seasons. These roads leading to tea factories should be tarmacked as a matter of priority. And roads leading to tea-collection centres should also be made all or weather. This will enable this country to earn more foreign exchange and also encourage farmers for tea to do a little bit more to increase the quality of their own tea.

At the same time, we should also look at areas like the City of Nairobi where in the morning, particularly when it rains, people are taking hours and hours before reaching to their own offices of work. If we will lose one hour in the morning and another hour in the afternoon, it means that the production capacity of our nation will be going down. And, therefore, I would like to request the Ministry of Finance, together with the other Ministries concerned, to look for ways and means of looking into the transport infrastructure of the City of Nairobi, so that we can have some openings, fly-overs and so on, to enable fast movement of traffic within the City of Nairobi. If we did that, then we would be increasing the overall national production capacity of our own people. Otherwise, as I said we are wasting two to three hours everyday because of traffic congestion and I am sure this is the case in a lot of other growing towns of the Republic of Kenya.

Mr. Deputy Speaker, Sir, I would also like to draw attention of the hon. Members to the amendments in the Order Paper as proposed in the Bill by the Minister for Finance which were based on hon. Members' contributions during the debate of the Public Accounts Committee Report. Most of the points raised have been proposed for action to be taken by the Ministry of Finance. Therefore, I would like to take the opportunity to commend the Ministry for the timely action they are taking on salient points which are raised by hon. Members in this House.

Finally, I would like to urge this House to pass this Finance Bill speedily so that the Ministry of Finance can be able to collect as much revenue as they can possibly do, so that we can address ourselves more expeditiously to areas of, for example, financing social services and education in particular. Because of the prolonged drought, in the ASAL areas, I am aware that a very large number of parents cannot pay school fees in secondary schools and also in the universities as well. Therefore, to enable the Ministry of Finance to release the budgeted money for bursaries, I would like to urge the House to pass the Bill as soon as possible, and also for the Ministry of Finance to be able to speed up the release of the voted money for various Ministries so that we are able to finance all items voted for during the debate on the Budget which ended on 31st October, 1996. I am saying this because the money voted for social dimensions, purchases of school books, bursaries, laboratory equipment and so on, unless this money is released in time, then it becomes impossible for the Ministry to be able to release funds for these purposes to the various institutions for the benefit of schools and students who cannot be able to pay their school fees.

With those few remarks, I beg to second the Bill.

(Question proposed)

Mr. Obwocha: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the Finance Bill.

On the onset, the Ministry of Finance, particularly the Central Bank of Kenya, has improved tremendously over the past few months or one year.

This Bill which outlines the measures in the VAT, Income Tax and sets out rates for various items, I would like to make a few comments starting with the proposed amendments by the Minister on clause 9, where he has proposed on item 36 - Equipment for Electrical Power Generation - that is capital equipment, excluding motor vehicles and office equipment for privately financed electric power generation projects with capacity to sell electricity into the national grid:

Then he gives a proviso that provided that an exemption granted under this item shall, unless earlier revoked, expire on the 31st December, 1999.

Mr. Deputy Speaker, Sir, now from the outside, it looks that it is quite a good proposal to liberalise the power sector in this country so that we can have people competing with Kenya Power and Lighting Company. These days, Kenya Power and Lighting Company is not, in fact, known as the Kenya Power and Lighting Company; it is known as "Kenya Power and Darkness". There is nowhere where you can get electricity for 24 hours. It pains us because the industrialists have been hit, like our tourist industry. If you own a hotel in the Coast, you will really regret as to why you owned that hotel because all the fridges are not working and, therefore, food is rotting in the hotels. It is terrible!

Therefore, this Bill comes at the right time, but I am wondering about the wording of the proviso. Why is the Minister limiting this, up to 31st December, 1999? If liberalisation has to come, it should be done openly. How can you anticipate something if you do not know whether it is going to work or not? That is one area where we are not particularly happy.

Mr. Deputy Speaker, Sir, recently, we saw even in the Press, what is happening to our brothers across the border in Uganda. Indeed, they have excess power and if they do, then we need this power. The Kenya Government should be able to pay for what we need so as to promote this country. That is what we call

industrialisation. I do not think that the power we are using in our own houses consumes all the electricity which is generated in this country. Anything that runs for 24 hours is definitely an industry, not a person's house. Therefore, we would urge the Government to negotiate with our brothers across the border, in Uganda, to give us the electricity which we are ready to pay for, so that "Kenya Power and Darkness" can revert to its proper name; Kenya Power and Lighting Company.

Mr. Deputy Speaker, Sir, I wish to comment on electricity that is being supplied by Kenya Power and Lighting Company because the bills they send out are chaotic. We used to know this organisation as a very efficient organisation because it used to give bills in good time, and if you do not pay in time they disconnect the electricity in time with that kind of efficiency. But today, it is no longer efficient. Therefore, the Minister for Finance in conjunction with the new Minister for Energy--- We indeed, expect a reshuffle in the Kenya Power and Lighting Company. The Managing Director has overstayed in that organisation and he is basically a politician and should go back to where he belongs. I think, he has outlived his usefulness there.

Mr. Deputy Speaker, Sir, I wish to touch on the rates and tariffs that have been proposed in this Bill. I do notice that the Minister has proposed several amendments on the rates. I am just wondering whether this does not amount to a mini-Budget because with regard to the passenger-motor car, it is indicated here that the rate of duty will be five per cent. To me these are new rates of duty. Has the Minister explained why he is proposing this amendment? What has happened in this country; is it because there is no Nyayo Bus now? Why is he proposing these new rates? We would like the Minister to be very explicit on these various amendments that he has proposed, particularly in the motor car industry. We would like to know their effects on the motor industry.

Mr. Deputy Speaker, Sir, I would like to touch on the VAT which is shown under several Clauses; 11 to 26. VAT is a tax that has been misused. While we appreciate the Government proposal that we should move from direct taxation to indirect taxation, we should realise that indirect taxation has not worked at all. With regard to the Value Added Tax, businessmen tax you at source, when you are buying these items, but rarely do they remit this tax to the department. Recently, I even asked a Question in this House as to why several companies that were supposed to pay VAT to the Income Tax Department, were not remitting this money and yet this is the money that has already been collected from the people who have enjoyed services being rendered by the Government. I think, what the Minister should do is to review the administration of the tax. He needs more inspectors. These traders, particularly the Asian businessmen, are keeping two books, one for us and the other one for the Government. That is why the Ministry is completely unable to give various Ministries what this House has approved. The Budgetary provisions that have been passed in this House are never given by the Ministry of Finance and hence Ministries have pending Bills and so many things uncompleted. Surely, if the Ministry was able to collect revenue to satisfy the needs of various Ministries, then I think, we would be getting somewhere. Only 50 per cent of the revenue they budget for during the year is realised.

Mr. Deputy Speaker, Sir, I want to also comment on the Income Tax, clauses 27 to 47. Now, the income tax is also a tax that has not been used properly. While this year we appreciated the rates that the Minister introduced because he intended to give more relief to the middle and lesser paid members of this society, the bands are very amorphous. What we would have accepted to be able to encourage savings, are the middle level savings; people who earn approximately Kshs10,000 to Kshs30,000. They should have been given more relief. He should have widened the brackets so that these people can save part of what they are earning and encourage savings.

Now, we really do not know what the Minister is doing about the issue of those of us who were saving with Kenya National Assurance Company. These employees are suffering. They were paid peanuts and they have been told to wait and wait and keep on waiting. These are people who had mortgages. These are people who have families and yet they are being told to wait. But, when this Government has a problem with KCC, they are the first ones to give Kshs800 million and basically try to pay farmers who can support themselves day-in-day-out. But when workers who have lost their jobs, who have their families to educate, who have their families to feed, who have mortgages on houses they have bought --- What are we talking about? When are these employees of Kenya National Assurance Company going to be paid? Now, we would expect the Minister, as a human being, to be merciful to these workers. He is in charge of Treasury; he has all the money. Recently, he got Kshs7 billion from the Central Bank of Kenya in way of dividends. Now, why should he not use part of that money to pay these workers so that they can organise their families? The Minister for Finance is breaking homes. These homes are going to break if there is no money for them to sort out these issues. It is very, very pathetic. I do not know why you want to encourage industrial unrest in this country when, in fact, you are able to contain this situation very comfortably.

Mr. Deputy Speaker, Sir, the Kenya National Assurance Company has been mismanaged. Those who have mismanaged it have been promoted. Of course, one of them is a Member of Parliament here and I do not have to mention his name. The other one has been promoted to be a Managing Director of Kenya Tourist

Development Corporation (KTDC). The other one is in charge of National Housing Corporation. Now, is it the policy of the Government to promote people who have run down the parastatals? I mean, why do you not sit down and think twice because these parastatals basically were established to help Government to promote business and industry so that we can progress? But when a managing director runs this corporation down and he goes to the next one and he runs it down and then when he runs down the fourth corporation you promote him to be in charge of a bigger corporation --- This is a very sad state of affairs.

Mr. Deputy Speaker, Sir, I do not intend to go on and on but I would like to just touch on part (5) on the Miscellaneous Amendments particularly the Petroleum Development Fund Act, which is under Clause 57. Now, since the establishment of this Fund, money has been collected year-in-year-out, but we do not know upto now how much money is in this Fund. At one time, instead of this money promoting the oil industry, some of it was used to promote a women's project in Keiyo-Marakwet. The Kenya National Oil Corporation (NOCK) used money from this fund to offset its losses. Now, what justification is there for NOCK withdrawing money from this fund to offset its losses? We would like the Minister to tell this House the justification of that move.

Mr. Deputy Speaker, Sir, I also want to touch very briefly on the Insurance Training Levy. I think I have already talked about the insurance one. The other small taxes which the Minister is collecting should be harmonised by him. Like in tourism, you have at least about six licences that you need to apply for. You need to apply for a liquor licence. You need to apply for a restaurant licence. You need to apply for an hotel licence. You need to apply for a lodging licence. You need to apply for a manager's licence itself. There are many. Why does the Minister not harmonise these taxes and say "Look, pay Kshs10,000 for hotel, bar and restaurant licence including the manager's licence". It is so difficult to follow all these taxes. Even the administration of the tax is so difficult. And, therefore, I would like to end by saying that the Minister should tell the House, or explain to the House, the amendments he has proposed to this Bill so that we do not have a situation where he is increasing rates after the Budget.

Mr. Deputy Speaker, Sir, the greatest problem that we have in this country is the management of the accounts in the various Ministries. Basically, when we come to power as the Opposition, the accounting system of the Government must change. This is because if you ask the Minister for Finance right now, he does not know ---

Mr. Deputy Speaker: He will have no say over your decision to change if ever you will have that opportunity.

Mr. Obwocha: Mr. Deputy Speaker, Sir, I am telling him what he does not know now. He does not know the outstanding pending bills of the Government. They only have what we call Memorandum Accounts. These accounts should be on accrual basis and commercial accounting so that the Government at any particular time can tell you that "we owe the people so much and vice-versa". Now, they are preparing memorandum accounts which is a very dangerous game. In some of the Ministries, accounting matters have been outstanding as far back as early 1980s and you wonder at what stage these accounts are going to be updated.

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

The Assistant Minister for Commerce and Industry (Mr. Osogo): Thank you, Mr. Deputy Speaker, Sir. I would like to make a few comments on this very important Bill; the Bill that brings us a lot of finances for the Government expenditure. My comments will be limited to what has transpired in the last two weeks in my constituency where customs officers have started collecting duty on fish, fished in Kenya and sold in Kenya. I find this irregular and unheard of. I would like the Minister to take note of this issue because small scale fishermen in my constituency have refused to go to the waters to fish, and those that have got enough finances to do large scale fishing are now taking their fish to a neighbouring country; to a town called Jinja where there are processing facilities for this fish. It is a new element in the history of this country. There was a time when hon. Kibaki was the Minister for Finance and a similar situation was arising and I discussed it with him, and we saw no point in Kenyan fish being taxed import duty.

