

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 11th September, 2007

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

QUESTION BY PRIVATE NOTICE

KILLING OF MR. FRANCIS
LORIKAI LETOOLE BY POLICE

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

(a) Is the Minister aware that Mr. Francis Lorikai Letoole, a watchman working at International Christian Centre premises near General Motors in Embakasi area, was gunned down by police officers on 6th August, 2007, at about 8.30 p.m.?

(b) What action has the Minister taken to apprehend the culprits and bring them to book?

(c) What further steps is the Minister taking to compensate the family of the deceased?

Mr. Speaker: Mr. Minister, I remember this Question was deferred last week, at the request of the Minister, to today. Ms. Karua, do you have any information?

The Minister for Justice and Constitutional Affairs (Ms. Karua): No, Mr. Speaker, Sir, but we are still expecting the Minister and his Assistant Minister. If we are given a little time, we will make sure we communicate just now. I am sorry about that.

Mr. Speaker: Mr. Lesrima, what do you think we should do?

Mr. Lesrima: Mr. Speaker, Sir, I have a written answer and I suspect that the Minister may just be around the corner.

Mr. Speaker: Shall I then put it as the last Question?

Mr. Lesrima: Yes, Mr. Speaker, Sir.

Mr. Speaker: Very well! Thank you!

Next Question, Mr. Ojaamong!

ORAL ANSWERS TO QUESTIONS

Question No.070

ESTABLISHMENT OF LAW COURTS
IN TESO DISTRICT

Mr. Ojaamong asked the Minister for Justice and Constitutional Affairs:-

(a) whether she is aware that there are no law courts in Teso District; and,

(b) what plans she has to establish law courts in the District.

The Assistant Minister for Justice and Constitutional Affairs (Mr. Mungatana): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that there are no law courts in Teso District at the moment.

(b) Due to financial constraints in the Judiciary, there has been no law court established in Teso District. However, this district will be considered alongside other needy districts in the Judiciary Department Plan for the establishment of law courts.

Mr. Ojaamong: Mr. Speaker, Sir, I have asked this Question because most of the people who are arrested in Teso District, even for very petty offences, are transported all the way to Busia or Bungoma districts. In the process, at times road accidents occur and these people die. Malaba Town Council has a hall which can be used as a court.

Could the Assistant Minister send some judges and magistrates there, so that most cases can be heard at the Malaba Town Council hall, instead of taking people to Bungoma or Busia districts?

Mr. Mungatana: Mr. Speaker, Sir, Teso District was carved out of Busia District, which is served by the High Court sub-registry and the Magistrate's Court at Busia Town. Teso District is, therefore, being served by both the Bungoma and Busia Law Courts for the time being. However, we have heard this presentation, and as I have said, we are taking up the matter and I have, in fact, spoken to the relevant authority to consider giving priority to Teso District when we are allocating funds for the construction of new law courts. I hope that will satisfy the hon. Member.

Dr. Rutto: Mr. Speaker, Sir, the Assistant Minister has talked about a plan, but he has not disclosed the details. When, exactly, is the Ministry going to construct law courts in the various districts that have been created?

Mr. Mungatana: Mr. Speaker, Sir, that is a very good question. May I just assure this House that the Judiciary has a long-term plan, especially with regard to the newly created districts. It is not just the Judiciary Department, but many other Government departments have not been constructed in the newly created districts.

We would want to go into it next year. Like I have said, we will give priority to places like Teso District, where people have to travel for long distances. We will move to those districts to solve the problems that exist.

Mr. Khamisi: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to suggest that they will be in office next year, when we know very well that they are almost on their way out?

Mr. Speaker: Order! Let me, first of all, deal with the point of order. First, that is not a point of order. It is an expression of a wish and an opinion.

Mr. Mungatana: Mr. Speaker, Sir, for the comfort of the hon. Member, I would like to assure him that we will be here to make sure that, that plan is effected.

Mr. Waithaka: Mr. Speaker, Sir, this problem is not peculiar to Teso District. The greater Nyandarua District, which has now been split into two, does not have a law court. People from Nyandarua South, which is Kinangop and Kipipiri, have to travel about 62 kilometres to Nyahururu for them to seek justice. Those who are lucky may have their cases filed either in Nakuru High Court or in Naivasha.

The problem in Nyandarua is not even the creation of the new district. Even the old district does not have a law court. We used to have a law court in Turaga and in 1978, the then Magistrate died and he has never been replaced to date. Could the Assistant Minister, therefore, consider re-opening the Turaga Law Court, so that we can have a law court in Nyandarua South?

Mr. Mungatana: Mr. Speaker, Sir, that is a specific request and we will look at it considerably. At the moment, the Judiciary has the plan that I have already spoken about. However, where the situation is very desperate, we are also looking at the option of pleading with the hon.

Members to allocate some funds from the CDF to construct law courts in areas where they feel it is a matter of urgency. Then we will undertake to ensure that officers are posted to those law courts. In this particular case, as I have said, we will look at it.

If the facility exists, we will post officers there.

Mr. Ojaamong: Mr. Speaker, Sir, cases from Teso District are heard in Busia and Bungoma Law Courts. Currently, we have some civil cases in Bungoma and Busia districts which have been listed for hearing in December, 2008. What measures is the Assistant Minister putting in place to ease the backlog of cases in these courts?

Mr. Mungatana: Mr. Speaker, Sir, the question of the backlog of cases is a matter that we have, in fact, discussed at length, even in this House. We answered a similar Question two weeks ago. This House, indeed, has taken the most significant step, which is to amend the law to increase the number of judges who can be appointed.

I want to thank this House because with the Statute Law (Miscellaneous Amendments) Bill, we expect more judicial officers to be appointed. This will go a long way as one of the measures to ease the backlog of cases amongst other measures that we have outlined in the House.

Question No.384

TRANSFER OF TEA FACTORIES' SHARES
FROM KETEPA TO KTDA

Mr. Bett asked the Minister for Agriculture:-

(a) whether he could confirm that all the shares previously held by individual tea factories in KETEPA have been transferred to KTDA; and,

(b) if the answer to the above is in the affirmative, whether the management boards of the various tea factories were consulted.

The Assistant Minister for Agriculture (Mr. Muiruri): Mr. Speaker, Sir I beg to reply.

(a) Individual tea factories have never directly held shares in KETEPA except Michimikuru Tea Factory.

(b) In view of my reply in part (a), the issue of consultations with the respective management boards of tea factories does not arise.

Mr. Bett: Mr. Speaker, Sir, I want to thank the Assistant Minister for that brief answer. He has said that tea factories have never directly held shares in the Kenya Tea Packers (KETEPA). Then, somebody must be holding shares on their behalf. Who is holding shares on behalf of these tea factories in KETEPA? What is the shareholding level? Who are the other shareholders and what are their shareholding levels in KETEPA?

Mr. Muiruri: Mr. Speaker, Sir, the KTDA holds shares on behalf of 54 tea factories, which is an equivalent of 73.32 per cent. The others are 19 minority shareholders. Unilever Tea Kenya Limited holds 8.43 per cent and Jainways Kenya Limited holds 6.73 per cent. I would like to table the list of the rest of the shareholders because they hold very small percentages which range between 1.15 per cent to 0.10 per cent.

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

Mr. Bett: Mr. Speaker, Sir, I am satisfied with that reply and I will follow up the issue later.

*Question No.470*BLOCKING OF ROAD BY
NAKURU BLANKETS ESTATE

Mr. Mirugi asked the Minister for Local Government:-

(a) why the Municipal Council of Nakuru (MCN) allowed Nakuru Blankets Estate to construct a stonefence between the estate and Teachers Estate blocking off all access roads to Teachers Estate from the Nakuru-Nairobi Highway; and,

(b) if he could order the demolition of the illegal barrier to enable residents access the highway with ease.

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

(a) The Municipal Council of Nakuru has never allowed Nakuru Blanket Estate to construct a stonefence between the estate and Nakuru Teachers Estate. The wall referred to used to exist when the subdivision of the Nakuru Teachers Estate took place.

(b) The illegal barrier does not arise. Therefore, I cannot order its demolition.

Mr. Mirugi: Mr. Speaker, Sir, the answer the Assistant Minister has given is very unsatisfactory. This wall exists! I do not know which wall he is referring to.

Mr. Speaker, Sir, when asking this Question, I assumed that the Assistant Minister would take his time to find out whether this wall exists or not. I know it exists. Because the wall exists and they have acknowledged that it used to exist, could he, therefore, order its demolition right away, or give us the mandate to demolish that wall immediately?

Mr. Shaaban: Mr. Speaker, Sir, I said that the wall, indeed, exists. The wall came into existence before the Nakuru Teachers Estate. Therefore, I cannot order the demolition of the wall.

Mr. Waithaka: Mr. Speaker, Sir, I think the issue here is whether there is blockage of the access from the Nakuru Teachers Estate to the main road. If there is no access to the main road, the local authority has a duty to compulsorily acquire part of that land and create an access road for the Nakuru Teachers Estate.

Mr. Speaker, Sir, could the Assistant Minister explain whether the Nakuru Teachers Estate can have an access road to the main road or not?

Mr. Speaker: Mr. Waithaka, what the Assistant Minister is saying is that the wall was there before the teachers acquired the estate. They acquired the estate knowing that there was no access. So, how do you expect the Assistant Minister to do what they should have prudently done before buying the place; that is, to find out whether they could access the main road?

Mr. Waithaka: Mr. Speaker, Sir, it is the responsibility of the local authority to approve the physical planning of any town. We are talking about a municipality here. Did the local authority, therefore, grant authority to the Nakuru Teachers Estate without knowing if there was an access road to the main road? It is their responsibility to plan the town! Did they plan?

Mr. Shaaban: Mr. Speaker, Sir, there has always existed an access road through Nakuru Blankets Estate, which diverges and connects with another access road adjacent to Ngara Estate, and which then connects the Nakuru Teachers Estate to the Nakuru-Nairobi Highway. Therefore, there already exists an access road to the Nakuru Teachers Estate.

Mr. Mirugi: Mr. Speaker, Sir, the Assistant Minister is misleading this House. At the moment, there is no access road. There is a stone wall between the estate and the Nakuru Teachers Estate. It has blocked all access roads to the teachers' estate from the main road. So, we request the Assistant Minister to order the demolition of the wall that blocks the access road which connects Nakuru Blankets Estate to Nakuru Teachers Estate so that the road can be accessed from the

Nakuru-Nairobi Highway.

At the moment, residents of the Nakuru Teachers Estate are using the Bahati-Nakuru Highway to access the town. It would be much easier to use the other access road if the wall, at that particular point, is removed.

Mr. Speaker, Sir, we are not asking for the whole wall to be removed. We are only asking for the part of the wall that is blocking the access road to be removed.

Mr. Shaaban: Mr. Speaker, Sir, I have already said that there is an access road. I will look at the possibility of, probably, making that accessibility wider so that the Nakuru Teachers Estate is fully accessible.

Mr. Speaker: Next Question, Mr. Weya!

Question No.443

COMMENCEMENT OF FRENCH PHASE
TWO ELECTRICITY PROJECT

Mr. Weya asked the Minister for Energy when the French Phase II electricity supply project intended to cover Gangu, Kanyaboli, Harambee and Obambo will commence.

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

Implementation of Rural Electrification Projects (REPs) under Phase II of the French Government Loan Funded Project has already started in Nyanza Province. Gangu, Kanyaboli, Harambee and Obambo in Alego Usonga Constituency are among those earmarked for implementation. It is anticipated that the said schemes would be completed by February, 2008.

Mr. Weya: Mr. Speaker, Sir, I appreciate the fact that the Ministry of Energy is one of those Ministries which are run in a level-headed manner.

Mr. Speaker, Sir, I have been travelling around the country and I realised that many projects are stalled because there are electricity poles on site, but there are no cables crossing from one pole to another. Is the Kenya Power and Lighting Company (KPLC) experiencing a shortage of materials needed for the supply of electricity? We would like to see these projects go on well.

Mr. Kiunjuri: Mr. Speaker, Sir, this is a funded project. It is also a turnkey project and very different from the R and T that is being performed by local contractors, or those ones that are being done by the KPLC. So, for this particular project, they are installing and supplying the materials. Therefore, there will be no shortage of materials.

Mr. Omamba: Mr. Speaker, Sir, a similar thing is happening in my place where I have a health centre called Othoro. When I visited the KPLC's offices, they told me that they were waiting for electricity poles from South Africa. The poles had already been brought and wiring had been done.

A transformer seemed to be there also because I saw something there. I do not know if it was a transformer. Last financial year, we were promised that this project would commence. When, really, will this project commence? When will it be implemented? We have waited for too long!

Mr. Kiunjuri: Mr. Speaker, Sir, the hon. Member is repeating the same question he asked me over lunch hour. We agreed that I would go and check why the power has not been switched on and yet all the work has been done. I still stand by what I told him. I will tell him, tomorrow, why the power has not been switched on.

Mr. Omamba: Mr. Speaker, Sir, we have waited for so long. When will this waiting come to an end?

Hon. Members: Maybe tomorrow!

Mr. Kiunjuri: Mr. Speaker, Sir, is he denying that we, indeed, agreed that I would answer him tomorrow? I will tell him tomorrow why exactly the power has not been switched on.

Mr. Speaker: I suppose that will be done privately.
Last question, Mr. Weya!

(Laughter)

Mr. Weya: Mr. Speaker, Sir, from my knowledge, when a contractor is doing work, he must have a schedule showing when he will commence the work, among other things. Could the Assistant Minister tell me when this project will commence?

I asked the Assistant Minister to tell me when the project was going to commence. The contractor must have an idea as to when the work is going to begin and not when it is going to end.

Mr. Kiunjuri: Mr. Speaker, Sir the work commenced late last month. In Rarieda Constituency, that is Bondo District, the work is ongoing. In Nyando Constituency, which is in Nyando District, the work is ongoing. I want to assure the hon. Member that the contractor will complete the work by February, 2008.

Mr. Speaker: Very well. We still have Mr. Lesrima's Question.

The Minister for Justice and Constitutional Affairs (Ms. Karua): I have the answer.

Mr. Speaker: Very well. Mr. Lesrima's Question for the second time.

QUESTION BY PRIVATE NOTICE

KILLING OF MR. FRANCIS LORIKAI LETOOLE BY POLICE

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

(a) Is the Minister aware that Mr. Francis Lorikai Letoole, a watchman working at International Christian Centre premises near General Motors in Embakasi area, was gunned down by police officers on 6th August, 2007 at about 8.30 p.m.?

(b) What action has the Minister taken to apprehend the culprits and bring them to book?

(c) What further steps is the Minister taking to compensate the family of the deceased?

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, on behalf of the Minister of State for Administration and National Security, I beg to reply.

(a) I am aware that Mr. Francis Lorikai Letoole was gunned down by police on the 6th of August, 2007 at about 8.30 p.m. for suspected involvement in a carjacking incident near Riara Group of Schools.

(b) No action has been taken against the police officers for the gunning down of the suspects. However, an inquest file has been opened and investigations are in progress with a view to having the deceased's two accomplices brought to book.

(c) Arising from "a" and "b" above, the issue of compensating the family of the deceased does not arise.

Mr. Lesrima: Mr. Speaker, Sir, this brutal execution took place at a place of work where this young man was working as a watchman. It never took place anywhere near the Riara Group of Schools as alleged by the Minister. I believe it was far away from Riara Ridge. I would like the Minister to confirm whether she has the complete answer because the witnesses on the ground gave a different story.

Ms. Karua: Mr. Speaker, Sir, it is true that the shooting occurred towards Imara Daima.

However, the police reports indicate that after the carjacking near the Riara Group of Schools, the gangsters escaped and tried to intercept yet another motorist. When police intervened, they ran away. When police officers chased them, they started shooting at them. So, it is true that the shooting was not at the scene of the first incident. However, these are the details we expect to be brought out by the inquest and then the truth about the matter can come to light.

Mr. Lesrima: Mr. Speaker, Sir, I am just wondering why it was necessary for the police to pump 20 rounds of ammunition into the body of this young man. I thought one bullet would have been enough to kill a person. Why did they spray him with 20 bullets?

Ms. Karua: Mr. Speaker, Sir, I do not have such information. During the inquest, the doctor will be able to confirm whether it was a single bullet or several of them. I would urge hon. Members to be patient and let the matter come to light at the inquest. If you have any other information, please, ensure that it is brought to the attention of the court during the inquest.

Dr. Rutto: Mr. Speaker, Sir, in a case like this one where the police shot down such a suspect and they are the ones who will carry out the inquest for further investigations, would it not be in order for the Ministry to try and investigate the matter from a more independent point of view because the police might cover it up?

Ms. Karua: Mr. Speaker, Sir, for the information of hon. Members, an inquest is normally carried out by a court of law and not the police. The police will take the file before the courts. It is the magistrate who will hear the evidence and come to a conclusion as to whether the use of force was reasonable or not. So, it is an independent tribunal and not the police who will carry out the investigations. I would also like to bring to the attention of hon. Members the fact that the police force does monitor the use of force even when there is no complaint. When there is a complaint, the matter is looked into. Where it is merited, disciplinary action is taken. The police do not condone use of excessive force.

Mr. Arap Too: Mr. Speaker, Sir, you heard the Minister ruling out the question of compensation and yet, she is telling the House that an inquest is on. Does she mean that if the court rules that the police were at fault, no compensation will be paid?

Ms. Karua: Mr. Speaker, Sir, that will come at that stage. As of now, the issue of compensation does not arise.

Mr. Kombe: Mr. Speaker, Sir, it is the duty of the Government to provide security to its citizens. In the absence of providing security, is the Minister in order to rule out the issue of compensation? Ignorance is no defence.

Ms. Karua: Mr. Speaker, Sir, if only the hon. Member had listened to the earlier answer he would have not thought I was out of order. I said that as of now, the issue of compensation does not arise. I cannot predict the result of the inquest. When the process is over, whatever other necessary steps arise, they will be taken from there.

Mr. Lesrima: Mr. Speaker, Sir, how long does an inquest normally take? I know there are so many inquests and pending cases. I want the Minister to reassure parents of the deceased that action is being taken.

Ms. Karua: Mr. Speaker, Sir, the process of taking the inquest file before the court should not take very long. It is just a compilation of the evidence and the police to lay it before the court. As to when it will be heard, it is difficult to predict with the backlog of cases.

Mr. Speaker, Sir, however, I know that inquests, by nature, are heard more speedily than ordinary cases. We are working with the Judiciary to ensure speedy disposal of cases. I know that the inquest will be heard within a reasonable time.

Mr. Speaker: Very well. That is the end of Question Time.
Next Order.

POINTS OF ORDER

RAID ON ODM HEADQUARTERS

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I would like to request a Ministerial Statement on the break in, into the offices of the Orange Democratic Movement, on Chania Avenue in Kilimani yesterday at 2.00 a.m. in the morning. This break-in has caused a lot of anguish in the party as well as in the Government. The people of Kenya will be grateful if the Minister concerned could issue a Ministerial Statement on the matter.

Thank you.

Mr. Speaker: Is there any Minister concerned?

The Minister for Justice and Constitutional Affairs (Ms. Karua): We will issue it on Tuesday, Next week.

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, that is acceptable.

OPERATIONALIZATION OF PERSONS
WITH DISABILITIES ACT

Mr. Weya: Mr. Speaker, Sir, I would like to request a Ministerial Statement from the Ministry of Home Affairs. In 2003, this House passed the Persons With Disabilities Act, but it has not been operationalised until now. Could he issue a Ministerial Statement as to when it will be operational because we passed it in this House. Barely two weeks ago, the Chair instructed the Minister for Finance to tell the House what he is doing about the Procurement Act.

Mr. Speaker: You mean it was passed in 2003, but it is not operational to date?

Mr. Weya: Yes, Mr. Speaker, Sir.

Mr. Speaker: Deputy Leader of Government Business, is that the position?

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, a response can be given by the Leader of Government Business who is also the Minister for Home Affairs late next week. I will draw his attention to the matter. Personally, I am not aware that it has not been implemented. I would think it is. Let the Vice-President and Minister for Home Affairs clarify the situation.

Mr. Speaker: Deputy Leader of Government Business, would you know whether the Ministry of Finance actually carried out my instructions that I gave two weeks ago?

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Chairman, Sir, I know that they were doing something about it. However, I would rather that my colleague, the Minister for Finance reports back to the House the progress on the matter.

Mr. Speaker: Would you undertake to ensure that the Minister for Finance comes to inform the House tomorrow afternoon?

The Minister for Justice and Constitutional Affairs (Ms. Karua): I will do so, Mr. Speaker, Sir.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. The Persons With Disabilities Act falls under the Ministry of Gender, Sports, Culture and Social Services. The Assistant Minister is here. Could he undertake to report to the House?

Mr. Speaker: Mr. Speaker, Sir, I have not seen the schedule of duties, but I suspect that the Ministry of Home Affairs is more suited to handle the issue of disability than the Ministry of Gender, Sports, Culture and Social Services.

Mr. Angwenyi: The Assistant Minister is here!

Mr. Speaker: Anyway, we will get clarification from the Leader of Government Business.

LACK OF BOREHOLES IN IJARA DISTRICT

Mr. M.Y. Haji: Mr. Speaker, Sir, the Government is not yet aware that there is no single borehole in Ijara District. The people there, depend on dams. Everybody knows that when the rains fail and dams dry up, people in Ijara have no boreholes to resort to. Human beings as well as their livestock have to trek all the way to Tana River. It is also a known fact that the people of that district suffer greatly from Malaria as well as Bilharzia because of use of water dams. Recently, an investigation was carried out and it was found that treatable water can be found along Tana River. When we approached the Kenya Red Cross Society, they kindly agreed to allocate some money to sink a borehole to supply water to the people of Ijara District. Unfortunately, when the officials of the Ministry of Water and Irrigation took their machines to sink the boreholes, the people of Tana River came out with weapons to stop a Government project from being implemented. These are some of the things that can bring animosity among communities, particularly when people are denied necessities of life.

We know that we do not have any river in North Eastern Province. The only river which is available is Tana River. This borehole is not being sunk on anybody's *shamba*. It is being sunk in the wilderness where nobody lives. I would like to have a Ministerial Statement as to whether the Government condones certain activities where Kenyans are being denied the right to water, simply because they are Somalis. That is the language they use.

Mr. Speaker: Just before the Deputy Leader of Government Business responds, I am just thinking loudly. Supposing the Government wanted to get the water out of Tana River and send it to Hulugo, who would object to that and for what reason?

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, the Water Act makes water resources the property of the State in custody of the people of Kenya. As far as I know, it is not within the law that any person, community or group can stop abstraction of water. With your permission and asking direction from the Chair, it sounds to me like a Question.

I wonder whether the hon. Member should not be asked to put in a Question by Private Notice, so that the Ministry of Water and Irrigation is able to come with an explanation. It does not sound like a matter for a Ministerial Statement. It is a matter of concern. I know that the Ministry allocates money for boreholes and dams throughout the ASAL regions, but not every area is suitable for boreholes.

Mr. Speaker, Sir, could you give direction whether this is a matter for a Question?

Mr. Speaker: I think I tend to agree. Ordinarily, I discourage Members from asking for Ministerial Statements when it should be a Question. Sometimes, you do that because you do not know whether the Minister will be available or not.

Mr. M.Y. Haji, just a moment, please. I would advise--- If you put a Question today and take it to my office, I will approve it. It should be there by Tuesday. That will make the Minister to come here. It has an additional advantage of letting the Minister do investigations and come to the House with proper information.

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, I want to assure the Member that, even in the meantime, I will alert the Ministry to begin its homework and take the necessary action now.

Mr. Speaker: Thank you. Mr. M.Y. Haji.

Mr. M.Y. Haji: Thank you very much, Mr. Speaker, Sir. I just asked for a Ministerial Statement because of the urgency of the matter. But now that the matter has been resolved, I am obliged.

Mr. Speaker: Thank you. That should be the end of matters other than business.
Next Order.

*(Order for Committee read being
Sixteenth Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW
LEAVE THE CHAIR

Vote 14 - Ministry of Transport
(The Minister for Transport on 4.9.2007)

*(Resumption of Debate interrupted
on 5.9.2007)*

Mr. Speaker: Who was on the Floor? Was there anybody on the Floor? The Minister for Justice and Constitutional Affairs was on the Floor and she concluded.

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, I concluded.

Mr. Speaker: Yes! You concluded. So, the Floor is open. There being no interest, where is the Minister to respond? Is there anybody ready to contribute? Mr. Minister, are you ready to respond?

The Minister for Transport (Mr. Mwakwere): Mr. Speaker, Sir, I am ready.

Mr. Speaker: Go ahead.

The Minister for Transport (Mr. Mwakwere): Mr. Speaker, Sir, I wish to express my Ministry's appreciation for the constructive for criticisms and suggestions made by hon. Members during the debate on Vote 14. Their views and observations have been taken seriously.

Mr. Speaker, Sir, allow me to respond to some of the issues raised, by clarifying a number of them. On the clarification on the masterplan for airports and aerodromes; all our major airports have masterplans that are reviewed regularly. Those plans are currently being reviewed in light of the realities of Vision 2030.