Mr. Deputy Speaker, Sir, the argument of the officers who are there now - and as I am speaking now, they are there - is that, this fish is fished in Ugandan waters. Neither they (the officers) nor the Minister can point out which fish is caught in Uganda and which fish is caught in Kenya. In any case, the Revenue Authority of Uganda and even the Revenue Authority of Tanzania do not allow Kenyan fishermen to fish in their waters. If they ever do it, their boats and fishing gear will be confiscated and they will be fined heavily in order to get the fishing equipment back to them. I do not know whether this order has come from the present Minister of Finance. Because, when I discussed it at that time with the then Minister of Finance, hon. Mwai Kibaki, he agreed with me that fish cannot be identified as being imported or not. In any case, according to the Finance Bill, imported fish and fish products are dutiable at 15 per cent. Now, it must be 15 per cent of the value of the fish. Now these officers who are operating at Port Victoria on Lake Victoria, have no way of evaluating the fish that is being landed by the fishermen. Surprisingly and I would like the Minister to make note of this, they are even negotiating

to lower the duty. Duty is fixed by this Bill; how can Government officers start negotiating with the fishermen, saying: "Alright, if you think it is too much, we can lower it." There is something fishy about this. I refused to intervene last weekend when I was there, to ask them what they were doing, but since I was sure that this Bill was coming up, I thought it wise to air the views of my constituents on the Floor of this House, so that the Minister and the Commissioner of Customs should know that, what is happening in that place has never been heard of in independent or even pre-independent Kenya. I have been in this House long enough since independence, with a spell of a few years out, when I was rigged out of this House. But fish in Kenya as far as I know, has never been dutiable.

Mr. Deputy Speaker, Sir, the Minister and Members of this House know how much fresh fish from Lake Victoria is fetching the country in form of foreign currency. The fish processors in towns like Kisumu, Nairobi and Mombasa are exporting this fish, particularly the Nile Perch and the tilapia, and a lot of foreign currency is earned. We are going to lose this foreign currency to a neighbouring country, simply because some hungry - I would have used an unparliamentary word, but I will avoid it - officers of our Government are trying to collect little duty. They seem not to have any other job apart from collecting the little duty from fishermen, without even knowing the value of that fish. They simply put the value arbitrarily. I can see the Minister looking at the documents I gave him. On those documents, those who are paying taxes have their boats and their fishing gear licensed in Kenya by the Fisheries Department. And yet, when they go to do fishing from the islands in Kenya or Kenyan waters, when they land, customs officers say the fish is dutiable. It is sad and I am sure if those receipts I have given to the Minister are official from the Treasury or the Kenya Revenue Authority, then I am afraid we are doing a job we do not know because as I am speaking now, there are no commercial buyers of fish going to Port Victoria. These people seem to be operating only at Port Victoria. If you go to Yimbo where fish is also landing, they are not doing this. Probably they think that the Banyala are ignorant of the law, and that is why probably they are operating there. Now, whether this money being taxed is landing in the Government coffers or not, it is up to the Minister to find out. I suspect it is not; it is a way of trying to loot. But if the Government is determined to collect import duty from fish caught in Kenyan waters, then the Minister should be brave enough to stand on this Floor, amend this Act and say so, so that we in Bunyala will know that fish caught in Kenyan waters is dutiable. If he cannot, when he will be replying, he should tell us the truth, so that my people can know it clearly that, fish caught in Kenya cannot be dutiable. In any case, it is common sense; if there is anything to be charged, VAT would be explainable, but the receipts read: Import Duty. If fish is going to be taxed for VAT, we would understand a bit and argue our case out. In any case, it will have to be passed in this House where I will be able to air the views of my constituents.

These back-door operations that are now happening, are: One, blackening the name of our Government, two, when Ugandans come to know that fish that is coming to Kenya or being fished in Kenya is claimed to be Ugandan fish, what will stop them from claiming that fish? Thirdly, the fish that is being caught in Kenya as from last Friday by "big fishermen" is being re-routed to Jinja and sold in Uganda. Now, the losers are Kenyans. I would like to be told how much total revenue will be raised from this kind of operation. I am sure they will not be able to tell me that, because they do not know the tonnage of fish that is actually caught in Kenya. If they cannot tell me that, it is not possible for them to say how much revenue they expect, after spending all the time and using a Land-Rover travelling from Port Victoria 20 times a day, wasting company's petrol and collecting meagre finances which might not eventually help in the Kenya Revenue Authority coffers.

Mr. Deputy Speaker, Sir, I did not want to speak on this Bill. But I have been so much pained by the fact that the documents which the Assistant Minister is looking at now, which I gave him this afternoon, are from my constituency. I collected them over the weekend from my constituency.

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

Mr. Kibaki: Thank you Mr. Deputy Speaker, Sir for giving me a chance to contribute to this Bill.

First, I wish to welcome the proposals made in this Finance Bill which are aimed at trying to stabilise the economy and to recover the rate of growth which we used to have in the past. So, to that extent, I am very happy with what has been done.

But in these proposals and in the speeches made by the Minister, one thing which we do not see focused and it must be focused if we are going to revive the economy, is investment. There has been very little investment in Kenya over the last 10 years and yet, the incomes have continued to grow and the Government is taking a bigger proportion of the national income than they used to take in the olden days, when there was investment in Kenya. Today, 30 per cent of the GDP is appropriated by the State through various taxes, cess and so on. These are obvious statistics. They are in Economic Survey published by the Ministry of Planning and National Development and so, they are not made by the Opposition. They are real. The Government is taking 30 per cent of the National Income and it should be able to show what they are doing with the money! If 30 per cent of

anybody's income was being spent on some item, you should be able to show that this much money has gone to such a priority item. But the Kenya Government which takes 30 per cent of National Income of Kenyans cannot show what they have done with that income for the last four years. I would like to ask the Minister, if he truly wants to reply to that point, to mention even a few examples to show what they have done with the 30 per cent of the National Income over these years. Every year, you take 30 per cent. What are you doing with this money? They cannot show it because, no hospital has been supplied with any drugs; no road has been repaired, let alone new roads being constructed. Water supply has not been improved anywhere. Wherever you look, education is not any better. Whatever side you look at, you do not see where the money is going. So, it is important that the Ministry of Finance which collaborates all these activities should be able, on an occasion like this to say: "The Government deserves being voted more money, because for what we have already got, we have done good things." They should be able to list what they have done. But there are no such things which they can show.

If you look at the security situation in this country, every citizen in this nation cannot have proper sleep, there is too much of gangsterism, sponsored and organised gangsters who are able to attack every night. When gangsters can go and attack people at Wangige and harass 15 homes and stay there for two hours and we have police stations at Kikuyu and Limuru on the border of Nairobi and in between them, gangsters are harassing citizens for two hours and these gangsters are about 25 people, and the police do not respond. When the police responded, they went to Wangige and beat the same families who were harassed, whose property was lost and their children bashed. They are now at Tigoni Police Station. What kind of police do we have? How have they been directed? In the old days, if you visited a home which had been attacked by thieves or gangsters, the police used to ask such questions: Did you notice the fellows? How did they look like? What were they wearing? What language did they speak? Whom do you suspect? They would ask questions because they were seeking investigations. When they now go to those homes and beat the same people who have been beat by the gangsters for a second time, now who are the gangsters and who are the police? The dividing line is so thin that it is very difficult to know who is who. This is the problem. The Government has to behave like an organised institution. It used to be an organised institution. These kind of thing would happen. The police would not go to beat up those who have been victims. It is painful. What do you think of the people in that village when those who have been rounded up are not the gangsters but children of the victims and when you try to get them released from the police station, they are not allowed to go home.

What we are asking is: The Government will get this money but will they get it in order to continue with that behaviour or will they get it and change their behaviour and behave like a genuine Government, with discipline, law and order in their minds, people who are seeking to arrest criminals and not to punish everybody indiscriminately? This issue is very important and it has to be addressed. I am suggesting that the Ministry of Finance, National Planning and Development and Public Works and Housing institute a special project which would be to help those people who want to invest in housing. In order to revive an economy like ours, construction of buildings, holdings and offices, particularly homes would be a beautiful stimulus. It would stimulate many other sectors of the economy. It would stimulate the production of materials used in construction and genuinely set in motion the process of investment. In many other countries which have had a depression like ours, when they tried to revive the economy, they have had special projects for construction of Houses. In any case, we need houses. The demand is there. If we give a special project special assistance to those who want to invest in housing, by building new houses in towns, it would be a very good stimulant. It would stimulate the economy and encourage investment by encouraging everybody else to create more employment. There are two ways of doing this. First and foremost, it is to waive taxes on incomes earned. We can do it. These companies that have money should put it in that area. There are a few of them in this sector. But if it was made a special sector, that kind of encouragement would make more people who have money to choose to use it in the construction of homes. So, we would gain both ways: We would have more houses in towns, the economy would be stimulated and we would create employment. This is a project which has been implemented elsewhere and there is nothing new about it. As I said, the demand is there and so the houses would still be bought. In any case, we are overcrowded in towns. So, we need that kind of a relief programme. In fact, it would be very healthy.

Mr. Deputy Speaker, Sir, the other thing that must be done to encourage investment--- I am emphasising encouragement of investment because it is the nerve centre of economic growth. There is no way we shall revive the economy if we do not revive investments. The other thing that we should do is to repair the roads and other forms of infrastructure. You will realise that in the last financial year the Government collected more than Kshs3 billion from the Roads Maintenance Levy Fund. The Minister ought to say what they did with that Kshs3 billion which was collected from the tax we pay when we consume petrol. That tax has been raised so that every time you buy a litre of petrol fifty per cent of what you pay is tax. When you pay Kshs33 per litre of petrol

half of that money is tax. We are told that that money goes into a special fund for road improvement. If it is specified that the billions of shillings which is collected are for maintenance of roads we are right to ask the Minister for Finance or the Minister for Public Works and Housing to, as a minimum, to say in which part of Kenya that money has been spent. The tax is not even collected when you buy petrol: It is collected at source. It is collected at depots in Nairobi before petrol is distributed. The collection of the tax is thus simple. The money is collected and there is no dispute about that. Why would a Government which says it is elected and represents people keep quiet when this issue is raised? How can a Government which has any conscience keep quiet when we raise this issue? The money does not belong to those in the Government and we are not asking for a favour or special treatment. We are asking for accountability.

Tax is collected at the source and the money goes to an account. Whoever takes it from the account is known by the Ministers for Finance and Public Works and Housing. Those two people know who takes money from this account. So, if people have been looting the account the two Ministers know it. The other day we were told that Kshs7.2 billion was to be taken from that particular account and used in a fictitious project, which was neither under the Ministry of Finance nor under the Ministry of Public Works and Housing. Instead the fictitious project was under the Ministry of Health. It was a fictitious project to kill mosquitoes! Flying mosquitoes were to be smashed by some army that was to be organised and Kshs7 billion was needed for it.

Mr. Mulusya: On a point of information, Mr. Deputy Speaker, Sir. I want to inform hon. Kibaki that experts have done a mathematical calculation on how the Kshs7.2 billion would have been spent in eradicating mosquitoes and malaria. They have come up with a result which shows that every Kenyan, including the one who was born today, would need to swallow four malarquine tablets daily for the next seven years. This means that before one week was over we would have eliminated all Kenyans from the face of the earth, and an occupation force would have taken over Kenya!