The Kenya Airports Authority intends to engage a consultant to review the existing plans for our airports and come up with a national airport system plan. Tenders for that job are now being evaluated. The authority has also commissioned a consultant for the expansion and rehabilitation of the Kisumu Airport. The works involved would include expanding and widening the existing runway. The project scope will also cover construction of a new terminal building with associated parking facilities.

Mr. Speaker, Sir, the Kenya Airports Authority continues to take security of our airports seriously. The National Civil Aviation Security Committee composed of all our security agencies has performed well on that issue. Some of the ongoing security projects include erection of security perimeter fences, watchtowers, *et cetera*. A consultant has completed the study on Wilson Airport, which includes the enhancement of security at that national facility.

Mr. Speaker, Sir, I wish to clarify on the service contract the for Director-General of the Kenya Civil Aviation Authority. The Director-General's contract runs up to December, 2007. The Board will follow the guidelines on terms and conditions of service for Chief Executives of State Corporations issued by the Office of the President in handling his case.

Mr. Speaker, Sir, on the clarification on the Integrated National Transport Policy, the Task Force completed its work on that document in 2004. Thereafter, the main exercise was discussed with the stakeholders. They undertook the necessary revisions of the document. That took time and led to the delay in releasing the report. Following those consultations, a draft Seasonal Paper has

now been prepared. That Seasonal Paper is now ready and is awaiting Cabinet discussion and approval before it is presented to this august House.

On enforcement of road safety rules, my Ministry fully appreciates the concerns raised in this House on the current road indiscipline and resultant carnage. Rest assured that, that is the concern of this Ministry as well. The Ministry of Transport appreciates hon. Members' recognition that handling carnage entails actors from within and without Government. In 2004, my Ministry came up with rules to restore order and discipline on our roads. Since then, enforcement of those rules, which is outside the mandate of my Ministry, has continued to be a major challenge. That problem, coupled with the poor state of some of our roads, explains the carnage. My Ministry will, therefore, liaise with my counterparts in the Ministries of State for Provincial Administration and Internal Security as well as that of Roads and Public Works, so that the traffic police can enforce the road safety reform measures, which were introduced in 2004. The dilapidated roads will also be repaired. That is a very important issue because, all along, the blame has been directed to the Ministry of Transport and yet, our role is just the provision of regulations. That is important because Members of the Press could also be helpful to us. I read from some of the reports that the country is regarded as having some of the worst accident-prone roads. That is true. But that is the responsibility of a sister Ministry and not the Ministry of Transport. The cause of accidents is poor enforcement of traffic laws. That again is the responsibility of a sister Ministry and not the Ministry of Transport. It is further observed that there is a problem of over-speeding and drunk-driving. Again, the enforcement lies in another Ministry and not the Ministry of Transport. The list is long, but it is important to note that our role is regulation and not enforcement.

The traffic congestion in the City of Nairobi is being addressed not just by the Ministry of Transport, but by the Ministry of Local Government, the Ministry of Roads and Public Works and the Traffic Department in the Ministry of State for Provincial Administration and Internal Security. The African Development Bank is, nonetheless, carrying out a detailed study on the planned introduction of a light rail in Nairobi. As indicated in my earlier statement when I was introducing the Vote, the Ministry intends to introduce the bus rapid transport system in the City of Nairobi.

On maritime search and rescue, my Ministry wishes to reaffirm the establishment of a Regional Maritime Search and Rescue Co-ordination Centre in Mombassa, in conjunction with the International Maritime Organisation and International Maritime Search and Rescue Convention of 1979. The centre was launched in May, 2006 and has human and equipment capacity to receive and transmit ships and crews in distress at sea and co-ordinate subsequent search and rescue operations. The Ministry has developed a search and rescue plan which specifies how search and rescue services should be organised and delivered by the various designated agencies. The provision of search and rescue services in Lake Victoria will be undertaken jointly by the three partner States, who have already ratified the agreement. The agreement facilitates those States to pool resources together to cope with any accident. Currently, the Ministry plans to instal a radio station on the Kenya side of the lake. It will be receiving signals from the Marine Rescue Co-ordination Centre based in Mombassa.

Mr. Speaker, Sir, my Ministry, in conjunction with the Kenya Ports Authority, has endeavoured to ensure that navigational aids along the Coast are adequate and up to international standards. It is true that navigational aids in Lake Victoria have been lacking. But plans have already been finalised, through donor support under the Lake Victoria Basin Commission framework, to undertake hydro graphic survey and mapping of the lake and install navigational aids.

On the issue of seafarers, my Ministry appreciates the concerns that have been raised by Members on the plight of Kenyan seafarers. But I want to assure hon. Members that, after the enactment of the Merchant Shipping Bill, 2007, which is before this House, training and certification problems of our seafarers will be resolved.

On the privatisation of port services, I thank hon. Members for their interest in the

development of the Port of Mombassa.

For the past four years, efforts have been made to license private parties for a number of activities at the Port. Those include handling and storage of imported motor vehicles, container freight stations, handling of soda ash, waste management, grain bulk handling and handling of cruise ships.

Mr. Speaker, Sir, an attempt was made to privatise the management of cruise ships terminals in an effort to promote cruise-passenger tourism but the response was discouraging. International bids were invited for the development of a free port area, but inadequate response was encountered. The Ministry has not been discouraged by this development and continues to pursue the concept. One of the 20 flagship projects in the Vision 2030 is the creation of a free port in Mombasa. My Ministry and the Kenya Ports of Authority (KPA) are exploring the best options available to ensure this project takes off.

On clarification on competition between Mombasa, Tanga, Dar es Salaam and Djibouti ports, we are aware of the challenges the Port of Mombasa is facing from the ports of Tanga, Dar es Salaam and Djibouti. To address this, we have embarked on programmes involving:-

(i) widening of the interest challenge and dredging the Kilindini Basin;

(ii) construction of an additional container terminal at Berth 19; and,

(iii) construction of a new container terminal near Port Reitz, which will be funded by the Japan Bank for International Development (JBIC). This new terminal will accommodate big ships, making the Port a hub for the region.

Mr. Speaker, Sir, on clarification on port congestion, it is true that congestion has been a problem at the Port of Mombasa for some time now. This has been caused largely by the inadequate capacity of the Rift Valley Railways (RVR), and also the often unnecessary restrictive measures that have been put in place by the Kenya Revenue Authority (KRA). This is being addressed but my Ministry is requesting the KRA to co-operate and attend meetings whenever we invite them to do so in order to solve this problem. This has compelled my Ministry to take swift intervention measures. Among the measures taken is to allow importers to change from railway to road transportation and also the transfer of containers from the Port of Mombasa to outside freight stations. However, approval from the KRA has still to be sought to make this possible and this is a problem.

My Ministry has also impressed upon the KRA the need to expedite the auctioning of containers abandoned by importers at the Port, which have been compounding the problem of congestion.

On clarification on Grain Bulk Handlers Limited (GBHL), it is true that a licensing agreement is currently in force between the KPA and the GBHL. The agreement will expire in January, 2008. It is equally true that this company has approached the KPA for a renewal of the licence for another 25 years. The board of the KPA has scrutinised this request and, in view of its implication, did not approve it.

On clarification on the Meteorological Department, the budget for the Meteorological Department has been increased substantially in the last three financial years from Kshs920,246,833 in the 2005/2006 Financial Year to Kshs1,036,718,426 in the Financial Year 2007/2008. This increase in financial resources has enabled the Department to embark on programmes of capacity building and modernisation of its equipment, as well as the expansion of meteorological systems. The objective of these programmes is to enable this Department to serve all sectors of the economy throughout the country by giving more accurate information on the weather.

On clarification on the Kenya National Shipping Line (KNSL), may I assure the House that the KNSL is still in existence. The Government is the principal shareholder through the KPA. This shipping line does not own ships, but performs business by buying stocks from other shipping lines. The performance of this company has been low-key and the Ministry, therefore, is reviewing how it can be strengthened so that it can play a more proactive role in promoting shipping business

in the economy.

Mr. Speaker, Sir, on clarification on the Kenya Railways Corporation (KR), I appreciate the concerns raised by hon. Members on the performance of the rail transport, considering that it is a key mode of transport, whose performance affects business in the whole region. May I take this opportunity to give some background to the concession process.

The Government resorted to the option of occasioning after the performance of the KR deteriorated to the extent of it being unable to pay salaries to the staff, nor meet its commercial and statutory obligations. For the last three years, the Ministry was compelled to seek subsidies amounting to Kshs3 billion from the Treasury for its operations. This unsustainable and poor performance of the corporation forced the Governments of Kenya and Uganda to embark on a concession. The process was done through international bidding and Kan Rail and the International Finance Corporation (IFC) were engaged as the transaction advisors for the Governments of Uganda and Kenya respectively. Nine companies showed interest and M/s Shelter now the Rift Valley Railways, emerged the winner. Hon. Members may recall that this concession transaction deal was given recognition internationally as one that was done above board.

Mr. Speaker, Sir, at the time the RVR took over the operations, the maintenance of wagons, trucks and locomotives had been neglected and the RVR was required to invest and bring the facilities to the level at which they would perform better. I would like to inform hon. Members that it takes seven to nine months from the time an order is placed to the time when spare parts are delivered from abroad. Given that the RVR has been in effective control of railway operations from 15th December, 2006, it is too early to judge the company. The contract takes cognisance of the unique nature of this industry, and the first evaluation of the performance will be done after two years in accordance with the contract.

At the moment, the RVR operates locomotives and wagons which have not yet been fully rehabilitated, and forces them to operate at the low speed of 20 to 30 kilometres per hour. But from data provided by the concessionaire, there has been gradual improvement, which is expected to become noticeable in the coming months. It is worth noting that the Treasury is no longer giving subsidy and the KR is now receiving cheques from the RVR and, therefore, is no longer a burden to the taxpayers.

Hon. Members raised the issue of retrenchment of the KR employees, and I would like to inform them that effective handling of retrenchment payment was recognised as a critical aspect of the whole process of occasioning. A consultant was engaged to audit payment for the retrenchees. To date, most of the retrenchees have been paid and only a small proportion has not been paid due to delays in certification of their employment records. It is worth noting that there is also support to a pension fund start-up. I would like to take this opportunity to inform hon. Members that the KR still exists as the owner of the assets, and is expected to undertake monitoring of the activities of the concessionaire. Let me assure this House that the whole process of the concession was done above board, that is, in an open manner.

Mr. Speaker, Sir, on clarification on development of the second transport corridor, I appreciate the support from hon. Members to a proposal for the development of a Lamu Port, and the associated infrastructure of a modern airport, oil pipeline, a railway and a road network to link Lamu to Southern Sudan and Ethiopia.

I would like to inform hon. Members that for about two years, the Ministry has been searching for interested investors for the second port but none has come forward. The Ministry has also approached several development partners with no success. However, following the presentation of a concept paper on this project to International Investors Conference in Nairobi in March, 2005 by KESULO inviting investors who are interested, only one investor, the Albader International Company of Kuwait, sent a proposal. This investor expressed desire to implement the project proposal which had been prepared by the inter-Ministerial team chaired by the Ministry of Transport.

To date, a draft agreement has been prepared and a Cabinet Paper presented to the Cabinet in December, 2006. The Cabinet made comments that required further discussion. The refined document will be submitted to the Cabinet for approval. In view of the nature of this project, its implementation will involve many players from Kenya and other parts of the world who will be led by the lead investor; the Albader International Company.

The Ministry regards this as an opportunity to change the whole country economically for the better and the project will play a key role in achieving the objectives of the transport sector in the Kenya Vision 2030. I, therefore, seek your continued support and hope that this project will be implemented on "Build-Operate-Transfer concept."

Hon. Members are aware that development of infrastructure in the whole world is now being done on a BOT process which enables development of such infrastructure with little or no Government expense at once. In this regard, it is expected that once the developers implement the project or proposal, it will make significant contribution to this economy.

With regard to clarifications under the issues falling under the Ministry of Roads and Public Works, many comments were made on issues which do not really fall under the Ministry of Transport. Hon. Members raised concerns on a number of issues that fall under the mandate of the Ministry of Roads and Public Works. Such issues include poor management and corruption at weighbridges. The Ministry of Transport does not construct weighbridges nor does it man them. Our role is to come up with regulations and the rest is done by a sister Ministry.

There was also the issue of gravelling of roads when the rains start and the poor state of some roads which also contributes to road carnage. I intend to communicate these concerns to my counterpart in the Ministry of Roads and Public Works for appropriate action.

Mr. Speaker, Sir, Kenya Airports Authority (KAA), in the Financial Year, 2004/2005, embarked on a programme of rehabilitating various airstrips in the country. A total of 28 airstrips have so far been rehabilitated, in spite of inadequate budgetary provisions as already highlighted in my statement to this august House. In the current Financial Year, additional 25 airstrips will be rehabilitated using Kshs157 million that has been availed by Treasury. In our liberalised market, the airlines have the freedom of assessing the routes in order to establish their viability before introducing flights.