Mr. Kibaki: Mr. Deputy Speaker, Sir, you have been informed as well as I have been. The point I was actually raising is that, that scheme to take Kshs7 billion from this fund, into which all tax payers have been paying money, was non-existent. It was a scheme to rob this nation of Kshs7 billion. When it was discovered there was uproar and pretence! The Government said: "No; the money has not been spent". But we know that more than half of the money has been spent. The pretence which is much worse is this: The Government has told the poor fellows in the World and the International Monetary Fund that one man, who was the Permanent Secretary for Health, had organised all this scheme. Imagine that one man in the Ministry of Health had organised to steal Kshs7 billion from an account to which he was not even a signatory! Not the whole Government, Ministry of Finance or Ministry of Public Works and Housing, but one man in the Ministry of Health had organised all that scheme! Now that he has been sacked the Government has kept quiet. It has been cleansed because the scapegoat has been sacrificed. Even if the Government keeps quiet no one in this nation has forgotten about this scheme. No one, even in the World Bank and IMF, has forgotten this scheme. This is because all the facts and figures are available. All the people who were involved are known. Those who were going to be paid this money are known. This was to happen and yet this money was from the tax which we are paying.

(The Clerk-at-the Table moved his hand sideways)

What is that? I am being shown something by sign language, but I am unable to interpret it. There was sign language from the Clerks' Table.

An hon. Member: Continue, hon. Kibaki!

Mr. Kibaki: No, there was a sign language which might mean something!

Mr. Deputy Speaker: Continue, Mr. Kibaki.

Mr. Kibaki: I am sure there is something!

Mr. Deputy Speaker: There was nothing which should have interrupted you.

Mr. Kibaki: What was the sign language about?

Mr. Deputy Speaker: No; it was intended for me!

Mr. Deputy Speaker: Mr. Kibaki, I have told you that it was not intended for you. You know that the practice of the House is that the Clerks-at-the Table do not communicate to hon. Members across the Table.

Mr. Kibaki: That is all right.

Mr. Deputy Speaker, Sir, I am saying that this Government must change course. The way it is going it is leading this nation to disaster. If the Government can rob tax payers money--- We are about to vote tax payers' money here. According to the Chairman of the Kenya Revenue Authority this year Kenyan tax payers will pay

tax amounting to more than Kshs137 billion. That amount will be collected. After paying salaries, what is left is what is being looted, and this nation cannot go on this way. The roads must be repaired. We have two roads where last year, the money was voted, this year the money has again been voted, but the contractor has not yet started work. Last year's money was shown as spent. How was it spent if the contractor did not move on site? We are now in the fourth month of the year, yet the contractor has not started on the road from Murang'a-Kangema-Kiriane-Othaya-Nyeri and money has been voted for this road again. But if it does not start, and the money will be said to have been spent, how will it have been spent? Will it have been paid to him or will it have just been shared by those who are supervising him? These are issues we are raising. However, the point I am making is: Until we come up with rapid roads and other basic infrastructure, we cannot encourage investment. So, we are not actually doing anything to revive the economy. Infrastructure itself must include electricity. You and I know, and I meet a lot of investors in Nairobi and other places who want to build their factories, but they cannot get a letter of commitment, that when you have finished construction you will be linked to power. If you cannot get that letter of commitment, because there is no certainty that we have electricity or that we shall have, because we are already short of electricity, then who, we must ask, is the Minister for Finance encouraging to invest in Kenya? The Minister for Finance goes to a seminar in London, organised by *Financial Times*, and he tells the investors to come to Kenya and we want them to come to Kenya. But will he tell them the truth that we have no electricity? So, even if you come and build your project, you will have to wait until we have power. Even if he does not say, they know it because investors, from my own experience, do not listen to what Governments say. They listen to what fellow investors say. So, an investor who comes to Kenya will talk to a fellow investor who has already invested in Kenya and he will ask, "how is the going in Kenya?" He will be told: "Here, you will have no electricity, so you cannot build now." Even those who are building in the Export Promotion Zone (EPZ), have no electricity. So, how is anybody else going to build? What I am saying is, instead of the Government keeping quite, it should admit that there is an emergency. There is need for the Government to go out of its way to talk to those who have money and who want to invest.

[Mr. Deputy Speaker left the Chair]

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

They are there and they have shown interest. They should be encouraged to come out here and to invest in the production of electricity so that we can get over this present problem over the next three or four months. A lot of what they want to build can be done in a very short space of time. Since electricity is an essential and integral part of any industrial development, no development will take place until the investors can be assured that they can have power connection which they do not have now. But then the Minister goes on pretending that this was something made up by newspapers. That is what the Minister for Energy said the other day. Although he is new, he should not say such things because even simple children in High School know that shortage of electricity has not been generated by the Opposition or started by any particular misfortune.

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

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

It is true that we have not invested money in the production of electricity over the last six or seven years. We have not. Therefore, today the shortage of power in Kenya is a deficit of some 35 per cent.

We have only 65 per cent of power that we need. This means that 35 per cent is not available. It will not be made good by refusing to face the problem squarely. Face it squarely, invite new investors and they are there. Give them the concession they are seeking. They should not be told that we are giving you a concession for one year. One year is just for building, tell him you will give him a concession for five years because he wants to make money. Let him make money, but let us also have industries. So, we treat it specially and then we shall revive this economy.

Mr. Temporary Deputy Speaker, Sir, there is another key factor in the investment process that we are trying to encourage and the Minister knows it and he has said so. I want to thank him for his recent announcement that Government borrowing, over the next one month will be reduced by Kshs8 billion. I want to thank him and tell him that everybody is encouraged that finally, he has found the direction he should be walking.

Will he walk now very fast in that direction and not look back? There are some useless people who do not want this process to go properly. I am saying this because what hinders the development of the Kenyan nation is Government borrowing. The Government is borrowing too much money from the banks, insurance companies and from anyone who has any savings. The Government, in addition to the current borrowing, has also an over-hang of a huge borrowing, which it did three years ago and it is still staying there. They borrowed some Kshs80 billion whose interest has to be financed by borrowing more every month. So long as the Government is borrowing to finance Kshs80 billion, which it has borrowed, because it is not stopping the borrowing, then all banks will keep lending money to the Government. Insurance Companies keep lending money to the Government. You go to a bank as an ordinary investor and a bank Manager tells you, in all honesty, he says: "you may be my friend, but if I put this money in Government Securities, I am paid 27 per cent for doing nothing."

Who would be so foolish as to lose such an opportunity? That is where you must put your money. If the Government is offering 27 per cent to the insurance companies for Treasury Bills through which they borrow, then the banks, and the insurance companies will lend to the Government. So, Government borrowing is what is stopping investment in Kenya in two ways:- By taking the money which should be lent to individuals and by paying very high rates of interest which will continue to be financed by further borrowing. It is a vicious cycle. We have been caught into that vicious cycle. It cannot break through it unless the Minister decides to do what he has promised, namely; to reduce Government borrowing. He has said that this month, he will reduce it by Kshs8 billion, then in the next month, he could reduce it by another Kshs8 billion, and then gradually cut it at least to half the level it is now. That means the Government must have maintained the discipline in spending in the other Ministries. This rate of interest business is what is stopping investment because there is no investment in Kenya which will give you a return of 30 per cent, which is the interest we are charged. If you want to borrow in order to invest in the construction of a factory, you have to pay the bank 30 per cent. No person will earn that much. That is why investment is not picking up. So, the Government should stop its borrowing so that the banks have money to lend at a lower interest because if the Government establishes a base rate of 27 per cent, everybody else must borrow at a higher rate than Government. That is the trouble. We want it reduced. We do not think the Government is serious until it shows action. That is why I said the Minister, for the first time, took a very positive step. Let us hope it is kept up.

Mr. Temporary Deputy Speaker, Sir, I want to talk on tourism industry. Tourism in Kenya has been the main sector of investment and it has been growing very rapidly. We have the capacity to double the number of tourists into this country, generate more employment in tourism and also generate more income for the farmers who produce the food that tourists eat. Tourism industry is the cheapest and easiest to stimulate and we have all the basic facilities, but two things are missing: Security in game parks and in the country and the roads on which to travel.

I was speaking to an investor in the tourist sector who has decided to invest in South Africa. He said: "If you buy vans for taking tourists on site-seeing in South Africa, you are going to use them for five years and even after five years, they will still look new". Why is this so? This is because the road is good even inside the parks. If you buy the same vans and use them for taking tourists for site-seeing in Kenya and they survive for one season, you are going to be very lucky. Now, who is so foolish as to say: "I will put my money in Kenya instead of this other place", if his capital cannot last him more than one year? If he goes to South Africa or Zimbabwe, he is going to have that capital intact and earn profit on it for five years. This is a practical demonstration of what we are talking about. Instead of the Government listening to these problems, they have gone out of their way to impose fictitious levies on people who are investing in tourism in the Coastal Region. This is a disgrace.

We have a Government that cannot take care of the so-called beach boys who harass tourists along the beaches. The Government is not capable of doing this. They want to employ a special force to be paid for by the tourists and they want the same tourists to pay for the hotels and everything else. Eventually, do the tourists become the Government temporarily or what is the point? We are working ourselves out of this market. We do not owe anybody any favour. People do not have to come to Kenya. The moment we realise that we have to attract tourists and that we are competing with others, we should do something. These tourists are organized and "exported" to West Indies, Far East, Philippines, Thailand and other places by tour organizers. They are persuaded to do that. They do not know these countries, but they are told about them. Today, you can go to Bangkok and spend your two weeks there for less than you can pay to come to Kenya. It does not matter how far Bangkok is to the East? You spend less on the ground than you spend in Kenya. You will be more secure along the beaches because there will be no beach boys to harass you because their governments take action.

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

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

Now, in Kenya, the Government does not take action. The beach boys menace is not something which is very old.

Until only two years ago, tourists along our beaches at the Coast were able to lie there and enjoy themselves. They could swim and bask in the sun without harassment, but suddenly over the last two or three years, everything has broken down. Je, kama hawa watu hawana raha wakitembelea Kenya, tutatarajia kwamba wakienda watarudi? Wataishi namna gani? They will tell other people that Kenya is not a place to visit because their bags can be snatched and that kind of thing.

I am saying that we should withdraw that levy which we are levying on people who go to the beaches in the Coast. We are earning very little money from this levy. Let us find that money from this budget so that the Minister can use this money to keep the beaches clean and free of that kind of harassment. In this way, tourism will be revived and the country will gain and generate employment.

Although all tour organizations have made appeals, the Government goes ahead to show that it has power. One Minister said here that it is the Government that governs. Of course, it can govern, but if you go and see your beaches empty, are you earning anything? The reaction we have is absolutely nauseating. We should use our mind to listen to what tourists are saying. They are human beings and their opinions matter. Even if they do not matter to the Government, they matter to whoever they are going to report about their experience in Kenya and to whoever they are going to show the videos they have taken of tourists in their bikinis with a hound of beach boys chasing them around. You think such a person will visit Kenya? The world is so small.

All we are saying is that we should be sensible and revitalize tourism because of all the sectors, this is one sector which can grow very quickly and regenerate some employment.

We want to create more employment in the sector called agriculture because regardless of the papers which the Government has written for the next five years, agriculture will remain the main employer of people. We are talking about the foreseeable future; five years. These policy documents being produced portray an image that the industrial sector is going to grow so rapidly that it will be the major source of employment. We are told that the source will be from Jua Kali. It is said that the Jua Kali Sector will generate half a million jobs each year. One Minister said that it has already done that and laughed. He was satisfied with that. Can you imagine that you are telling Kenyans a naked lie and then when you are told that is a lie, you laugh. God will have mercy on us because he is generous, otherwise, we do not deserve any mercy if we cannot take this job seriously. There is no way that Jua Kali will generate the kind of jobs it is being said it will generate. Why? Because Jua Kali does not have the means for production and it does not have the openings in the marketing. In the marketing today, Jua Kali is washed out by Thailand, Bangkok, Hongkong and Korea. You can get the cheapest shoe, shirt and so on that you can think of from these places. Even in a field where they are superb, like in furniture making, their market is still limited and we are talking about helping Jua Kali to market their products, then they might do some work. They will do the work because they work very hard, but they do not have the openings for marketing within our economy. The Government which is a big customer could show a little bit of direction by buying goods from the Jua Kali people. Once upon a time, the President, when he was building some schools somewhere bought windows, door frames and other things from some Jua Kali people in Nairobi. This was wonderful, but the Government itself as an institution has not moved to do that and yet, we are making quality goods. Some local Asians in Nairobi who supply the Government with goods do not have anywhere where they make those goods, they buy them straight from Jua Kali and make money. The Jua Kali does not make money and it is a fact of life and please do not laugh.

We should help the Jua Kali people, but equally in order to help them in the rural areas, they are making things for the farmers because farmers are very loyal to Jua Kali. We need farmers to be assisted in a line which could help them immensely, in building and upgrading their own homes. If farmers who are in areas where they get substantial income from some of the cash crops like tea and coffee, are assisted by a scheme through the Government or jointly with the private institutions like banks, they could borrow money to build homes. But the problem today is: When you go to an institution which can lend you money, you are asked to produce a cash flow which shows the money that you get monthly, and the money which you can be able to pay monthly.

An ordinary peasant farmer cannot organise to produce and print a cash flow. It is not his fault. But he can write it on one page, and show you that on such and such a date, he will hopefully be paid for tea or milk. He can show you a figure. All those figures can be rearranged to show the kind of cash flow that these institutions want. But once upon a time, the commercial banks had agreed that they will not insist on these cash flows. They will agree, with the help of the Government, to have a system whereby, if the peasant farmer will commit his

income, it does not matter whether it comes monthly, quarterly or every six months, he would write a letter committing that money, so that the bank or any institution will know that at the end of such a period, it will be paid. Then, that man is lent money to build his home or begins to build his home. So, you will have people building their homes with the income available in the rural areas. That way also, you will be creating employment in those rural areas. So, I am saying that in this area of agriculture in the rural areas, we have to assist farmers with credit. This is because the farmers today have no source of credit. You know that he did not produce as much maize as he should have produced. You know that even this year, he is not going to plant as much acreage as he did last year, again because the ordinary credit which should be available to the farmer is not available. That is a very serious shortcoming. This is because we are cutting down on one sector, which could create employment, and which is still the main employer. It could also generate new income by creating employment.

Mr. Temporary Deputy Speaker, Sir, talking about education, I want to appeal to the Minister--- He was speaking and I was listening to him very well earlier on, when he seconded this Bill. I was hoping that he would come out with a statement that has meaning. He just could see the problem, but then he shied away from saying anything. Why is that? The problem is there. If you go to North Eastern Province, major parts of Eastern Province, sections of Central Province, more than half of Rift Valley, large parts of Nyanza and Western Provinces and areas where in this drought, and with the present levels of production, the farmers are not receiving anything to market. Certainly, in North Eastern and part of Eastern provinces, the livestock is dying in big numbers.

Mr. Temporary Deputy Speaker, Sir, you know that when there was a Motion here, a Minister denied that people and livestock were dying, and yet Kenyans who live there bury these people. You know that they do not leave these fellows unburied. So, when they hear that it is said in Parliament, by the Government, that no human beings and livestock are dying, that this is propaganda by media and so forth, what Government are we supposed to say we have? If we are asked, should we say we have a Government? It is very questionable for the reason that you cannot imagine anybody who, even if he is not in the Government, and he is a genuine honest human being, regardless of what responsibility he has been given, to deny the obvious, when he knows that livestock has died and you can identify those who had livestock which they do not have any more. You can even identify those who had livestock and it was looted by the gangsters. You can also identify people who have died and the people who buried them. No one who has eyes can deny this, and the Government has eyes everywhere. In fact, the Government knows the people who were buried in Wajir.

Mr. Mulusya: They issued death certificates!

Mr. Kibaki: Yes, they issued death certificates. But they are going to deny that they issued any death certificates. I am saying that truly, what we are losing in North Eastern, parts of Eastern and some parts of Rift Valley provinces is enormous. I am saying that the Government must now agree to issue a directive regarding these regions. I am not making a blanket appeal about the whole country, but I am talking about regions which are in the circumstances I am describing.

We must suspend the collection of fees, and we must suspend the sending home of children from schools. This is the minimum we can do. What else can we do?

Mr. Falana: (*Inaudible*).

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, this hon. Member is in the wrong place! I am saying that when children go to school and they are sent home with a piece of paper telling them to bring back their parents and school fees, if the parents are receiving famine relief--- That is why I am asking whether we have a Government which is still thinking. If the parents are receiving famine relief regularly to survive, and you send the children home, and you want this man who is receiving famine relief food because he has no food of his own, to accompany his child to school with fees, what are we saying?

An hon. Member: What a shame!

Mr. Kibaki: I am saying that this is not party politics or anything. It is about giving a human face to the Government. Otherwise, it has no face at all. It just issues directives. They just want fees by hook or crook, even if you have to sell one of the children to pay school fees for the other one. I am saying that in all honesty, the Government should state that from now onwards until further notice, no one should be sent away from primary or secondary schools, in places that I am describing, particularly, where parents are surviving on famine relief food.

An hon. Member: Which areas are those?

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, it is an honest fact. Recently, when 5,000 heads of cattle were stolen in---

The Assistant Minister for Education (Mr. Komora): On a point of order, Mr. Temporary Deputy

Speaker, Sir. With all due respect to hon. Kibaki, is he in order to mislead this House, in trying to say what he was unable to do when he was the Minister for Finance? He failed to provide the finances possible to make education free in the very areas he is mentioning, whenever such areas experienced drought and famine, at the time when he was the Minister for Finance.

Secondly, is he in order to say that anybody is sent away from school, for lack of school fees?

Mr. Temporary Deputy Speaker, Sir, please, ask the hon. Assistant Minister for Education, whom as you know failed to answer adequately the question raised here earlier on about the fate of students in the university who have been sent home for lack of school fees, and we were telling him that we have those children at home. For instance, some of those students who have been expelled from the university are my constituents.

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

Mr. Temporary Deputy Speaker, Sir, there are some things which are very difficult to stomach. When the hon. Assistant Minister for Education says that there are no children being sent home for lack of school fees, while they are even in our constituencies and we know it, what does he mean? There are children who were sent home and as we are talking now, they are at home. Is he in order to mislead this House and the country that there are no students sent home because of lack of school fees? There are! Wapo, Bwana na kama hujui, utuulize kwa sababu tunajua!

The Assistant Minister for Education (Mr. Komora): Mr. Temporary Deputy Speaker, Sir, I must react to that. I am not aware that there are any school children who have been sent home because the Government is---

Mr. Mulusya: What is wrong with this man?

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Mulusya! Certainly that is not the manner in which we debate in this House!

The Assistant Minister for Education (Mr. Komora): Thank you, Mr. Temporary Deputy Speaker, Sir, for making it possible for me to react. Students are---

The Temporary Deputy Speaker (Mr. Wetangula): What is your point of order, Mr. Assistant Minister?

The Assistant Minister for Education (Mr. Komora): Mr. Temporary Deputy Speaker, Sir, I am not standing on a point or order, but I am reacting to a point order.

The Temporary Deputy Speaker (Mr. Wetangula): We do not have a provision for a "point of reaction". Proceed, Mr. Kibaki.

Mr. Kibaki: That is alright, Mr. Temporary Deputy Speaker, Sir. You would forgive the hon. Members for getting very annoyed about this matter, because what we are saying---

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Members have no reason to get annoyed---

Mr. Kibaki: I am the one who made the point and I am just elaborating on it.

The Temporary Deputy Speaker (Mr. Wetangula): I am only saying that they should remain cold like you. They have no business getting annoyed.

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, I am an old man and some of them are young. You can also forgive them.

The Minister for Agriculture, Livestock Development and Marketing (Mr. Nyachae): On a point of order, Mr. Temporary Deputy Speaker, Sir. The point which has been made here and there is an MP from the same area where children are said to have been sent away rather than it being discussed here, I think it is important, it is such a national issue that a Ministerial Statement should be made whether this is happening, or not.

Dr. Lwali-Oyondi: He is a liar!

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, the children were sent home last year and also this year. The fact that the Assistant Minister is not aware, I can assure you that he is also not aware that today is Tuesday. He is not aware. If you told him that today is Tuesday, he will tell you it is Friday, and I am telling you---

The Assistant Minister for Education (Mr. Komora): On a point of order, Mr. Temporary Deputy Speaker, Sir. I am sure the hon. Kibaki knows that if I did not know that today is Tuesday, I would not be here.

The Temporary Deputy Speaker (Mr. Wetangula): Order! What is your point of order?

The Assistant Minister for Education (Mr. Komora): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is he in order to impute improper motives into my reaction?

The Temporary Deputy Speaker (Mr. Wetangula): Order, gentlemen! Order! Both the hon. Kibaki and hon. Komora are very elderly respectable Members of this House, avoid personalising the debate.

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, we have not personalised anything because when a Minister speaks in this House, he is a Minister of the Government. So, when we are replying to the Minister of the Government, we are not making the matter personal.

The Temporary Deputy Speaker (Mr. Wetangula): But, Kibaki, if he is not aware, do you want him to say that he is aware?

Mr. Kibaki: No, Mr. Temporary Deputy Speaker, Sir. I was merely saying that when we are talking about the Government, or when we are talking these things to the Minister for Finance, we are not saying that the Minister for Finance is also the Minister for Public Works and Housing. We are saying the Minister for Finance, the "institution" called the Minister for Finance is a man who is in charge of the finances of this nation, and, therefore, when we are demanding that he takes care of certain issues, we are talking about some institution. It is not good to personalise the matter. If we talk about the Ministry of Agriculture, Livestock Development and Marketing, I do not expect the Minister to know whether one cow died in Othaya, or not. I do not, but he has a lot of personnel there who would tell him what happened.

The Minister for Agriculture, Livestock Development and Marketing (Mr. Nyachae): I agree with you, Mr. Kibaki!

Mr. Kibaki: I am only giving a typical example!

(Laughter)

Mr. Temporary Deputy Speaker, Sir, I was talking about the people of Baragoi Division of Samburu District who lost 5,000 head of cattle to rustlers who dispersed to West Pokot and they are there. They were identified by the Government as having gone with 5,000 head of cattle. Those who lost their livestock---

The Assistant Minister for Energy (Mr. Nang'ole): On a point of order, Mr. Temporary Deputy Speaker, Sir. Can Mr. Mwai Kibaki be heard well if he said that 5,000 head of cattle from Samburu District disappeared into West Pokot? Did he say that? I do not know---

The Assistant Minister for Energy (Mr. Nang'ole): Can he substantiate those allegations by telling us where they disappeared to in West Pokot because I am not aware of that?

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Nang'ole! Order! For you to stand on a point of order, you are presumed to have heard what he said.

The Assistant Minister for Energy (Mr. Nang'ole): Mr. Temporary Deputy Speaker, Sir, I did not get him clear. Can he substantiate that?