The Ministry cannot, therefore, compel Kenya Airways to introduce flights to Eldoret International Airport. The Ministry will, however, communicate the sentiments expressed in this august House, on this issue and others that have been raised, to the management of Kenya Airways.

Mr. Speaker, Sir, that ends my reply.

I beg to move.

(Question put and agreed to)

[Mr. Speaker left the Chair]
IN THE COMMITTEE

*[The Temporary Deputy Chairman
(Mr. M'Mukindia) took the Chair]*

GUILLOTINE

*(Interruption of Business Pursuant
to Standing Order 142(7))*

The Temporary Deputy Chairman (Mr. M'Mukindia): Hon. Members, we are now in the procedure known as the Guillotine. I shall now call upon the Minister for Transport to move the

Motion.

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

Vote 14 - Ministry of Transport

THAT, a sum not exceeding Kshs2,645,412,500 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008 in respect of:-

Vote 14 - Ministry of Transport

(Question proposed)

(Question put and agreed to)

Vote 07 - Ministry of Finance

THAT, a sum not exceeding Kshs38,400,326,200 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008 in respect of:-

Vote 07 - Ministry of Finance

(Question proposed)

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I do appreciate that we are in Committee and procedures require that I point out the particular Vote Heads and Items. But I want to ask a general question: Is this huge figure of Kshs38.4 billion part of what is going to settle among others, the pending bills? Are these the figures which have been arrived at by the Pending Bills Closing Committee?

The Temporary Deputy Chairman (Mr. M'Mukindia): Are you in a position to answer that question; whether this sum of about Kshs38.4 billion includes payments for pending bills?

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, only those ones that have been passed by the Pending Bills Closing Committee.

(Question put and agreed to)

Vote 12 - Ministry of Local Government

THAT, a sum not exceeding Kshs1,460,122,925 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008 in respect of:-

Vote 12 - Ministry of Local Government

(Question proposed)

(Question put and agreed to)

Vote 42 - Ministry of State for Youth Affairs

THAT, a sum not exceeding Kshs2,128,474,390 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008 in respect of:-

Vote 42 - Ministry of State for
Youth Affairs

(Question proposed)

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, this House has experienced many problems because of the Ministry of State for Youth Affairs. First, the Youth Policy was not debated in this House. Two, we did not look at this Vote.

Mr. Temporary Deputy Chairman, Sir, thirdly, what development agenda is there in the Ministry of State for Youth Affairs to warrant this sum of money compared to other more developmental Ministries like the Ministry of Co-operative Development and Marketing, which is only being given Kshs500,000,000? This Ministry is getting four times what the Ministry of Co-operative Development and Marketing is getting. The Ministry of Co-operative Development and Marketing has much more solid concerns than this spurious Ministry of State for Youth Affairs, which they created!

The Temporary Deputy Chairman (Mr. M'Mukindia): Mr. Minister, do you want to answer to that?

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, this is a new Ministry. As we all know, funds have been set aside to start a revolving fund that will help youth groups all over the country, including Kisumu Rural. It is, therefore, necessary that we give it support because it is needed in all constituencies in the country.

Prof. Anyang'-Nyong'o: On a point of order, Mr. Temporary Deputy Chairman, Sir. Is the Minister in order to say that there is a revolving fund set aside for the youth when we know that the fund he is taking about was catered for in the previous financial year?

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, this is a continuous process.

(Question put and agreed to)

Vote 02 - State House

THAT, a sum not exceeding Kshs500,063,335, be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008 in respect of:-

Vote 02 - State House

(Question proposed)

QUORUM

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, I draw your attention to the fact that this House is passing momentous amounts of money to be issued from the Consolidated Fund to be used. We cannot do that without a quorum! The House has no quorum!

The Temporary Deputy Chairman (Mr. M'Mukindia): Is that true? Very well! Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Chairman (Mr. M'Mukindia): Very well! We now have a quorum! Order! Order, hon. Members!

(Question put and agreed to)

Vote 03 - Ministry of State for Public Service

THAT, a sum not exceeding Kshs1,095,344,850 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 03 - Ministry of State for Public Service

(Question proposed)

Mr. Syongo: Mr. Temporary Deputy Chairman, Sir, I presume, this is the Vote that deals with the Directorate of Personnel Management (DPM). Could I seek a clarification? Given that DPM does not have any branch officers at either the provincial or district level, what is Kshs1 billion going to be used for?

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, this is not the only Ministry that does not have provincial branches. Even the Ministry of Transport does not have branches at the Provincial Commissioner's level. However, I would like to inform the hon. Member that the role of the Public Service Commission (PSC) is national. Its activities embrace every corner of the country from the sub-location level to the headquarters. In that respect, if he wants us to apportion this sum to every sub-location, he will, probably, agree with me that they deserve to be given even more. However, the figures given are adequate for this financial year.

Mr. Syongo: Mr. Temporary Deputy Chairman, Sir, the explanation that has been given by the hon. Minister for Transport is clearly and completely out of context. It is not a question of having this amount spread out to the sub-locations. I asked a very fundamental question on what the key expenditure components of this amount of money are. It is a fairly straightforward question. I can see that the Minister of State for Public Service is here.

The Minister of State for Public Service (Mr. Akaranga): Mr. Temporary Deputy Chairman, Sir, part of these funds will be used for the voluntary early retirement programme. We have to set aside funds for those ones who want to take early retirement. Mr. Temporary Deputy Chairman, Sir, I am surprised that hon. Syongo says that we do not have officers outside of my Ministry. He should be advised that all human resource officers in all Ministries are members of my Ministry. So, we, indeed, have officers even at the district level.

(Question put and agreed to)

Vote 05 - Office of the Vice-President and Ministry of Home Affairs

THAT, a sum not exceeding Kshs4,110,992,915 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 05 - Office of the Vice-President and
Ministry of Home Affairs

(Question proposed)

Mr. Syongo: Mr. Temporary Deputy Chairman, Sir, this Ministry houses the Kenya Prisons Service (KPS) which engages in very substantial amount of business; like manufacturing furniture and selling it. Could we get an explanation as to whether this amount includes or does not include the amount of revenue that is generated through the enterprises of the KPS?

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, all Budgets include Appropriations-in-Aid (A-in-A. So, that is captured and shown very clearly in the book.

(Question put and agreed to)

Vote 06 - Ministry of Planning and
National Development

THAT, a sum not exceeding Kshs1,432,162,345 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 06 - Ministry of Planning and
National Development

(Question proposed)

(Question put and agreed to)

Vote 08 - Ministry of State for Defence

THAT, a sum not exceeding Kshs19,144,242,775 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008 in respect of:-

Vote 08 - Ministry of State for Defence

(Question proposed)

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, I want us to go on record that a state which is not at war with any other state and which prides itself to be a sea of peace in this part of the world, should spend Kshs19,144,242,775 for defence, while only spending Kshs210 million for the Ministry of East African Community and just Kshs1 billion for the Ministry of Housing. What we are doing is really a ritual. It may not change much, but let it be on record that this is not the way to do a Budget. It could have been good if there were footnotes and explanatory notes to this.

Maybe when we pass the Fiscal Analysis Bill, we shall be in a better position to deal with these issues. Does this Kshs19,144,242,775, include the funny ship that this Ministry has been building in Spain?

The Minister for Trade and Industry (Dr. Kituyi): Mr. Temporary Deputy Chairman, Sir, I would also like to have it on record that Prof. Anyang'-Nyong'o should know that a defence capacity is not built during the time of war. We have to be very juvenile, as a nation, if we wait

until our neighbours cause problems before we start thinking of appropriating resources to build capacity to defend our territory.

Similarly, a Committee of this House gave the initiative in Spain a clean bill of health. It is strange that Prof. Anyang'-Nyong'o is descending on the views of a committee that is led by the Opposition!

Prof. Anyang'-Nyong'o: On a point of order, Mr. Temporary Deputy Chairman, Sir. Notwithstanding the fact that the Committee gave a clean bill of health, it does not follow that all hon. Members believe that the Committee did a good job!

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Prof. Anyang'-Nyong'o! You know that, that is not a point of order! You are trying to argue with Dr. Kituyi!

Capt. Nakitare: Mr. Temporary Deputy Chairman, Sir, the Department of Defence is the heart of a country. It is not odd to say that you prepare for war to make peace. The fact that Kenya is surrounded by countries which are hostile does not exempt war or peace in this country.

I am opposed to Prof. Anyang'-Nyong'o's contentions that the Ministry of State for Defence ordered a "funny ship"---

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Capt. Nakitare! What clarification are you seeking?

Capt. Nakitare: Mr. Temporary Deputy Chairman, Sir, I would like to clarify that the Kshs19,144,242,775 is not enough to build a good Air Force, Navy and Army. I would like to make sure that, that goes on record! The Opposition is not here to muzzle the development and defence of this country!

The Temporary Deputy Chairman (Mr. M'Mukindia): Very well! That is your view! Mr. Minister, do you have anything to say before I put the Question?

The Minister of State for Administration and National Security (Mr. Michuki): On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. M'Mukindia): What is your point of order?

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I rise on a point of order mainly to seek your guidance. My understanding of the Guillotine on the Votes is that, by tradition, it is never debated. Hon. Members have a right to do so but, by tradition, it is never debated. Am I in order?

The Temporary Deputy Chairman (Mr. M'Mukindia): Mr. Minister, you are quite in order! We are not debating this matter. But if an hon. Member has a question or a simple clarification, he or she can raise it. But I urge hon. Members to be short and brief!

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Mr. Temporary Deputy Speaker, Sir, just for the record, I want to make it clear that Kenya is not surrounded by any hostile neighbours, contrary to what Capt. Nakitare has said.

The Minister for Transport (Mr. Mwakwere): Also for the record, Mr. Temporary Deputy Chairman, Sir, it is important to note that any country's defence system has to be modernised. There is very rapid change in technology.

Mr. Temporary Deputy Chairman, Sir, if a country does not make that provision, then it will lag behind and yet, the sheer position of a certain capacity serves as a deterrent. That is why Kenya has been a peaceful country. We should also consider salary increases and other developments.

(Question put and agreed to)

Vote 09 - Ministry of Regional
Development Authorities

THAT, a sum not exceeding Kshs659,829,405 be issued from the Consolidated

Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 09 - Ministry of Regional
Development Authorities

(Question proposed)

(Question put and agreed to)

Vote 10 - Ministry of Agriculture

THAT, a sum not exceeding Kshs5,566,142,185 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 10 - Ministry of Agriculture

(Question proposed)

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, you hurried us in the previous Vote! But I want to point out something very important, especially with regard to the point that I made earlier. If you add the Vote of the Ministry of Agriculture to that of the Ministry of Livestock and Fisheries Development, it comes to about Kshs7 billion. During the ERS, we promised the Arid and Semi-Arid Lands (ASALs) Kshs10 billion for development.

The point I am making is that, even if we roll this over five years, we need to cut down drastically on unproductive Ministries like the Ministry of State for Defence, to get what we need to jump-start agriculture and livestock development in this country. I want to go on record that this kind of money for the Ministry of Agriculture as opposed to Kshs19 billion for the Ministry of State for Defence is a shame!

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, we have provided all that is required for the Ministry of Agriculture and Ministry of Livestock and Fisheries Development. You are right that the funds set aside for the Ministry of Regional Development Authorities are to be spread over five years. We have not come to the end of those five years in the spread.

Prof. Anyang'-Nyong'o: On a point of order, Mr. Temporary Deputy Chairman, Sir. This is a sum for one year! What we are voting is for one year! But even if---

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Prof. Anyang'-Nyong'o! It is not for one year! This is only half of the amount for one year. Let us all understand that we are talking about half of the amount.

As you know, we voted on Vote on Account earlier on in the year. So, we are voting the balance of the Budget. The Vote for the Ministry of Agriculture should be about Kshs10 billion rather than Kshs5 billion.

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, it means that we are spending about Kshs40 billion in the Ministry of State for Defence for one year. It makes the situation even worse!

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Temporary Deputy Chairman, Sir, I just want to applaud the Vote of the Ministry of Agriculture remembering

what it was when we took over in 2003. This is more than five times. It means we are moving well--

(A mobile phone rang)

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Madam Minister! I did not want to stop you, but there is a mobile phone that has rung in this Chamber! Could the *askaris* do something about it, please? Find out who has a mobile phone which has rung in the House!

Proceed, Madam Minister!

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Temporary Deputy Speaker, Sir, I just want to conclude by saying that the increase in all the Votes to cover the neglect over the years before we took over is quite in order.

I beg to support.

Mr. Ahenda: Mr. Temporary Deputy Chairman, Sir, I need guidance from the Chair. Is this Budget for half of the year or for the full year?

(Laughter)

The Temporary Deputy Chairman (Mr. M'Mukindia): It is for half of the year. As you will remember, we approved part of the Budget through a Vote on Account earlier on in the year; it was one half of the Budget, which is what we have been using up to now. Otherwise, we would not be getting our salaries!

Mr. Sungu:---(Inaudible)

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Mr. Sungu! It is important that Mr. Ahenda and others understand this matter. Therefore, what we are now doing is voting the balance of the budgeted amount, which is the half that is remaining.

Mr. Syongo!

(Several hon. Members stood up in their places)

I have already called Mr. Syongo! Make it short, please!

Mr. Syongo: Mr. Temporary Deputy Chairman, Sir, I appreciate your clarification. We did a Vote on Account earlier, but I think this amount actually represents the provision for the whole year. The Ministry of Agriculture has been given Kshs5 billion. Last year---

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Mr. Syongo! If you look at the Motion appearing on the Order Paper, you will see that it talks about a "sum not exceeding so much is to be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year." Please, check the actual figure from the Printed Estimates. That is not relevant, any way.

The point is that you know that this is a half of the Budget, and that is it. That is what you vote at the beginning of the financial year. You do not vote a quarter or an eighth but rather a half of the Budget amount. That is the way it is.

Mr. Sungu!

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, with due respect to the Chair, the Committee of Supply, in which we have been all along, has been debating the entire budgetary allocation for each Ministry. Although we approved a Vote on Account, a half of the Budget earlier on, the record must be straight that we are approving the entire Budget for all the Ministries named

in the Order Paper; the amount includes the one half of the Budget that we approved on Vote on Account previously.

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Mr. Sungu! Are you trying to look at the semantics or what?

Mr. Sungu: No! No! No!

The Temporary Deputy Chairman (Mr. M'Mukindia): Then, let us stick to what is on the Order Paper and vote on it!

Mr. Michuki, do you want to say something?

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, I just wanted to deal with this point, which appears to be worrying my dear friend here, Prof. Anyang'-Nyong'o.

Prof. Anyang'-Nyong'o: "Hon. Anyang'-Nyong'o"!

The Minister of State for Administration and National Security (Mr. Michuki): Hon.(Prof.) Anyang'-Nyong'o, EGH, MP!

(Applause)

Mr. Temporary Deputy Chairman, Sir, the point I am trying to make regarding defence is that if the professor were in the know, he would realise that we have the smallest army in this region. We have less equipment than our neighbours. Although Mr. Wetangula was quite right that we are not surrounded by hostile nations, the assessment of threat, present and future, accounts for preparedness because, a friend today might be the enemy tomorrow. That is one thing to note. The second point to note---

The Temporary Deputy Chairman (Mr. M'Mukindia): Mr. Minister, we have a long way to go!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, I am just trying to make the matter clear, so that---

Prof. Anyang'-Nyong'o: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Minister of State for Administration and National Security (Mr. Michuki): I am on a point of order!

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Chairman, Sir, the more clearer he tries to make it, the more complicated it becomes, because I can ask him how much of that equipment is actually here in Kenya. The Ministry spends a lot of money buying equipment which never reaches this country. So, there is too much wastage in the Ministry State for Defence. There is too much corruption!

The Temporary Deputy Chairman (Mr. M'Mukindia): Both of you are out of order! You are going back to the Ministry of State for Defence when we are now on the Ministry of Agriculture.

So, I will now put the Question!

(Question put and agreed to)

Hon. Members, before I call upon the Minister to move the next Vote, let me reiterate, again, for the benefit of hon. Members who wish to really know the position, that this is a half of the Budget because we have already voted the other half. Those who wish to argue about that, it is up to them but that is the fact.

Mr. Minister!

Vote 15 - Ministry of Labour and Human
Resource Development

THAT, a sum not exceeding Kshs658,400,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 15 - Ministry of Labour and Human
Resource Development

(Question proposed)

(Question put and agreed to)

Vote 16 - Ministry of Trade and Industry

THAT, a sum not exceeding Kshs1,166,421,515 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 16 - Ministry of Trade and Industry

(Question proposed)

Mr. Kajwang: Mr. Temporary Deputy Chairman, Sir, Kshs1,166,421,515 is a lot of money. I want to know how much of this money the Minister intends to use to encourage the growth of industry, and to expand its growth in this country, because that is the way to go to create employment for our youth.

I talk to a lot of industrialists in this country, who seem to think that the laws, licences and the non-caring Government are making them scared of coming to Kenya, or to even expand their industries.

The Temporary Deputy Chairman (Mr. M'Mukindia): Mr. Muturi, do you have a point to raise before the Minister answers Mr. Kajwang?

Mr. Muturi: No, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. M'Mukindia): Very well! Mr. Minister!

The Minister for Trade and Industry (Dr. Kituyi): Mr. Temporary Deputy Chairman, Sir, it is my understanding that the Printed Estimates set out the purposes for which we are seeking to appropriate this money. Matters which hon. Members felt keen to debate had to vote for them to be debated before we come to the Guillotine stage.

Mr. Temporary Deputy Chairman, Sir, having said that, the main function that we have executed, in terms of---

Prof. Anyang'-Nyong'o:---(Inaudible)

The Minister for Trade and Industry (Dr. Kituyi): Professor, do not act like a heckler, please!

The Temporary Deputy Chairman (Mr. M'Mukindia): Mr. Minister, address the Chair!

The Minister for Trade and Industry (Dr. Kituyi): Mr. Temporary Deputy Chairman, Sir, protect me from my friend, Prof. Anyang'-Nyong'o!

The Temporary Deputy Chairman (Mr. M'Mukindia): I shall do so very strongly!

The Minister for Trade and Industry (Dr. Kituyi): Mr. Temporary Deputy Chairman, Sir, the critical areas of

creating an enabling environment for industry and investment is the radical reduction of irrelevant and contradictory legislation, which has been done by the guillotining of 132 pieces of legislations in the past one year alone. The simplification of investment procedures, the creation of **[The Minister for Trade and Industry]**

a one-stop investment shop and the Kenya Investment Authority, with a mandatory 21-day response period to an investor are much more important than saying how much money we have put in industry.

(Question put and agreed to)

Vote 17 - Ministry of Justice
and Constitutional Affairs

THAT, a sum not exceeding Kshs434,138,970 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 17 - Ministry of Justice
and Constitutional Affairs

(Question proposed)

(Question put and agreed to)

Vote 18 - Ministry of Gender, Sports,
Culture and Social Services

THAT, a sum not exceeding Kshs1,601,330,775 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 18 - Ministry of Gender, Sports,
Culture and Social Services

(Question proposed)

(Question put and agreed to)

Vote 19 - Ministry of Livestock
and Fisheries Development

THAT, a sum not exceeding Kshs2,239,264,500 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 19 - Ministry of Livestock
and Fisheries Development

(Question proposed)

Mr. Lesrima: Mr. Temporary Deputy Chairman, Sir, I want to draw the attention of the

House to the fact that over the last 18 years, the Government has recruited---

(Loud consultations)

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, hon. Lesrima! Order, at that "famous" corner! That corner is getting out of order again! Please, consult quietly!

An hon. Member: Which corner!

The Temporary Deputy Chairman (Mr. M'Mukindia): You know the one I mean; the one that is directly facing me! Hon. Dr. Kibunguchy and your colleagues---

(Laughter)

Very well! Let us continue!

Mr. Lesrima: Mr. Temporary Deputy Chairman, Sir, over the last 18 years, the Government has recruited veterinary officers only three times, that is, in 1989, 1984 and 1997.

The average age of the veterinary officers in Kenya today is 48 years. This means that, in fact, in the next seven years, a number of them will be retiring and we will have very few veterinary officers. Now, this has a consequence on the livestock sector, including international trade in livestock products, and also our dairy sector.

Mr. Temporary Deputy Chairman, Sir, I just want to draw the attention of the House to the fact that, in fact, in the current Budget, the recruitment of veterinary officers has once more been left out.

Mr. Kajwang: Mr. Temporary Deputy Chairman, Sir, I would want to urge the Ministry to do something about fisheries development. This is because I do not know what this Ministry does on fisheries development other than going round meeting fishermen and asking them about a few of their problems.

Mr. Temporary Deputy Chairman, Sir, I come from an area which produces the largest quantity of fish in this country, both for consumption in Kenya and export. There is nothing that the Ministry is doing to develop even the quantity and quality of fish that we have. So, I just want to know whether the Ministry is planning to develop fisheries instead of merely just occupying offices.

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, we have comprehensive plans to revitalise the livestock sector. That includes the recruitment of veterinary officers and providing all the necessary inputs to ensure that the livestock sector is properly revitalised. The details are available, and I think that statement will suffice.

Mr. Temporary Deputy Chairman, Sir, on Fisheries Development, as the hon. Member knows, the Government has put in place 21 cooling stations or plants all along Lake Victoria; from the northern part of it, around Kisumu, all the way down to Gucha District zones. So, I really do not know what the hon. Member is intimating. I urge Kenyans, who live along Lake Victoria, to make use of those cooling plants, because it is a tremendous input in revitalising or giving a kick to the industry along the lake. But the Ministry has to do a lot also along the Indian Ocean and not just around Lake Victoria. So, in their second phase, all along the 300 kilometres of the Kenya's seafrent, many more activities to revamp fisheries and fishing have got to be done.

Mr. Syongo: On a point of order, Mr. Temporary Deputy Chairman, Sir. The information that the hon. Minister has given is not true. Only six cooling facilities are planned to be put up both along the coast and the Kenyan side of Lake Victoria using European funds. There are no such 26 cooling plants as the Minister has indicated. So, I suspect that the Minister added the figure "2" before "6" by mistake!

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, I said that the total is 21 cooling plants along the shores of Lake Victoria. The hon. Member is free to go and take a count physically, but that is the correct figure.

(Question put and agreed to)

Vote 21 - Ministry of Environment and
Natural Resources

THAT, a sum not exceeding Kshs2,279,984,850 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th, June, 2008, in respect of:-

Vote 21 - Ministry of Environment and
Natural Resources

(Question proposed)

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, depending on how one looks+98 at it, this figure of Kshs2,279,984,850 for the Ministry of Environment and Natural Resources is peanuts. But be that as it may, could we get a clarification? We have seen some disputes arising in Mwingi District involving two companies regarding some minerals being mined there. What is the Ministry doing with regard to the serious environmental degradation that is likely to arise out of the activities of those companies? How are these funds proposed to be applied? It may be very little money, maybe, we could get a clarification.

Prof. Maathai: Mr. Temporary Deputy Chairman, Sir, I want to mention that this Ministry always gets very little allocation of funds and yet, it has to do so much. The Ministry of State for Defence gets almost 20 times what the Ministry of Environment and Natural Resources gets. In fact, what is truly threatening the people of Kenya is environmental degradation. So, we should invest more in this Ministry. This would solve problems, including the tribal clashes we experience in this country over land and water. These are all environmental issues.

Mr. Temporary Deputy Chairman, Sir, I hope that none of this money will be used for the expansion of the *shamba* system which I think will only contribute to the destruction of forests.

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, we have taken note of those very important contributions. However, I would also like to observe that as Kenyans become more and more aware of the importance of the environment, I believe there will come a time when we will have a zero-allocation to this Ministry. The sheer awareness will contribute to a more secure and well-protected environment by the Kenyans themselves. We have taken note of the comments made.

(Question put and agreed to)

Vote 22 - Ministry of Cooperative
Development and Marketing

THAT, a sum not exceeding Kshs523,877,200 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th, June, 2008, in respect of:-

Vote 22 - The Ministry of Cooperative Development and Marketing

(Question proposed)

(Question put and agree to)

Vote 23 - Cabinet Office

THAT, a sum not exceeding Kshs655,075,595 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th, June, 2008, in respect of:-

Vote 23 - Cabinet Office

(Question proposed)

(Question put and agreed to)

Vote 24 - Ministry of East African Community

THAT, a sum not exceeding Kshs210,450,135 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th, June, 2008, in respect of:-

Vote 24 - Ministry of East African Community

(Question proposed)

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, allow me to raise my concern that only a paltry Kshs210 million is given to a Ministry supposed to fast-track the East African Federation. As you know, I host the headquarters of the Lake Victoria Commission. I would like it to be given more money, so that it can work towards the federation.

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, point noted, but this is just for the first half. So, you may read it as over Kshs420 million.