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, what I was saying is that people who lose all their livestock and they have no other source of income, they---

The Assistant Minister for Energy (Mr. Nang'ole): Mr. Temporary Deputy Speaker, Sir, can he correct me whether I heard him say 5,000 head of cattle disappeared to West Pokot because this is a very serious allegation?

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Nang'ole! If you heard what he said and you want to take issue, do so. The Chair is in no position to assist you to hear!

(Applause)

The Assistant Minister for Energy (Mr. Nang'ole): Mr. Temporary Deputy Speaker, Sir, I did not hear him well. Therefore, I wanted him to clarify what he said.

The Temporary Deputy Speaker (Mr. Wetangula): Carry on, hon. Kibaki.

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, I was saying that the people who lost all their livestock and that is their only source of income through rustlers and insecurity, their children should not suffer merely because rustling has taken their parents' only source of income. That is why I am saying that children should be allowed to continue with their education without being sent home even if they do not have school fees, because these disasters are beyond the activities of the parents. We agree on that one.

Mr. Temporary Deputy Speaker, Sir, this money that we are voting for, a lot of it is going to go to the Provincial Administration. As you would see from the Printed Estimates there, this is the largest Ministry consuming the largest quantity of money, and the Government continues to create more and more districts, divisions, locations and so on. Can I remind the Minister for Finance and, hopefully, the Vice-President and Minister for Planning and National Development, jointly to try and impress upon the Government that creating new locations is not development, it is consumption of the worst order, because we are only creating fellows who

will be paid salaries doing nothing, actually nothing productive? Whereas the rest of the world is reducing the wastage of administration, here in Kenya, we seem to be enjoying, and we say that we have created a new district for such a district and so on, and then you tell them as poor as they are that the "Government has no money to build for you any District Headquarters, build a house for the District Commissioner through Harambee". These are some of the poorest areas in Kenya. Is it not totally ridiculous for the Government to pretend that it is a Government committed to development, but at the same time every day when the dream comes, you must create a new district, and ask the people to build the District Headquarters through Harambee? Mr. Temporary Deputy Speaker, Sir, can you go to Suba District and tell them to build a new District Headquarters through Harambee? Where would the income come from? Let us not cheat ourselves. At least, let us not cheat ourselves, because it is very sinful to cheat oneself. You can cheat somebody else, but not yourself. If you cheat yourself, it is a sin for which you can go to hell.

Mr. Temporary Deputy Speaker, Sir, I am saying that---

The Minister for Agriculture, Livestock Development and Marketing (Mr. Nyachae): On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Kibaki is misleading this House because there is no time when the Government dreamt of creating a district. Every district that has been created, it is known that it is the people who have requested the Government to do so.

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, that is not a point of order---

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to mislead this House that it is the people who ask for these districts, while the people of Thika were given a district without even asking for it?

Mr. Ndicho: We asked for it!

(Applause)

The Minister for Agriculture, Livestock Development and Marketing (Mr. Nyachae): On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Dr. Lwali-Oyondi has never been to those districts which have been created, therefore, he has no information whether the people concerned requested for them or not. And hon. Ndicho has confirmed, he belongs to the new district and they requested for it!

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. In Thika district, we already had our own district headquarters and Thika was already a district by the time of Independence. So, when we asked for that district, we were only asking for the position of the District Commissioner to be returned to us. But all the hon. Kibaki is talking about are districts such as Suba, Maragwa, Mbeere and so on, where there are no district headquarters.

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, we should not be lost in these arguments which are arguments by the people in this trade called "politics."

All I am talking about is the economy of the nation, we are already spending very large proportion of this national income. I said nearly 30 per cent of our national income is being spent on Government and Government cannot go on raising that proportion without making the nation poorer. One way they are raising it is by creating new districts, locations, sub-locations, appoint more people and pretend that is development. Administration is coming nearer to you, so you will be very developed! How is the "administration coming nearer" and, therefore, it will develop you? How will it give you one cent? It will not!

Mr. Temporary Deputy Speaker, with the present communications in this nation, if they are maintained, present districts can be ruled quite efficiently and money would be better spent on education, water, roads and hospitals above all. That is all I am saying. I am not objecting, people will go on demanding, they want a district and so on, even in one location, they will demand for a district. There are three districts in the country which make up a location. So you create a district with 150,000 people and you create a super structure of a District Commissioner, assistant DOs, chiefs, assistant chiefs and so on and they are all paid monies which should have been used in the development of water. Those people in that part would have been even more grateful to get water come to their own homes or even for the dispensary where they have never seen any medicine now for four years. If some medicine could have been brought to them, they would be grateful. But that is not what is happening. They are being told in addition to your taxes, we want through Harambee to tax yourself more and do more constructions of district headquarters. I am saying this is not consistent with people who are talking about development. It is consistent with those who are talking about creating "empires" like the "empire" which Bokassa created. Bokassa who spent one year's Budget of his country in order to crown himself as "Emperor" of Central African Republic, but it never helped him.

Mr. Temporary Deputy Speaker, Sir, I am pleading we stop this wastefulness through consumption. Administration is just rotten consumption, there is nothing to it. We should spend the money on the actual physical development to help the people then we should do very well. I hope that the Minister for Finance will reply to some of these questions because this is where the development will come from, not just telling us that the Budget is balanced.

Balancing of the Budget is not a worthwhile target for a poor nation like Kenya. Kenya should pursue real material changes in economy, not these fictitious things which impress so many people in the IMF, World Bank and everywhere. They are very impressed by the balanced Budget, but the Kenya Government knows how it balances the Budget in order to please IMF and World Bank. It omits from the accounts the debts which the Government owes to the public of Kenya. In Kenya there are many contractors who have done a job for the Government and they have not been paid. But when the books are being balanced, their arithmetics is kept in a separate account so that the Budget may look very balanced. You and I know that the Government, the country is just like one individual. But you as an individual you cannot hide your debts in one corner so as to tell your bank: "Look, I am balanced now. You see my salary is equal to the money you have lent me." That is cheating and cheating oneself and that is what I was saying is a terrible sin!

In Kenya, the debts which the State owes to contractors who have done a job but have not been paid is so huge, it could take one and half of the whole of one year's Budget to be repaid. That is the truth of the matter.

So this game of "hide and seek" which they are playing with IMF and World Bank is destroying no one except Kenyans, because once the Government tells the World Bank that they are balancing their books in Kenya, they know they have not balanced them. So, they keep on going to the Central Bank, they keep on selling more Treasury Bills so as to borrow from the economy so as to pay some of those debts. And we are told "Special Accounts" No.2 and No.3 have been opened in the Central Bank.

Now, I am saying the Minister for Finance must come clean to this Parliament; Parliament is supreme and we must be told why there are "Special Accounts" in Central Bank because what is meant by the Constitution is that the Government should have one account in the Central Bank which the Controller and Auditor-General can check and see that revenue coming in is there, revenue going out is so much. But now we have "Special Accounts" which are not spoken of, shown in the books produced for this Parliament; it is trying to ignore the Parliament. It is belittling the Parliament and Parliament in our Constitution is supreme, it must have full information.

So, I am challenging the Minister for Finance because this is entirely in his own docket, it is not in any other Ministry. He must tell this Parliament what are these "Special Accounts" which the Central Bank has opened for the Government and which are not openly available for inspection.

With those few remarks, I beg to support.

Dr. Lwali-Oyondi: Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii kuzungumza juu ya huu Mswada. Kwanza kabisa, Mswada huu umeonyeshwa kama Bill No.7. Lakini kulingana na Order Paper ya leo, umeonyeshwa kama Mswada nambari 8. Haya ni mambo ya ajabu! Sijui kama kuna Mswada ambao ulitayarishwa usiku au la. Mswada huu ni nambari 8 na mazungumzo yangu yatakuwa juu ya Mswada nambari 8 wala si nambari 7. Na ikiwa hayo ni makosa, mimi sijui.

Bw. Naibu Spika wa Muda, tukiwa tunatoa hii kodi ambayo tunapitisha hapa kila siku, ni lazima iwe kodi ya kuwasaidia wananchi kumaliza umasikini, ugonjwa, ujinga na kutojua kusoma na kuandika. Haya ndiyo mambo, tulipokuwa tukitafutia Uhuru, ambayo wanasiasa walikuwa wakiambia watu. Lakini shida za umaskini, ugonjwa na kutojua kusoma na kuandika zimezidi na Serikali inasema kuwa kuna maendeleo. Kama hayo yote ni kweli yamezidi na yanaweza kuonekana hapa kwa barabara za miji yetu kama Nakuru, Kisumu, Mombasa, Nairobi, Nyeri, Embu, Meru na kadhalika, utaona watu wakiombaomba.

Wasichana na wavulana walio na umri wa miaka kumi na saba, wanaotakiwa kuwa wanafurahia urembo wao, wako hapa na wanavalia nguo chafu chafu wakiomba. Ukisema kuwa kuna maendeleo, huo uamuzi wako unahitilafu. Hicho kiiima joto chako ambacho unatumia kwa kuonyesha maendeleo hayo, kimevunjika. Mercury haitembe lakini wewe unasema hali ya joto ni sawa. Kwa nini hii inakuwa hivyo? Ndio sababu tunatakikana tujiulize katika Bunge hili: Kwa nini umaskini unaendelea kuweco? Ikiwa umaskini upo, wewe Waziri wa Fedha utapata pesa wapi? Huwezi kutoa kodi kwa maskini? Kulikuwako na kodi kama hiyo ya maskini, lakini sikuelewa ni kodi gani hiyo, lakini leo maskini hawezi kutoa kodi, wanataka kuomba kutoka kwako. Sababu ni moja, tumerudia hii mpaka watu karibu wawe wagonjwa kwa kuambiwa hili jambo ambalo ni ufisadi.

Kwanza, kuhusu kodi ya petroli. Waziri wa Uchukuzi na Mawasiliano wakati mmoja hakujua kuwa hii kodi ya petroli imeenda katika Consolidated Fund, ama iko kando kama tulipopitisa hapa. Hiyo ndio inaonyesha ujinga ua kutojua kwa Waziri ambao wanatakikana kujua. Hata sasa tunaambiwa kuwa hawajui kuwa wanafunzi wa vyoo vikuu, wanafunzi wa sekondari na hata wa shule za msingi hata wale wanaotaka kuanza nasari wako

nyumbani kwa sababu karo ya nasari ni Kshs3,000 kumwezesha mtoto kuingia huko. Waziri ambaye anasimamia elimu hajui jambo hilo. Sasa, asipojua ni nani atajua? Wewe unabeba picha yako hapa na mambo yanayohusu Wizara yako hayajulikani kwako na unajiita Waziri, lakini hiyo ni hatari.

Kilichokosa ni uaminifu, hakuna kufanya maneno wazi, Mawaziri na Manaibu wao, hawaguzi hata faili; hawajui chochote. Wako kama ni watu wa kupiga kura upande huo.

The Assistant Minister for Finance (Mr. Keah): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Ni sawa kwa Mhe. Dr. Lwali-Oyondi kusema kwamba Mawaziri Wasaidizi hawajui chochote? He is imputing improper motive. Ningependa aondoe madai yake maanake ni matusi. Anatusi Mawaziri Wasaidizi kwa kusema kwamba hawajui chochote.

The Temporary Deputy Speaker (Mr. Wetangula): Indeed, Dr. Lwali-Oyondi, it is unfair to make such blanket generalisation against all Assistant Ministers in the House.

Dr. Lwali-Oyondi: Bw. Naibu Spika wa Muda, nilisema kuwa hawajui chochote kwa Wizara zao kwa sababu hawana ruhusa, ninawapinga sasa. Hawaoni faili zao. Wengi wao wamenambia kuwa hawawezi kuona faili katika ofisi.

The Assistant Minister for Finance (Mr. Keah): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Mimi kama Waziri Msaidizi nimependekea Mswada huu. Huu ndio mfano wa matakwa yaliyoko. Je, anaweza kusema kwamba sikupendekeza Mswada huu, kwa kuwa mimi ni Waziri Msaidizi. Hiyo ni dalili iliyoko. Ninataka afafanue au ayaondoe madai yake.

Dr. Lwali-Oyondi: Bw. Naibu Spika wa Muda, nilisema ya kwamba hawaoni faili zao siku baada ya siku. Na hata Cabinet Papers hawazioni, wanasikia tu kuwa siko kama vile ninavyosikia. Kwa hivyo, hawajui kama wanafunzi wamefukuzwa shuleni. Ndio sababu ninasema hawajui chochote, hawajui yale yanayohusika na Wizara zao. Na Waziri Msaidizi ndiye huyo mmoja ambaye amesema kwamba hajui kama wanafunzi wamefukuzwa shuleni.

The Assistant Minister for Education (Mr. Komora): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Member of the Opposition to waste time, simply throwing abuses in the House at us, while it is known that I do know my job?

The Temporary Deputy Speaker (Mr. Wetangula): Order! There is no Member in this House who wastes time, Mr. Komora, you must withdraw that.

The Assistant Minister for Education (Mr. Komora): Mr. Temporary Deputy Speaker, Sir, I withdraw it, but can you ask the hon. Dr. Lwali-Oyondi to stop imputing improper motive on me, when he knows that I do know my job.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Komora, rest assured, you know your job.

Dr. Lwali-Oyondi: Hayo ni maoni yake na tunaendelea Bw. Naibu Spika wa Muda. Kitu kimoja ni elimu, na nitazungumza juu ya elimu. Elimu ni kitu muhimu ambacho kinasafisha mtu na kumuondolea ujinga ili aweze kusema mbele ya watu na ayajua yanayofanyika kwake. Tukitaka kuendelea nchi hii, lazima elimu isisitishwe. Sasa tuna taabu katika elimu na ninapendekeza kwa Waziri wa Elimu, na vile nilivyopendekeza wakati tulipokuwa na ule Mswada wa kupitisha Higher Education Loans Board Bill. Wakati huo nilisema tuwe na Education Levy kama vile tuko na Catering Levy. Levy inayotaka katika Catering, inawezesha vyuo kama Chuo cha Utalii cha Kenya kufundisha wanafunzi kwa hali ya juu na kulipa walimu na vile vile kuwa na mahali panapendeza. Pia kuwa na pesa ambazo hawajui watapeleka wapi ambazo saa nyingine wanaweka katika benki zingine ambazo zinafilisika na pesa hizo kupotea. Lakini nao hawafilisiki kwa sababu wako na Catering Levy. Ukienda kwa mahoteli makubwa utapata bill yako wameandika Catering Levy na unaandika hiyo. Tunataka kitu kama hicho, tuwe na Education Levy. Hasa elimu ya vyuo kikuu, kwa mfano, tuseme, hakuna pesa zozote zinazosaidia na mwanafunzi, alipe Kshs50,000 pekee. Tutahitaji shilingi bilioni mbili tu. Katika uchunguzi wa kamati za PIC na PAC, nimeona kuwa shilingi bilioni mbili, watu wanaweka pesa katika mifuko yao. Tukilipa pesa kidogo tu, tutapata shilingi bilioni mbili na watoto wetu wataenda vyuo vikuu bila kulipa chochote vile walivyokuwa wakifanya.

Tunataka watu wote katika Kenya wapate elimu. Tukiongeza pesa hizo mara nne au mara tatu na tukipata hata Kshs10 milioni, pengine itatosha karo ya shule ambayo tunalipa kutoka darasa la kwanza hadi chuo kikuu. Na ikiwa hivyo, kila mtu atapata elimu. Na tukipata elimu hata bila kupata kazi, hicho ni kitu kikubwa.

Bw. Naibu Spika wa Muda, kuhusu elimu inatakiwa tuweke sayansi katika levy hii. Watu wengi wa Kenya wanafahamu vizuri sana masomo ya arts, yaani masomo kama Fasihi, Kiingereza, Kiswahili, Drama na kuimba. Na watu wengi wamechukua mafunzo kama hayo katika chuo kikuu lakini hawajui sayansi na hesabu. Tunataka sayansi iwekewe mkazo. Na sayansi itatiliwa mkazo tukitoa hii Education Levy. Serikali inatakiwa iweke vifaa

vya sayansi katika kila shule. Hivi vifaa katika shule za upili si vitu vya ajabu sana. Vifaa hivi si vya gharama ya juu sana. Tunataka vifaa kama test tubes, thermometers au microscopes viwekwe katika shule za msingi ili wanafunzi wawe na msingi katika masomo ya sayansi kwa sababu siku za usoni ni siku za kompyuta na tayari zimefika. Mtoto ambaye hafanyi hesabu pia hawezi kuelewa computer ni kitu gani. Mtoto asiyelewa na sayansi hawezi kuelewa kompyuta ni kitu gani. Atakuwa akiiona tu kama sinema na hili ni jambo muhimu.

Bw. Naibu Spika wa Muda, kuhusu hizi pesa za Petroleum Levy Fund, hizi pesa zinapotea. Ni lazima Waziri wa Fedha atuelezee mahali zinapokwenda. Inafaa aje hapa na kututhibitishia ni kazi gani pesa hizi zimefanya. Leo bei ya petroli imepanda. Nilienda kunywa petroli na nikashtuka.

The Temporary Deputy Speaker (Mr. Wetangula): Wewe hunywa petroli?

Dr. Lwali-Oyondi: Bw. Naibu Spika wa Muda naongea juu ya gari langu. Petroli inapanda baada ya wiki mbili na hatuelezewi hizi pesa zote ni za nini. Mimi niliarifiwa na mtu mmoja, na nataka Waziri wa Fedha anikosoe, eti wakati Rais wa Iran alipokuwa hapa alitambua atatuuzia petroli kwa bei nafuu; pengine kwa bei nusu. Mbona basi bei ya petroli inapanda badala ya kuteremka? Mnapenda kwenda juu juu zaidi? Na ikipanda, ni afahdhalii mtuelezee kama hiyo shillingi moja au mbili ambazo mmeongeza ni za Education Levy ama nini. Hatuwezi kusema neno mkithibitisha kama hizi shillingi mbili ambazo mmeongezea kwa lita ni za Education Levy. Na, ikiwa ni Education Levy nitalipa. Lakini ikiwa zitaingia katika mifuko ya watu au ikiwa ni ya kutayarisha uchaguzi ujao ili mwe na pesa za kununua watu basi hiyo ni nia mbaya. Sisi tunataka tuelewe wakati tulileta hii Petroleum Levy ---

QUORUM

Mr. Muite: On a point of order Mr. Temporary Deputy Speaker, Sir. I see we are debating a Bill involving K£5 billion. Is it in order for us to discuss it?

The Temporary Deputy Speaker (Mr. Wetangula): You want to say that there is no quorum?

Mr. Muite: Mr. Temporary Deputy Speaker, Sir, yes, I am trying to ask it is in order for us to discuss such a weighty matter which involves K£5 million can be debated when there is no quorum

The Temporary Deputy Speaker (Mr. Wetangula): No, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Wetangula): We have a quorum now. You can proceed Dr. Lwali-Oyondi.

Dr. Lwali-Oyondi: Asante sana Bw. Naibu Spika wa Muda. Nilikuwa nikigusia swala la Petroleum Levy. Waziri anayehusika na utumiaji wa hizi pesa ambazo ni nyingi sana, ni zaidi ya Kshs3 billioni kila mwaka, yafaa atueleze amefanya maili ngapi na upande gani kwa sababu ukitoka Mombasa mpaka Uganda ukipitia Siaya utapata ni kitu kidogo ambacho kimefanyika kuhusu urekebishaji wa barabara hii. Nilisafiri kutoka Mombasa na nilipofika Voi nilivunja magurudumu mawili ya gari langu katika mashimo ya njia hii. Na hata Mheshimiwa ananiambia jambo hilo limefanyika kwake. Sasa Waziri anatoka upande huo na sijui kama gari lake limekumbwa na tatizo hilo. Sijui kama yeye husafiri kwa ndege kila siku. Na kama gari lake limekumbwa na tatizo hilo, mbona hamwambii Waziri anayehusika na barabara atengeneze barabara hiyo? Tunataka barabara ya Mombasa ambayo ni ya kimataifa iwe barabara ya aina ya kipekee. Na inafaa hii barabara ya lane tatu hadi Uganda. Tuko na pesa za kutosha lakini zinatumiwa kwa mambo ambayo hayafai kwa kuwekwa katika mifuko ya watu. Na kama vile Mheshimiwa Mwai Kibaki alivyosema Kshs7 bilioni zilikuwa karibu kuibwa kupitia Wizara ya Afya. Na waliiba karibu nusu ya hizo pesa. At least I have vouchers worth Kshs400 million. Kama Serikali inajiibia basi hakuna uwazi. Na mambo haya ya haki na uwazi ni muhimu sana. Inatakiwa hata sisi katika Upinzani tuwe na uwazi na ndio sababu nawaomba viongozi wote wa Upinzani kwamba tukipigia Serikali kelele hapa ni lazima pia tuangalie kama akiba za vyama vyetu zinatunzwa. Tunataka uwazi upande huu kwa sababu tuna matumaini kwamba tutaongoza na tutaonyesha mwelekeo mzuri kwa kuweka akiba za vyama vyetu kwa njia nzuri.

Bw. Naibu Spika wa Muda, ningependa vyama vyetu vionyeshe Wakenya kwamba tunapenda kutii sheria. Inafaa tuwaonyesha Wakenya kwamba tunaweza kuongoza vyama vyetu vizuri. Tukishafanya hivyo, ndipo tunaweza kuingilia Serikali. Mimi sipendi unafiki; sipendi unafiki kabisa. Huku tunaingilia Serikali kwa yale mabaya inayotenda na huku tunaendelea kutenda mabaya kama hayo. Nchi hii haitaokolewa namna hiyo. Unafiki ulianza mwaka wa 1963 na hadi leo, umefika kiwango kikubwa kabisa. Kila mara, watu wanawatukuza wakubwa, na huku vitu vinaharibika. Hatutaki mambo kama hayo.

Mr. Nyagah: Hata Biblia inakanya tabia hiyo!

Dr. Lwali-Oyondi: Biblia inakanya kitendo kama hicho na hata Yesu Kristo aliwakataa Wafarisai kwa sababu ya unafiki. Ningependa kuwaambia wale walio katika vyama vya upinzani kwamba, inafaa tuendeze shughuli zetu kwa njia nzuri, tuwe na accountability na uongozi mzuri.

Bw. Naibu Spika wa Muda, ningetaka Serikali ijenge dual- carriage-way kama hii ya kutoka Thika hadi Nairobi, ambayo ni nzuri sana. Lakini, ningependa kuwahimiza wale wanayoitumia Thika Road waendeshe magari yao vizuri, maanake, hawajui kuendesha magari vizuri. Mara kwa mara wao wakipita wengine, huwa hawarudi mkono wa kushoto kama inavyohitajika, wao huzidi kuendesha magari yao upande huo wa kulia. Hata mtu akiwa na gari linalovutwa na punda, huzidi kuendesha upande wa kulia. Njia ya mkono wa kulia ni njia ya kutumiwa kwa kupita gari lile lilioko mbele yako, ukishapita urudi kushoto.