(Question put and agreed to)

Vote 25 - State Law Office

THAT, a sum not exceeding Kshs411,254,480 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008, in respect of:-

Vote 25 - State Law Office

(Question proposed)

(Question put and agreed to)

Vote 26 - Judicial Department

THAT, a sum not exceeding Kshs862,899,480 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 26 - Judicial Department

(Question proposed)

Mr. Syongo: Mr. Temporary Deputy Chairman, Sir, one of the serious impediments to efficient administration of justice in our judicial premises is the lack of proper recording of court proceedings. Even as we speak now, our courts do not have facilities for a HANSARD system. Court proceedings rely 100 per cent on the discretion of the magistrate or the judge taking notes long-hand. But, even more fundamental, we have always wanted the Judiciary to have budgetary independence. Mr. Temporary Deputy Chairman, Sir, could we get a commitment that, indeed, you will move fast in order to give the Judiciary budgetary independence, so that they can carry out some of the very, very necessary reforms in that particular arm of the Government?

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, within the process of a very, very successful new Government establishment, procedures are already in place to ensure that what the hon. Member is concerned about will be addressed appropriately very soon. The process is ongoing.

(Question put and agreed to)

Vote 27 - Public Service Commission

THAT, a sum not exceeding Kshs157,420,145 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 27 - Public Service Commission

(Question proposed)

(Question put and agreed to)

Vote 28 - Kenya National Audit Office

THAT, a sum not exceeding Kshs583,229,210 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 28 - Kenya National Audit Office

(Question proposed)

Mr. Kajwang: Thank you, Mr. Temporary Deputy Chairman, Sir. The Kenya National Audit Office is actually a revamped office of the Controller and Auditor-General. We would have thought that after the strengthening of that office, we would have sufficient officers to actually carry out auditing of all Government resources, especially at the district level and even county councils. It is a pity that some county councils have not had their accounts audited for several years and nobody seems to care. Yet, a lot of Government resources go to county councils and even Government offices at the districts. Could I have an assurance from the Minister concerned that, that office will be strengthened to look after the Government resources at the grassroots?

The Assistant Minister for Finance (Mr. Kenneth): Mr. Temporary Deputy Chairman, Sir, let me just discount what hon. Kajwang has said because, in response to a Question by hon. Mirugi Kariuki on all the audited accounts of all county, municipal and city councils, there were only four that had not been audited in the last three years.

So, it is not correct to say that they have not been audited. They have been audited and we are taking the necessary action against the four or five councils that have not been audited.

Mr. Sungu: Thank you, Mr. Temporary Deputy Chairman, Sir. I would also like to urge the Minister to save the politicians who are straightforward.

Mr. Temporary Deputy Chairman, Sir, could he authorise the Kenya National Audit Office (KNAO) to audit the Constituencies Development Fund (CDF) projects? We are now aware that a certain clique of people want to use smear campaign tactics to besmirch the names of Members of Parliament who are in charge of the CDF, without any background and justification whatsoever.

Mr. Temporary Deputy Chairman, Sir, if KNAO took up the matter, then there would be something to talk about. But in the face of any evidence whatsoever, somebody goes to court and accuses a Member of Parliament just so that he can achieve short-term political gain.

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, CDF funds are public funds and due process will be followed. Should there be any mismanagement or misuse of public funds, appropriate action will be taken.

(Question put and agreed to)

Vote 29 - The National Assembly

THAT, a sum not exceeding Kshs3,486,295,985 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 29 - The National Assembly

(Question proposed)

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, it is quite unfortunate that we are now looking at the Vote of the National Assembly and a lot of my colleagues have chosen to go and take tea.

Since we are debating something about which the public has been told about ourselves as we close our term, does this figure include those sums? This is because the other one is in another law. We want to know if it is included. Mr. Temporary Deputy Chairman, Sir, we have been maligned. We have been called all manner of names. Therefore, could we know whether it is included?

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, yes, the figure is included. The Parliamentary Service Commission (PSC) has also included it in their budget.

(Question put agreed to)

Vote 32 - Ministry of Information and Communications

THAT, a sum not exceeding Kshs1,511,017,450 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 32 - Ministry of Information and Communications

(Question proposed)

(Question put and agreed to)

Vote 33 - Electoral Commission

THAT, a sum not exceeding Kshs3,648,707,200 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008, in respect of:-

Vote 33 - Electoral Commission

(Question proposed)

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, allow me to congratulate the Minister for the able manner in which he is moving the Votes.

I am concerned that the Electoral Commission is drawing its Vote through the Ministry of Justice and Constitutional Affairs. I will be glad to know why it does not draw its funds directly from the Treasury under its own name, like the Parliamentary Service Commission (PSC). This is because it is a Commission just like the Parliamentary Service Commission (PSC).

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Temporary Deputy Chairman, Sir, other than the fact that they do not come here to agitate for the Vote, it is direct. The money does not pass through my Ministry. I am only standing here on their behalf. It is most direct!

Mr. Sungu: Thank you!

(Question put and agreed to)

Vote 34 - Kenya Anti-Corruption
Commission

THAT, a sum not exceeding Kshs686,121,620 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June,

2008, in respect of:-

Vote 34 - Kenya Anti-Corruption
Commission
(*Question proposed*)

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I just want to understand this matter. In the rural areas, like in my place, there exists some loose groups of Kenyans under an umbrella called: *Futa Magendo*. It is a network of sorts. I want to know whether this sum is ever likely to spread out to such networks in the villages. We do not want to assume that corruption is only around Integrity Centre and the Port of Mombasa. Has anything been proposed within this sum to go and assist some of those networks in the fight against corruption?

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Temporary Deputy Chairman, Sir, under the banner of "Public Education", the Kenya Anti-Corruption Commission conducts public education and awareness countrywide. Some of it is through the radio, television advertisements and other methods.

The Vuta Magendo Network is an NGO, but there are other initiatives to educate the public such as the National Campaign for the Steering Committee on Anti-corruption. They all have activities spread throughout the country. The monies voted here are strictly for the KACC. Yes, they will be used countrywide!

(*Question put and agreed to*)

Vote 35 - Ministry of State for Special Programmes

THAT, a sum not exceeding Kshs3,053,269,688 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008 in respect of:-

Vote 35 - Ministry of State for Special Programmes

(*Question proposed*)

Mr. Muite: Mr. Temporary Deputy Chairman, Sir, could we get an indication from the Government as to whether there will be rearrangement of the distribution of portfolios of duty? As you remember, we had a problem here when the Minister in charge of that particular docket said that the only thing he is dealing with now is distribution of food, and not emergency issues such as the floods in Budalangi. Mr. Temporary Deputy Chairman, Sir, previously, they were all part of special programmes. Does the Government intend to return that "emergency docket" to the correct Ministry instead of taking it to the Minister of State for Administration and National Security?

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, Mr. Muite has just taken some words from my mouth. The HIV/AIDS portfolio has been removed from the Ministry of State for Special Programmes. I remember times when the Minister----

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Mr. Sungu! You are seeking a clarification. You do not have to repeat what hon. Muite has said. If you have any further clarification to seek, please do so and make it short!

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, I am doing exactly that. But I was just building up on that.

The Temporary Deputy Chairman (Mr. M'Mukindia): No! Do not build up on it. Just go to the point.

Mr. Sungu: Mr. Temporary Deputy Chairman, Sir, just sometimes back, we had a Ministry of Transport and Communications. When another Minister took over, it became Ministry of Transport only and "Communications" was moved to another Ministry.

We want to know from this Government whether they have policy issues with certain individuals or whether they want to have Ministries with proper titles and departments which would not be changed whoever takes over?

The Minister for Transport (Mr. Mwakwere): There are many questions in one. Maybe, I need not elaborate and explain how Ministries are created. That would require a whole hour's lecture. I could do it, but not at this forum.

This Ministry's Budget includes its core functions and emergency activities that relate to other Ministries. Therefore, it deals with things that can be predicted and, in some cases, not predictable. That is because emergencies, as the word stands, are situations which are least foreseen, but we got to prepare for them. I think that covers both questions, since they were related. It was the same question in different words.

(Mr. Syongo stood up in his place)

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Mr. Syongo! What exactly did you want? Go on! I would like to hear you.

Mr. Syongo: Mr. Temporary Deputy Chairman, Sir, I just want a clarification. You know that recently, we had a serious mudslide in Western Province. Two days ago, we had a serious one in the Kerio Valley. It is very clear that, up to now, there is no serious response to those calamities. Could we be assured whether this money is really adequate? It is very clear from past experiences that this money is neither adequate nor is there any co-ordinated system of responding to those disasters.

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, we have had the best response since Independence on the question of emergencies relating to mudslides. The Government is on the ground. There is the District Commissioner and the District Security Committee.

There is a co-ordination that goes beyond the provincial office to the national headquarters. This is a multi-sectoral initiative. It involves many Ministries and the co-ordination is proper and efficient.

(Question put and agreed)

Vote 36 - Ministry of Lands

THAT, a sum not exceeding Kshs1,570,379,300 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008 in respect of:-

Vote 36 - Ministry of Lands

(Question proposed)

Mr. Muite: Mr. Temporary Deputy Chairman, Sir, could the Minister enlighten this House

whether any part of the money that we are voting for the Ministry of Lands will be spent in the implementation of the Ndung'u Report in full?

*(Prof. Maathai stood up
in her place)*

The Temporary Deputy Chairman (Mr. M'Mukindia): Prof. Maathai! Then, I will ask the substantive Minister, because I can see him here, to say something about it.

Prof. Maathai: Thank you, Mr. Temporary Deputy Chairman, Sir. I was going to ask that same question. I would like to add that one reason why I would like to raise this matter is that my office gets many requests by people who feel that many plots that were illegally or irregularly acquired are currently being developed.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, I want to raise an issue with the Minister for Lands as to whether the squatters who were evicted from Mau Summit have been settled in the land that was purchased using public funds? If so, how many, who are they and when were they resettled?

The Temporary Deputy Chairman (Mr. M'Mukindia): Prof. Kibwana, since you are here, you might as well react to some of those issues.

(Mr. Muturi stood up in his place)

Order! Maybe, we can add one more from Mr. Muturi.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, before the Minister responds, I would like to know how much money has been set aside for the purchase of land for the resettlement of squatters. We still have many people who have not being settled and yet, they have been promised to be resettled.

The Minister for Lands (Prof. Kibwana): Thank you, Mr. Temporary Deputy Chairman, Sir. Regarding how much funds have been set aside for implementing the Ndung'u Report, there is a joint programme between the Ministry of Lands, Ministry of Justice and Constitutional Affairs, the Kenya Anti-Corruption Commission and the Attorney-Generals' Office in terms of developing the *modus operandi* of operationalising the Ndung'u Report. This is in terms of what would be the necessary law to do that. That is something that we have, together, taken on board and, indeed, we are developing a Paper for the Cabinet.

Mr. Temporary Deputy Chairman, Sir, regarding how much money has been set aside for the resettlement of squatters, within this Budget, a sum of Kshs1.3 billion has been set aside. Of course, that sum is not adequate for the number of squatters that we have in this country.

We are still trying to negotiate with the Treasury so that more money could be made available, including the money that we shall use for conclusive settlement of the Mau evictees as well as evictees from other forests and so on.

Mr. Temporary Deputy Chairman, Sir, we have been on record, as Prof. Maathai has said, saying that we will not tolerate people who grab public utilities and land meant for the settlement of the squatters. Of course, because they have titles, they keep on taking us to court and constraining our efforts to correct the situation that occurred, especially in the previous regime. But we think that, with the necessary support of Parliament, we shall overcome.

(Question put and agreed to)

Registration of Persons

THAT, a sum not exceeding Kshs533,729,215 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008, in respect of:-

Vote 40 - Ministry of State for Immigration and
Registration of Persons

(Question proposed)

Ms. Ndung'u: Mr. Temporary Deputy Chairman, Sir, I would like to ask the Minister whether he will spend some of this money to operationalise the Refugees Act. We passed this Act last year but its operations have not yet been set up. Therefore, we still have a problem with the influx and registration of refugees.

In the same breath, how much money will also be used to expand the technology that is used to issue passports and identification cards, so that it is easier and quicker for Kenyans to get IDs?

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, I would like the Minister to clearly state to us whether these funds will be used to set up registration centres in all our schools, since every child in this country these days is supposed to be in school, so that when they attain the age of 18, they get their IDs immediately before they leave their schools, or when they have attained that age.

Secondly, I would like to know whether in this amount there is money to remunerate adequately immigration officers, so that they can favourably compare with officers in the KRA and banks, who do a similar job of raising revenue and also ensuring that there is security in this country.