The Assistant Minister for Finance (Mr. Keah): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Ni ukurasa gani wa Mswada huu ambao mheshimiwa anazungumzia, kuhusu magari yanayokwenda huku na kule? Sijui nitamjibu vipi wakati wangu wa kujibu utakapofika.

Bw. Naibu Spika wa Muda, hebu tufafanulie.

Dr. Lwali-Oyondi: Bw. Naibu Spika wa Muda, hapa tuna Mswada unaohusika na kila kitu, barabara, usafiri na kadhalika. Sasa, sijui rafiki yangu anasema nini. Huu Mswada unahusiana na kila kitu, na ninazungumzia juu ya barabara. Ninasema kwamba, baada ya Serikali kutengeneza barabara kama hii ya kutoka Thika hadi Nairobi, inafaa wananchi waitumie vizuri. Watu wanaotumia barabara hiyo hawengepatwa na ajali ya barabara hata moja kwa sababu barabara yao ni super-highway. Ninahimiza uendeshaji mzuri wa magari. Kwamba, ukishapita gari katika mkono wa kulia, inafaa urudi upande wa kushoto hadi utakapofikia gari lingine; tena uangalie nyuma kama kuna gari lingine hapo karibu, ndipo upite hilo gari lilioko mbele yako.

The Assistant Minister for Finance (Mr. Keah): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Je, umekubali Bunge hili ligeuzwe kuwa shule ya kuendesha magari?

Dr. Lwali-Oyondi: Huu ni Mswada unaohusiana na uchukuzi na mawasiliano, yote haya yameandikwa hapa, na wewe ndiwe uliibuka na Mswada huu. Mungu atusaidie!

Kwa upande wa utalii, hii nchi ndiyo nzuri sana katika utalii, maanake kuna milima, mabonde, mahali kama Kano Plains ambako kuna mafuriko, mahali ambako unaweza kupata theluthi ya maji, misitu na jangwa. Lakini hakuna aggressive advertisement. Hakuna mtu huko Ulaya ambaye anaonyesha hizo vitu. Hiyo ndiyo sababu watu wanaenda kule nje. Kama tungekuwa na kitabu cha tourism kwa kila mwaka na kupeleka katika embassies zetu kule ng'ambo, na mabalozi wetu badala ya kukaa kitako katika embassies na kuiba pesa, wangukuwa wanafanyia Kenya advertisement, na Kenya ingeshinda nchi nyingine. Lakini wakifanya advertisement, ni lazima tuwe na barabara. Tulikuwa na Wabunge sita kutoka London. Walitembelea Maasai Mara. Walipotoka huko, walikuwa wekundu kwa sababu walikuwa wamechoka zaidi. Wametuambia hawajawahi kuona barabara mbaya katika dunia kama barabara zetu. Walikuwa shaken mpaka wakakuwa wekundu. Hawa wanawakilisha watu wao huko. Wakienda huko, wataambia watu wao wasije Kenya kwa sababu wakija, watapata taabu sana.

Kuhusu maji, kuna Pipeline and Water Development Corporation. Hiyo ni Corporation mbaya sana. Inatakiwa iwachie Wizara ya Maji na local authorities kazi ya maji. Tangu ibuniwe, mambo yale tunayosoma kwa magazeti yanahusu kuliwa kwa pesa tu. Hata hawakusanyi ile kodi yao. Wanakula pesa tu na kukata maji. Kwa sasa, hoteli katika miji ya Mombasa, Nairobi na Nakuru hazina maji. Wanatumia maji kutoka kwa visima, na hayo maji ni yenye chumvi sana. Ni mtalii gani atakuja kuleta pesa yake hapa?

Kuhusu stima, ningetaka kusema kwamba kuna Lake Victoria na Owen Falls. Kuna turbines zingine ambazo zimesimamishwa kwa sababu Uganda haina matumizi mengi ya stima. Na sisi bado tunalipa Uganda ile pesa ya 1954 na tumekataa kurekebisha. Tungetoa stima Uganda isaidie kama bado tunatengeza yetu. Pia Kenya Power and Lighting Company ingeanza kuweka wind mills katika North Eastern Province, kwa sababu kuna upepo mwingi huko na pahali pengine. Wangeweka hizo windmills ili ziweze kutoa stima. Nchi kama Germany na Holland wanatumia hizo, na watu huko ni advanced sana. Wako na nuclear energy na kila kitu. Kwa nini sisi bado tunatumia diesel engines ambazo zinachukua pesa nyingi sana? Pia wakubalie mtu yeyote aliye na njia ya kutoa umeme afanye hivyo bila masharti yoyote, kwa sababu tunataka stima. Viwanda vyetu vimeanguka na kama viko katika hali hiyo, Minister atapata wapi hizo pesa anahitaji kwa hii Bill?

Security hapa iko mbaya sana katika nchi hii. Mimi nimefanya observation kwamba kuna DCs fulani ambao wakiwa katika mahali fulani, ni lazima kuwe na mapigano. Katika Wilaya ya Kiambu hakukuwa na vita vya kikabila mpaka Bw. Chepkwony akatolewa Wilaya ya Nakuru na kuwa mkuu wa wilaya ya Kiambu. Leo kule Burnt Forest kuna amani lakini kuna vita vya aina fulani huko Kiambu. Kulikuwa na mkuu mmoja wa mkoa wa zamani - sitaki kulitaja jina lake kwa sababu yeye sasa ni marehemu - ambaye alipofanya kazi palitokea

vita vya kikabila. Hata mkoa aliosimamia wakati wa kifo chake ulikuwa na vita vya kikabila. Nyinyi Wabunge wa KANU mnaitawala nchi hii. Hafai mtulaumu kwa shida hizi. Wakati tutapochukua uongozi wa Serikali mtaweza kutulaumu. I will be ready to say: Yes; we are inefficient if we will be inefficient and will give you reasons for our inefficiency. Hakuna haja ya kusema kwamba unaongoza na hali nchi inaendelea vibaya. Mimi nimepewa kazi ya kuiwakilisha sehemu ya Nakuru Mjini, na hutaona nikiiacha kazi yangu. Ukisema kitu kuhusu Nakuru Mjini nitakujibu. I am responsible for my job and I am in charge of Nakuru Town, as far as representation goes. Sasa nyinyi Wabunge wa KANU mnaiongoza Kenya lakini tuna shida kubwa ya usalama, maji, afya, elimu na barabara. Licha ya haya hote, bado mnajigamba kwamba mnatawala Kenya, badala ya kuiongoza. Tunataka mtu ongeze kwa sababu tumewapa nafasi ya kufanya hivyo. Lakini nyinyi si wafalme, ambao hutawala.

An Hon. Member: Tunatawala!

Dr. Lwali-Oyondi: Tawaleni, lakini mtaondoka utawalani. Sisi tunasema inafaa tuijenge nchi hii. Sisi hatuwapingi. Mkifanya mambo mazuri hatutasema mmefanya mambo mabaya. Nyinyi wenyewe mmesema kwamba siasa mbaya zinaleta maisha mabaya. Kwa kuwa maisha hapa nchini ni mabaya hii inaonyesha kwamba siasa zenu ni mbaya? That is your own formular!

Ili kupata kodi ni lazima uwe na wafanyakazi wanaolipa kodi. Wafanyakazi wa Kenya wako taabani. Hii ni kwa sababu bei ya bidhaa ni ghali. Pesa za bandia zilichapishwa katika mwaka wa 1992 zilituvunja. Mtu aliyekuwa anatoshelwa na mshahara wa Kshs2,000, sasa ana shida kwa sababu Kshs2,000 haziwezi kununua hata sukuma wiki kwa mwezi mmoja. Serikali imejaribu kuziondoa zile pesa za bandia. Serikali ingezichoma pesa hizo, lakini haikufanya hivyo. Ili kuziondoa pesa hizi Banki Kuu ya Kenya ilianza kukopa pesa kutoka kwa wananchi kwa kulipa riba ya asilimia 80. Hii ni kusema kwamba mtu aliyeweka Kshs100 katika Banki Kuu ya Kenya, baada muda alilipwa Kshs180. Hii riba ya juu ilizifanya bei za bidhaa kuongezeka.

Waziri wa Fedha amesema kwamba anataka banki za kibiashara zipunguze riba. Lakini tunajua kwamba Banki Kuu ya Kenya ndiyo inayoziongoza banki nyingine zote. Ukisema unataka mabehewa ya gari moshi yaende kasi zaidi kuishinda kichwa cha gari hilo utakuwa ukijidanganya: Kasi ya mabehewa ni sawa na kasi ya kichwa cha gari moshi. Ikiwa riba ya Banki Kuu ya Kenya iko juu, inawezekanaje riba ya banki za kibiashara iwe ya chini? You do not need to be an economist to know that. Kwa sababu wemeweka hiyo interest rate juu, hizi benki zingine pia zitaiweka juu. Banki hazijali wananchi, zinapeleka pesa zao kwa Treasury Bills. Siku hizi hata watu binafsi wanapeleka pesa zao kwa Treasury Bills. Inatangazwa kwamba ukiweka pesa zako huko utapata asilimia 30 au 40 kwa mwaka moja, miaka miwili siku moja. Central Bank ndiyo inatakikana kufanya hayo.

Bw. Naibu Spika wa Muda, wafanyakazi wetu wanalipwa pesa chache sana, na hawana la kufanya kwa sababu ya umaskini. Isitoshe, wengi wa hawa watu hufanyia Wahindi ambao hawana huruma. Hawa wafanyakazi wanatumia ile mashini ya zamani ile imetupwa kule Ulaya. Mkono wa mtu ukikatwa, hawa Wahindi watafanya chochote wanachoweza ili huyo mtu asilipwe haki yake ya Kshs10,000. Watatoa hongo kwa kila mtu katika Wizara ya Labour and Manpower Planning. Huko katika kiwanda cha Nakuru Blankets ninajua watu wengi ambao wamekatwa mikono na machini ambayo iliundwa mwaka wa 1950. Lakini hao Wahindi watatoa rushwa kwa kila mtu ili huyu jamaa asilipwe ridhaa. Na isitoshe, wanamfukuza kazi. Hawa Wahindi ni Mashetani kwa sababu hii pesa si yao. Workman's Compensation inalipwa na Insurance na hawataki huyu mwananchi alipwe hiyo. Kama hiyo ndiyo umoja hapa Kenya, I am sorry, wanaenda vibaya, na watawala yale wanayopanda. Watu hawatasimama na kuangalia hawa Wahindi wakisumbua watu. Niko na hakika hawa Wabunge wote wamekwisha kuona watu walioumia, na Mhindi atampatia Labour Officer na wengine wanaohusika hata Kshs1 million ili huyu mtu asipate Kshs10,000 zake. Baada ya mtu kumfanyia Mhindi kazi kwa muda wa miaka kumi au zaidi, akiona kwamba huyu mtu atadai kiasi kikubwa cha terminal benefits, anamsingiziwa kwamba ameiba na baadaye, anamfukuza kazi. Halafu anaambiwa, "nenda kwa mtu yoyote." Akienda kwa Ministry of Labour and Manpower Planning kwa usaidizi, officer huyo anampigia Mhindi simu na Mhindi anamwambia, "tutaonana jioni". Baadaye huyu mtu aliyefanyia Mhindi kazi kwa miaka 10, 15, au 20 na hata zaidi anaenda mikono mitupu bila kulipwa chochote. Mhindi amempatia Labour Officer rushwa na huyu mfanyakazi anaenda bila kulipwa chochote. Lakini Mungu yuko na kuna watu wengine katika Bunge hili ambao wanasaidia hao Wahindi ili wapate pesa za kutoa kwa harambee. Kama wananchi wanapata taabu kama hizi, utapata wapi pesa? Kama watu wetu wanafukuzwa kazi na wanaenda nyumbani hata bila kulipwa chochote, hii ni kumaanisha kwamba hawawezi kujisaidia huko nyumbani. Serikali itapata wapi pesa? Hii ndiyo sababu umasikini unaenea.

Wahindi na matajiri wengine na hata idara zingine za Serikali wanakata pesa kama Pay As You Earn (PAYE) na hawapeleki kwa Serikali. Pesa za NSSF pia zinakatwa na hazipeleki kwa NSSF. Na zile pesa zinapofika huko kwa NSSF, kuna papa na nyangumi wanangojea kuzinyakua. Hawa ni nyangumi tena wale

hatari. Sasa Mkenya ataenda wapi? Anapigwa pande zote. Hii ndio sababu tunataka tuketi chini pamoja na KANU ili tuangalie namna ya kutatua matatizo ya nchi hii yetu. Maneno ya kutetea mwenyekiti ama Rais wako ni bure kwa sababu sote tuko katika mtumbwi mmoja na tukizama, tutazama wote.

Bw. Naibu Spika wa Muda, nilisika Bw. Waziri akisema kwamba sasa Serikali inataka kusimamia matumizi ya pesa. Tunaukaribisha sana mwelekeo huo mpya. Tunafurahi sana tukisikia Bw. Waziri akisema hivyo. Lakini hali ya usimamizi wa fedha ni wa aina mbili. Tunaweza kuwa na usimamizi wa fedha vitabuni lakini vitendo haviambatani kabisa. Katika Accounts, lazima kuwe na jambo la kutumia fedha zaidi ya kiwango kilichowekwa. Sijui vile Bw. Waziri atasema lakini tungependa atueleze ni njia gani atatumia ili huu usimamizi wa fedha utekelezwe.

Sitaki kusema mengi kwa sababu kuna waheshimiwa wengine ambao wangependa kutoa maoni yao. Nikiunga mkono Mswada huu nitasema kwamba tuongoze nchi yetu vizuri kwa niaba ya wananchi wetu. Hakuna haja yangu kuvaa vizuri na hali watu wengine wanatembea uchi. Tutafurahi kama kila mtu atavaa vizuri. Tunaweza kufanya hivyo kwa sababu wananchi wanafanya kazi.

Maneno ya kuingilia makampuni kisiasa yafaa yakome. Tuna makampuni mengine ambayo yanaendelea vizuri sana kama vile Pyrethrum Board iliyo Nakuru. Ilikuwa na pesa kiasi cha zaidi ya Kshs700 million katika benki ilipokuwa inasimamiwa na Bw. Wainaina. Siku hizi inasimamiwa na mtu mwingine. Tungependa huyo mtu achunge sana hizo pesa ili ziendeleo kuongezeka. Hatutaki anyakue. Kuna watu wengine ambao wakisimamia mahali, kazi yao ni kuchukuwa pesa na hali wanazidi kupanda vyeo kazini mwao.

Huko Nakuru, kulikuwa na mtu mmoja ambaye alikuwa anasimamia Milling Corporation. Alipoifilisi wakaleta mtu mwingine ambaye aliisaidia sana lakini baadaye, wakaleta mtu mwingine ambaye aliifilisi kabisa. Sasa mambo yakiwa hivi, tutapataje kodi?

Kuna kampuni nyingine; KTDC, ambayo inasimamiwa na Chelashaw. Hiyo ndio kampuni ambayo ilikuwa inafanya vizuri lakini sasa Chelashaw ataifilisi. Kwa nini Serikali haiwezi kumtoa hapo? Tunataka kusema maneno wazi badala ya kudanganyana hapa. Chelashaw has no business in KTDC. Ataharibu kazi hapo na Bw. Waziri hatapata kodi. Tunataka mtu kama Bw. Lang'at atolewe kwa sababu amemaliza kila kitu kila mahali. Yeye ni kama kiwavi. Tunataka atolewe kabisa. Lazima tuseme wazi ili tuokoe wananchi. Watu wengi wamepoteza kazi zao.

An hon. Member: It is time for Kalenjins to "eat"!

Dr. Lwali-Oyondi: Wananiambia eti: "It is time for the Kalenjins to eat". Ndiyo, lakini watakula halafu watahara.

Kwa hayo machache---

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Can the hon. Member for Nakuru Town specify who Mr. Lang'at is? This is because there are thousands and thousands of people called Mr. Lang'at.

Dr. Lwali-Oyondi: Ni Bw. Lang'at yule alikuwa kwa Milling Corporation of Kenya.

An hon. Member: Anaitwa Bw. Lawi Kiplagat!

Dr. Lwali-Oyondi: Oh, I am sorry! Ni Bw. Lawi Kiplagat. That is the most dangerous man in Kenya! Ni mwizi wa pesa nambari moja.

Kwa hayo machache, nataka kumwachia rafiki yangu ili aendelee kuongea. Ahsante sana.

An hon. Member: Huu si wakati wa Hoja!

Mr. Muite: Mr. Temporary Deputy Speaker, Sir, this is a lot of money that we are voting for this Government. It is over K£5 billion. Often, it is forgotten that the Government does not have its own money at all. The money that the Government spends is our money. It is the taxpayers money. It is the money collected from each and every Kenyan, whether they are employed or not.

When we vote so much money to this Government, the first duty of any Government is security for its own people. Does this Government have any moral authority to collect this sort of money from taxpayers, when today, it is unable to guarantee or secure the security of Kenyans? Today, Kenya is being managed by anarchists and criminals. Who is in charge in this country, if on Sunday, a group of over 50 people is able to go to Kikuyu Constituency in Wangige, and very calmly without any hurry, terrorise the whole village? Who is in charge? Is this Government in charge, or is it the criminals? Can we be told whether these criminals are actually security agents, masquerading as criminals? What is happening with security? I am not just talking about Kikuyu Constituency. I am talking about the entire country.

Today, there is no homestead in Kiambu District, where anybody is able to have a good night's sleep. Everybody goes to bed worrying, without knowing whether he or she is going to see the morning. We are terrified. A Government that cannot secure the security of its own people, has no business asking this Parliament,

to pass K£5 billion for their own expenditure. The first duty of the Government is to absolutely guarantee the security of the people. But today, the criminals know that they can terrorise a whole village and get away with it. What is happening? Can this Government come out clearly? It would appear that the police are absolutely impotent in the face of this anarchy and thuggery that is going on.

Mr. Temporary Deputy Speaker, Sir, we have reached a situation where some areas in Kikuyu Constituency have been terrorised. These gangs go around in groups of 30, 50 to 100, and it is now useless putting burglar-proofing doors and windows, because they climb up the roof, remove the tiles and at 2 a.m. they drop on to the bed when everybody else is actually asleep with his wife and children. It is terrible. This Government does not appear to feel outraged with what is happening. You call the police, but they will arrive the following day. How is it that the real criminals are not getting prosecuted? How can this Government ask us to pass this sort of money when they cannot secure the security of the people? We would like to be told the truth whether what we are feeling in Central Province today is some mock test before the real examination, because candidates are made to sit for mocks before the real examination? The people are made to go through some trials. Is it the position that this Government is now carrying out trials in Central Province of tribal clashes that were in Rift Valley Province, which they would like to implement in Central Province? Is this what we are witnessing because something is very fishy? We do not believe that the insecurity and thuggery that is going on in Kiambu District and elsewhere in this country, is outright thuggery, even though, admittedly, part of it may well be outright thuggery. But to what extent is there duplicity on the part of the Government? Is it possible that we are seeing the first signs of the real occasion of the clashes from Rift Valley Province to Central Province as a prelude to the General Elections?

Mr. Temporary Deputy Speaker, Sir, human life is important and sacred. When each and every person is living in fear everywhere, even in the urban centres, we no longer have confidence that even the people we see being taken to court are the real criminals. There is the issue of credibility. When we see the police arresting people, we ask ourselves questions whether it is not possible that the police are just arresting whoever they come across in order to convince us that they are doing the job, because if it is the real criminals who are being arrested, how come that we have an escalation of this insecurity? It is not just in Central Province, North-Eastern Province, but everywhere. The issue of insecurity in Kenya today is such that if this Government was honest, it should admit that it has been absolutely unable to secure the security of its own citizens. Yet, all this money that we are passing here, if the breakdown was given, and the breakdown which this Government refuses to give us, because I remember that earlier this year when we were debating the Budget Speech, I specifically asked questions as to what amount, out of that Budget, was going to go to the Special Branch. They never give us a breakdown, so we do not know how much money that is voted that is allocated to the Special Branch, and yet we know that out of the State security apparatus, the normal uniformed policemen are frustrated because they are underpaid and live in very squalid conditions when members of the Special Branch themselves live much better conditions than everybody else. I know that quite often, three vehicles are devoted to one individual. There was a time earlier this year when three vehicles were permanently following me. I have their registration numbers. These are new vehicles with very well dressed people always three of them in each vehicle. One of them is off-duty and is sleeping at the back seat of the car, then the driver and later the navigator, politicking. They just want to know who Mr. Muite is talking to and who he is seeing. How much money are we spending on the Special Branch instead of spending that money on the regular police who can guarantee the security of our own people? Who gave the regular police here these little useless Mahindra vehicles and in exchange for what because, one does not get a donation for nothing? Whoever donated these Mahindras to the Kenyan Police, what did he get in return? This is a little useless vehicle! When you see six or eight policemen sitting in a Mahindra, it can hardly be able to move. How can they be able to chase a car that has been stolen? The other day my neighbour was attacked at 7.00 a.m. and his vehicle was stolen. The police arrived after about an hour and his vehicle that was stolen is a Mercedes Benz vehicle. The police arrived and they had no other car except the little Mahindra. They said, "This is too slow, so can we borrow your pick-up?" How can a pick-up go on chasing a Mercedes Benz vehicle that has already disappeared? In that particular police station, my neighbour was lucky that they had petrol. Quite often you telephone police stations, and these are not stories, people get attacked and they telephone the police and the police respond that they have no vehicle or when they have got a vehicle, they have no petrol. We are living in a state of anarchy. The reasons why the criminals are so bold is because the Government itself does not exist. We have got no Government, what we have is "a bunch of criminals and thieves masquerading as a Government." That is why they have inculcated this culture of thieving or this culture of robbery, that is why this Government is unable to address---

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Member to say that we do not have a

Government, but what we have is a bunch of criminals and robbers? Could he substantiate that because I see the hon. Members on the other side of the House are silent?

Mr. Nyagah: Silence is substantiation!

Mr. Muite: Mr. Temporary Deputy Speaker, Sir, the hon. Member for Gachoka is saying silence is actually substantiation! It is the Front Bench here which is silent. But in any case, what further substantiation does one want other than the report of the Controller and Auditor-General and the fact that nothing has been done about it?

What further substantiation do we want when the Constitution is very clear that the entire Government revenue must be paid into the Consolidated Fund? And any shilling even a cent cannot be withdrawn from the Consolidated Fund without the authority of this House. That is the Constitution, that is the law! When did we authorise the construction of a bullet factory in Eldoret?

Is that not thieving? The money does not belong to the Government, but to Kenyans and when they go and write a cheque to go and construct a bullet factory in Eldoret spending billions of Kenyan shillings and we have not been told who authorised that money or who the shareholders are and so on, we have not been told why it is being constructed on Army Barrack--

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Muite, you will carry on tomorrow. Hon. Members, it is now time for interruption of business. The House is, therefore, adjourned until tomorrow, Wednesday 6th November, 1996 at 9.00 a.m.

The House rose at 6.30 p.m.