Mr. Muite: Mr. Temporary Deputy Chairman, Sir, a passport of a country is a security document, the printing of which should really be attended to by the best possible safeguards to ensure that it is not easily forgeable. When we recently visited Venezuela as the Departmental Committee on the Administration of Justice and Legal Affairs, we were asked for our Kenyan passports. They were put into a machine and we were told that it is a very easy passport to forge. As the Minister is aware, his Ministry recently gave a contract for printing of Kenyan passports, a security document, to a Pakistani company. Presumably, some of this money will be used to pay for that contract. Is the Minister satisfied? Could he assure this House, given what we know about Pakistan, that our passports are not in danger, because of giving the contract to this Pakistani company, of being available to terrorists, criminals and other unauthorised individuals?

The Minister of State for Immigration and Registration of Persons (Mr. Konchella): Mr. Temporary Deputy Chairman, Sir, those are very good questions, which need clarification for the benefit of the House.

First, Ms. Ndung'u talked about the operationalisation of the Refugees Act. Indeed, we had a problem in making it fully operational, although the operationalisation is going on, because of certain amendments that we have to bring to the House, one of which, I think, was done in this House. It was the issue of allowing, for example, people to come to Kenya without passes. For instance, it allowed people to be here for a month before they can be asked to register. This is opening entry into this country, and we are having many people, who use this loophole in the Act, coming here and of, course, after a month or so, they disappear. So, we have to undertake certain amendments to that Act once again to try and tighten up the security of this nation. Otherwise, it is

operational in certain areas and, indeed, we are now faced with the issue of capacity building.

What is happening also is that we are being funded by other friendly nations to try and improve the capacity of the department to operate and operationalise the Act. This includes the appointment of a Commissioner of Refugees and a council for refugees, which is going to undertake this process. I am in the process of appointing those people so that they can undertake their duties.

The other issue is the registration of students. Indeed, we completed the exercise of registering Kenyans who were left out by the last regime; they were not being registered. I am glad that we now have more Kenyans registered, but I am afraid that some hon. Members of this House might lose their seats because there are too many people who are going to vote against them. But that be that as it may, I assure the hon. Member that we are starting an exercise of registering students, as it used to happen before, in their schools. This exercise is now on-going. We are in the process and I am glad that the Minister for Finance has even supported the Ministry with Kshs200 million to enable us to register students up to December this year in the whole country. So, the exercise is on-going.

The other important issue is that of remuneration of immigration officers. Indeed, the Departmental Committee on Administration, National Security and Local Authorities sat down with us in Mombasa at several fora to review the immigration law. Right now, we have more than three registration Acts, and so many other Acts that need to be harmonised. We have done the first and second drafts. We have even done the last draft which I am presenting to the Cabinet shortly. It is a policy paper on the issue of these documents, so that it can go to the Attorney-General for printing and then come to this House for debate. After that, we will ensure that immigration officers are at par with officers in other departments, because we are creating an immigration service, which will raise the salaries of the officers to those of the KRA, so that they are also deployed immediately because they handle a lot of money. Indeed, now we are collecting Kshs3 billion to Kshs4 billion every year from issuance of visas and stamp duties on so many other documents used when people come to this country.

I think the other issue which needs clarification is that of about new passports. I want to assure Mr. Muite that we had a problem this year. If you get a passport now in Nairobi it is printed electronically, and it is not forgeable but we had to do that as a stop-gap-measure, because we had procured an issuing system from the company. If you remember the cost of this thing before was almost Kshs1 billion, but we have bought the same thing for Kshs100 million. So, the company that is supplying to us is a parastatal of the Government of Pakistan. So, it is not just a company which anybody can have access to. It is a Government parastatal; it is protected fully by the Pakistani Government, and they are the ones who are doing passports for Pakistan, Bangladesh and so many other countries within that region. So, this equipment will be installed by October and we hope that by the time we operationalise it, it will be fully secure.

(Question put and agreed to)

Vote 41 - Ministry of National Heritage

THAT, a sum not exceeding Kshs532,566,245 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008 in respect of:-

Vote 41 - Ministry of National Heritage

(Question proposed)

Mr. Muite: Mr. Temporary Deputy Chairman, Sir, I would like to commend the Ministry. If I may site the case of Kabete Constituency, they have taken steps to preserve Fort Smith as one of our national heritage. Fort Smith is where Waiyaki Wa Hinga spent his last night before he was marched to Kibwezi to be killed by the colonialists. The graves of those early "White" people are also there. That is part of our history and the Ministry has recently given instructions for it to be preserved as a national heritage.

The Ministry has also given instructions for the preservation of the church of the torch so that it is not destroyed by some misguided people. That was the backbone of civilization. That is where the first President first went to church and was the first person to be ex-communicated because of supporting female circumcision. But it was built at the beginning of our history.

Therefore, I would like to support this and to ask the Ministry to continue identifying the historical sites so that we can preserve them for posterity.

(Question put and agreed to)

Vote 43 - Ministry of Science and Technology

THAT, a sum not exceeding Kshs1,962,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008 in respect of:-

Vote 43 - Ministry of Science and Technology

(Question proposed)

(Question put and agreed to)

Vote 44 - Ministry of Housing

THAT, a sum not exceeding Kshs1,081,436,500 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008 in respect of:-

Vote 44 - Ministry of Housing

(Question proposed)

Mr. Angwenyi: Mr. Temporary Deputy Speaker, Sir, this is a newly created independent Ministry, but it is yet to make a mark in this country. It is about two years since it was created but it has not started making a mark. Could this Ministry share out these resources throughout the country fairly so that we could see some housing schemes coming up in Kisii town?

The Temporary Deputy Chairman (Mr. M'Mukindia): Mr. Kimunya, would you like to react to that?

The Minister for Finance (Mr. Kimunya): Yes, Mr. Temporary Deputy Chairman, Sir. I would like to confirm that this Ministry has programmes across the entire country. For the first time, we have seen development taking place in our slums, like the completion of the housing

scheme in Kibera. We have seen houses for civil servants coming up in Ngara and Kileleshwa estates. There are about 276 units which are coming up through the work that is being done by this Ministry and the National Housing Corporation (NHC) including providing loans to the rural farmers up to Kshs1.5 million to improve their houses. That includes housing within Kisii and other places.

Mr. Kajwang: Mr. Temporary Deputy Chairman, Sir, if this Ministry is ran properly, it could create a lot of employment to this country. This morning, I was reading an advertisement of a bond, from South Africa, of Kshs19 trillion for development of houses. I thought that we are going to move that direction of issuing Government bonds to develop houses. We are behind because we promised Kenyans 500,000 units per year, but I do not think we have even scratched. What policy does the Ministry have to actually develop housing to cope with urbanization in this country?

The Minister for Finance (Mr. Kimunya): Mr. Temporary Deputy Chairman, Sir, the commitment was not 500,000 units of housing. The commitment by the NARC Government was to facilitate the creation of up to 150,000 housing units per year. The Ministry has been doing that through policy frameworks through providing incentives including those incorporated in the Finance Bill, which I hope that by the time we go through, will unlock the door for people to develop all those houses. The beauty with what is happening now is that when you go across the entire country, there are houses coming up everyday because of the empowerment that the Kibaki Government has provided for them over the last four years.

(Question put and agreed to)

Vote 45 - The National Security Intelligence Service

THAT, a sum not exceeding Kshs3,409,308,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008 in respect of:-

Vote 45 - The National Security Intelligence Service

(Question proposed)

Mr. Kajwang: Mr. Temporary Deputy Chairman, Sir, the National Security Intelligence Service (NSIS) should actually be called "The National Political Intelligence Service". We do not know what they do with a hefty sum like Kshs3.4 billion. I understand that they are supposed to look into terrorist activities, among other things. However, we have a lot of insecurity in this country. I thought that the NSIS should be used to inform the police about the proliferation of some groups that cause terror among our people everyday. Could the Minister explain to us what they do with such a vast sum of money if it is not a network for political operatives?

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, I would like to commend this Ministry for the good job. I would like them to redouble their efforts so that they can mop up and flag off all the entrances of illegal arms into this country, especially small arms. They should also mop up the small arms which have already entered this country. I would also like to know whether our NSIS has information about what is going on in Mt. Elgon, which has been going on for the last two years or so, where Kenyans have lost their lives. The NSIS have not been able to arrest the situation where Kenyans are losing their lives and their livelihoods. I would also like to know whether the NSIS gives information to the Ministries concerned, especially the Ministry of State for Administration and National Security and the President regarding the state of affairs of this

country, especially on security, so that we can be sure, as we go into elections, that we are going to have peaceful elections and that our lives and homes will be secure.

Mr. Maore: Mr. Temporary Deputy Chairman, Sir, I have a comment and not a question to the Minister. When we passed the National Security Intelligence Service Act in 1998--- I have heard some of the hon. Members who were here at that time raising very strange remarks about the NSIS. The framework on which we set up the NSIS with departments like the Economic Intelligence and the Foreign Intelligence and Industrial Espionage, among others, was to keep surveillance for us. Hon. Members mistake this Service for people who are in a market or *kiosk* owners who preach in the cross-roads. When the NSIS collect intelligence information, they are supposed to take it to designated destinations. Whether it is about the Artur Brothers or anybody else, they are supposed to take it to the President. That is in the Act. The question we should ask is: Has the President ever complained that he does not receive intelligence information from the NSIS? The answer is "no." Those who complain are people who are not aware about what the NSIS is supposed to do or what it does.

(Applause)

The Minister for Finance (Mr. Kimunya): Mr. Temporary Deputy Chairman, Sir, I think hon. Maore has really brought into perspective what the NSIS is all about. It is not just a witchhunt organisation. I think we are having a very narrow view of the NSIS. I would like to confirm that this is a professional intelligence service with operations on a global scale. The nature of those, obviously, cannot be discussed. In terms of their budget, there is no money included here for political purposes, as earlier alluded. It is an independent intelligence service with its own operations.

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Chairman, Sir, I will be very brief. The NSIS does what hon. Maore has said. I also want to add that this service is available to all Government institutions where there are issues relevant to that agency.

Mr. Temporary Deputy Chairman, Sir, I also want to say that issues of security are getting more and more complex, and in particular the proliferation of small arms has become a serious matter. Ten days ago, a person was arrested in North Eastern Province, carrying quite a number of variety of guns and ammunition. He was trying to bring them into Kenya. He must have gone through the border. I want to thank this House because it has supported us in closing our common border with Somalia.

(Applause)

The intelligence service advises the police. Before the police get involved in any issue, 99 per cent of the information they have is relevant because it is gathered over a period of time. The police do not just go out in the streets and begin arresting criminals. These are criminals who are tracked down over a period of time and they would have committed quite a number of crimes. You will be surprised that the police have been dealing with people who have committed multiple murders in this country. This is because impunity was introduced into security. Security was politicised. It involves life and death. It does not involve politics, and yet Members of this House continue to persuade the Government to accept that security can be politicised. As we try to bring order, I am sure that we will continue to get the support of this House because there is nothing as devastating as having to worry about a danger which you cannot define. Kenyans had been brought to that situation in the recent past.

Mr. Temporary Deputy Chairman Sir, I did not want to make a speech but I want to clarify that this is not a matter to be played around with. This is not a matter to search for international recognition with. It is the lives of Kenyans which is in danger and they must be protected. I happen to have that responsibility, which I will discharge very efficiently!

Thank you.

(Applause)

(Loud consultations)

(Mr. Syongo stood up in his place)

The Temporary Deputy Chairman (Mr. M'Mukindia): Order! Order! Mr. Syongo, you know the procedures of this House! I do not want to open debate on this matter. I think hon. Michuki has made very clear his course of action, and you should be satisfied with that.

Mr. Syongo: On a point of order, Mr. Temporary Deputy Chairman, Sir!

The Temporary Deputy Chairman (Mr. M'Mukindia): What is your point of order?

Mr. Syongo: On a point of order, Mr. Temporary Deputy Chairman, Sir. My point of order is very specific. I admire the way the hon. Minister has explained his mandate and the manner in which our services are helping us manage our security. However, is it in order for the Economic Division to be downgraded at a time when Kenya is facing many challenges from South Africa and other countries in terms of her competitiveness in the region?

The decision to downgrade the Economic Division of this Service is the most unfortunate decision. Would I be in order, therefore, to ask that the division be reconstituted?

(Mr. Michuki stood up in his place)

The Temporary Deputy Speaker (Mr. M'Mukindia): Order, Mr. Minister! Please, resume your seat!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, this is the Division of Intelligence Service.

The Temporary Deputy Speaker (Mr. M'Mukindia): Order, Mr. Minister! I have not given you the Floor. Hon. Syongo, that really was not a point of order. In fact, you were trying to argue with the Minister or trying to convince him to take a different course of action on certain issues.

So, let us not revisit the issue because, unfortunately, Guillotine does not allow for it. I will, therefore, put the Question.

(Question put and agreed to)

Vote 46 - Ministry of Tourism and Wildlife

THAT, a sum not exceeding Kshs1,216,661,135 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008, in respect of:-

Vote 46 - Ministry of Tourism and Wildlife

(Question proposed)

Mr. Kosgey: Mr. Temporary Deputy Speaker, Sir, had I been here earlier, I would have moved for a reduction of one Kenya pound from this Ministry, but I came late? I just want to make one comment. First, I hope there is a policy or plan in this Ministry to expand hotel capacity. As we know, since the recovery of the sector, we are suffering from shortage of hotels. We need more hotels and lodges in Nairobi and Coast Province. I hope something is being done to make sure that we meet the demand of these foreign tourists and also that of domestic tourists.

Mr. Temporary Deputy Chairman, Sir, I want to commend Kenya Wildlife Service (KWS), particularly its Director for the wonderful job that he has done. It is what good civil servants and heads of parastatals can do. Finally, I hope there are also plans to make sure that we benefit from the recovery of the tourism sector. The money that we earn from tourism, especially in Malindi should not just be about tourists bringing pasta and macaroni and then we end up getting nothing.

The Assistant Minister for Trade and Industry (Mr. Miriti): Mr. Temporary Deputy Chairman, Sir, I want to commend the Minister for Tourism and Wildlife for the job well done. In fact, we have seen a lot of improvement in the tourism sector. However, I want to remind him that there are so many cases of claims which have been registered in the KWS offices regarding destruction of crops and deaths of human beings by wildlife. I hope when he gets this money, he will allocate some of it for the payment of these pending cases.

Mr. Weya: Mr. Temporary Deputy Speaker, Sir, considering the amount of money this country is earning from tourism, the money that we are about to vote here is very minimal. I think this country needs to consider putting up a multi-national five star hotel at the airport where tourists on transit can utilise for the benefit of this country. We are losing a lot of revenue to countries like Dubai who have hotels at their airports.

In the earlier days, the Government used to invest in tourism infrastructure and you can see that most of the hotels and resorts have been put up using money that has been passed in this House. So, I think this Ministry needs to reconsider creating a Development Vote for the tourism industry.

Mr. Kimeto: Mr. Temporary Deputy Chairman, Sir, I would like to commend the Government for allocating more money to this Ministry. I would like to propose to this Minister that many people in this country have been killed by animals and no compensation has been paid to their dependants. I, therefore, request him to fence off the national parks and reserves and provide water for wildlife in order to prevent them from straying and killing our people.

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, could the Minister state whether some of this money will be used for the establishment of an Utalii College at the Coast?

Prof. Maathai: Mr. Temporary Deputy Speaker, Sir, could the Minister inform the House what percentage of this money will be invested in the management of the parks? I am asking this question because the road infrastructure in our national parks and reserves is pathetic.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, first of all, I would like to commend this Ministry because it has done very well. However, I am sure it can double up its efforts such that we can earn as much as Egypt earns from tourism industry which is more than the national Budget of Kenya. Could the Minister inform this House whether this Ministry has devoted some funds to create a corridor for animals to move between Nairobi and Amboseli national parks? Secondly, could he also inform the House whether he has budgeted some of this money for the cleaning up of our lakes like Nakuru, Naivasha and Elementaita, so that we can recreate those tourist attractions?

Mr. Muite: Mr. Temporary Deputy Chairman, Sir, my single point is about this issue of monkeys in Nashe Sub-Location of Karai Location of Kikuyu Constituency. I wrote a letter to the

Director of KWS with a copy to the Minister and there was not even a courtesy of a reply. It is now over six weeks.

Could the Minister take charge? This KWS is under the Minister and it is not right for him to tell me that he also spoke to the Director of KWS. They have not been there and I have not even had the courtesy of a reply. Could the Minister take action immediately because human beings are more important than these monkeys?

The Temporary Deputy Chairman (Mr. M'Mukindia): I hope the Assistant Minister is picking up the points because when I call upon him to reply, he will require them!

Mr. Odoyo: Mr. Temporary Deputy Chairman, Sir, the clash between man and wildlife is increasingly becoming an issue. I request the Ministry to put a proper policy in place. Our towns are growing. Our population is also growing fast and so is the wildlife. The Ministry should, therefore, come up with a proper policy to manage the human-wildlife conflict.

Lastly, the western circuit is lying idle. The biggest fresh water lake and other resources in that area should be developed.

The Temporary Deputy Chairman (Mr. M'Mukindia): I will now allow Messrs. Kenneth and Karaba to make their brief contributions. We will then hear from Mr. Muriungi!

The Assistant Minister for Finance (Mr. Kenneth): Mr. Temporary Deputy Chairman, Sir, I notice that the Ministry has done well. In fact, there have been comments to the effect that Kenya Wildlife Service (KWS) has done a very good job. That is true. KWS has not been in isolation. Kenya Tourist Board (KTB), through the support of the European Union, has done the best job of marketing this country and ensuring that tourists come here. I also note that parks under KWS are better managed than those under conservancies. That is in terms of communication. The Amboseli National Park (ANP) leads in that direction because all the roads are very good. Those roads are managed by the KWS. In a way, it goes to show that all the things that we have been saying about the country growing and doing well and the Government working efficiently are, indeed, true.

Mr. Karaba: Mr. Temporary Deputy Chairman, Sir, much as we appreciate the good work that has been done by the Minister and the Ministry of Tourism and Wildlife officials, they should also take care of the beach boys and girls---

Mr. Kosgey: Mr. Temporary Deputy Chairman, Sir,---

The Temporary Deputy Chairman (Mr. M'Mukindia): Order, Mr. Kosgey! We have to give other hon. Members on the Floor a chance to be heard! Please, allow Mr. Karaba to be heard!

Mr. Karaba: Mr. Temporary Deputy Chairman, Sir, that was an interruption! I was asking the Ministry to take care of the juveniles along the beaches. We have beach boys and beach girls who abscond their classes. As a result of that, we have low standards of education at the Coast Province. If the Ministry could, at least, rehabilitate those kids who ply their trade along the beaches, it will be very good for education standards in Kenya. That can contribute a lot positively.

The Assistant Minister for Tourism and Wildlife (Mr. Muriungi): Mr. Temporary Deputy Chairman, Sir, may I thank hon. Members for the support they have given to this Ministry. We definitely could not have performed so well without the support of everybody.

There has been a tremendous growth of local tourism. I commend Kenyans for promoting their own products. We cannot entirely rely on foreigners, especially during the low season. Today, we are not suffering from the low season because Kenyans are filling that gap.

Mr. Temporary Deputy Chairman, Sir, several issues were raised concerning our hotel capacity. That is a challenge which we are trying to address. I would like to tell hon. Members that we are putting up some new hotels in some of our parks. We have identified developers. We also have camp sites. We are trying to encourage them. We are also ensuring that the environment is not interfered with. Environmental consideration is being taken into account, so that we do not convert

our tourist destinations to concrete jungles.

Mr. Temporary Deputy Chairman, Sir, we have also achieved self-sufficiency in some of our parastatals. The KWS, for example, has raised enough money to sustain most of its services. Hon. Members might have seen us flagging off fleets of vehicles to patrol our parks. That is from the money that has been generated by KWS, and not from the Exchequer.

We are developing a tourism policy. We never used to have one. Once that policy is enacted into law, it will answer some of the questions that are being raised by hon. Members. It is at an advanced stage. The same also goes for the Wildlife Conservation and Management Policy (WCMP). That Wildlife Conservation and Management Policy will address issues such as the human-wildlife conflict and compensation. Compensation will be done using the same policy as the one used by insurance companies, where human life is taken into consideration. We also intend to reinstate compensation for damaged crops and property.

I would like to briefly address the issue of monkeys. The monkey menace is different from that of elephants. It is easier to control an elephant than a monkey. Even if you put up an electric fence, there are animals that can even dig under the fence. The monkeys even know how to avoid the live wire. It will use the neutral wire and somersault to the other side. But we are also trying to come up with monkey-proof fences. It is a challenge that we are also trying to address, because it is more complicated than the others.

With regard to the corridor from Nairobi National Park through Kitengela, I would like to assure hon. Members that we are involving the communities to manage that issue.

Finally, on the western circuit, the World Tourism Week was celebrated there last year to sensitise the people of western Kenya on the gains of tourism.

I take this opportunity to, once again, thank hon. Members for the support they are giving us. We promise to do our best.

The Minister for Finance (Mr. Kimunya): Mr. Temporary Deputy Chairman, Sir, I just wanted to clarify something about funding. It may look small, but this is the initial seed money. The Ministry is also generating a bit of Appropriations-in-Aid (A-in-A). But within the new Medium Term Expenditure Framework (MTEF) process which was beginning today, the tourism sector is being slotted in for a lion's share of funding because of the importance it plays. Now that I am at it, I believe that the benefits that we are seeing now, and the increase in the number of tourists is partly because of the confidence that the people have within the country, the security and issues surrounding the country.

Mr. Temporary Deputy Chairman, Sir, as leaders, we have a big role that we can play in boosting that confidence and having many more people coming to this country because Kenya is really the destination of choice across the globe. So long as we keep our politics within certain levels of responsibility, we will continue attracting more tourists to this country.

(Question put and agreed to)

The Temporary Deputy Chairman (Mr. M'Mukindia): Hon. Members, I shall now call upon the Minister to move that the Committee reports to the House.

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Chairman, Sir, I beg to move that the Committee of Supply do report to the House its consideration of the Resolution and its approval of the same without amendment.

(
Question put and agreed to
(The House resumed)

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

REPORTS

REMAINING VOTES IN COMMITTEE OF SUPPLY ON SIXTEENTH AND LAST ALLOTTED DAY

The Temporary Deputy Speaker (Mr. Sungu): Mr. M'Mukindia, you may just make it the sum voted and the Vote without the formal words.

Mr. M'Mukindia: Thank you, Mr. Temporary Deputy Speaker, Sir.

Vote 14 - Ministry of Transport: Kshs2,645,412,500

Vote 07 - Ministry of Finance: Kshs38,400,326,200

Vote 12 - Ministry of Local Government: Kshs1,460,122,925

Vote 42 - Ministry of State for Youth Affairs: Kshs2,128,474,390

Vote 02 - State House: Kshs500,063,335

Vote 03 - Ministry of State for Public Service: Kshs1,095,344,850

Vote 05 - Office of the Vice-President and Ministry of Home Affairs: Kshs4,110,992,915

Vote 06 - Ministry of Planning and National Development: Kshs1,432,162,345

Vote 08 - Ministry of State for Defence: Kshs19,144,242,775

Vote 09 - Ministry of Regional Development Authorities: Kshs659,829,405

Vote 10 - Ministry of Agriculture: Kshs5,566,142,185

Vote 15 - Ministry of Labour and Human Resource Development: Kshs658,400,000

Vote 16 - Ministry of Trade and Industry: Kshs1,166,421,515

Vote 17 - Ministry of Justice and Constitutional Affairs: Kshs434,138,970

Vote 18 - Ministry of Gender, Sports, Culture and Social Services: Kshs1,601,330,775

Vote 19 - Ministry of Livestock and Fisheries Development: Kshs2,239,264,500

Vote 21 - Ministry of Environment and Natural Resources: Kshs2,279,984,850

Vote 22 - Ministry of Co-operative Development and Marketing: Kshs523,877,200

Vote 23 - Cabinet Office: Kshs655,075,595

Vote 24 - Ministry of East African Community: Kshs210,450,135

Vote 25 - State Law Office: Kshs411,254,480

Vote 26 - Judicial Department: Kshs862,899,480

Vote 27 - Public Service Commission: Kshs157,420,145

Vote 28 - Kenya National Audit Office: Kshs583,229,210

Vote 29 - National Assembly: Kshs3,486,295,985

Vote 32 - Ministry of Information and Communications: Kshs1,511,017,450

Vote 33 - Electoral Commission: Kshs3,648,707,200

Vote 34 - Kenya Anti-Corruption Commission: Kshs686,121,620

Vote 35 - Ministry of State for Special Programmes: Kshs3,053,269,688

Vote 36 - Ministry of Lands: Kshs1,570,379,300

Vote 40 - Ministry of State for Immigration and Registration of Persons: Kshs533,729,215

Vote 41 - Ministry of State for National Heritage: Kshs532,566,245

Vote 43 - Ministry of Science and Technology: Kshs1,962,000,000

Vote 44 - Ministry of Housing: Kshs1,081,436,500

Vote 45 - National Security Intelligence Service: Kshs3,409,308,000

Vote 46 - Ministry of Tourism and Wildlife: Kshs1,216,661,135

The Minister for Transport (Mr. Mwakwere): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee of Supply in the said Resolutions.

The Minister for Finance (Mr. Kimunya) seconded.

(Question proposed)

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Sungu): Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Wednesday, 12th September, 2007, at 9.00 a.m.

The House rose at 6.05 p.m.